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, Warnambool 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)
11.01-1R 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 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 plan

Note: Potential infrastructure projects and gateways are subject to infrastructure Victoria advice and Victorian Government approval. This framework will be updated at the end of 2017, following the government response to Infrastructure Victoria’s 30 Year Plan.
Green wedges - Metropolitan Melbourne

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

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

Policy documents
Consider as relevant:

- Upper Yarra Valley and Dandenong Ranges Region - Regional Strategy Plan (1996)
Supply of urban land

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

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

Ensure that sufficient land is available to meet forecast demand.

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

Objective
To facilitate the orderly development of urban areas.

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

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

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

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

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

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

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

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

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

Support opportunities to co-locate facilities.

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

Give clear direction on preferred locations for investment.

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

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

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

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

Encourage economic activity and business synergies.

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

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

Strategies
Concentrate urban expansion into growth areas that are served by high-capacity public transport.
Implement the strategic directions in the Growth Area Framework Plans.
Encourage average overall residential densities in the growth areas of a minimum of 15 dwellings per net developable hectare, and over time, seek an overall increase in residential densities to more than 20 dwellings per net developable hectare.
Deliver timely and adequate provision of public transport and local and regional infrastructure and services, in line with a preferred sequence of land release.
Provide for significant amounts of local employment opportunities and in some areas, provide large scale industrial or other more regional employment generators.
Create a network of mixed-use activity centres that are high quality, well designed and create a sense of place.
Provide a diversity of housing type and distribution.
Retain unique characteristics of established areas impacted by growth.
Protect and manage natural resources and areas of heritage, cultural and environmental significance.
Create well planned, easy to maintain and safe streets and neighbourhoods that reduce opportunities for crime, improve perceptions of safety and increase levels of community participation.
Develop Growth Area Framework Plans that will:
- Include objectives for each growth area.
- Identify the long term pattern of urban growth.
- Identify the location of broad urban development types, for example activity centre, residential, employment, freight centres and mixed use employment.
- Identify the boundaries of individual communities, landscape values and, as appropriate, the need for discrete urban breaks and how land uses in these breaks will be managed.
- Identify transport networks and options for investigation, such as future railway lines and stations, freight activity centres, freeways and arterial roads.
- Identify the location of open space to be retained for recreation, and/or biodiversity protection and/or flood risk reduction purposes guided and directed by regional biodiversity conservation strategies.
- Show significant waterways as opportunities for creating linear trails, along with areas required to be retained for biodiversity protection and/or flood risk reduction purposes.
- Identify appropriate uses for constrained areas, including quarry buffers.
Develop precinct structure plans consistent with the Precinct Structure Planning Guidelines (Growth Areas Authority, 2009) approved by the Minister for Planning to:
- Establish a sense of place and community.
- Create greater housing choice, diversity and affordable places to live.
- Create highly accessible and vibrant activity centres.
- Provide for local employment and business activity.
- Provide better transport choices.
- Respond to climate change and increase environmental sustainability.
- Deliver accessible, integrated and adaptable community infrastructure.

**Policy documents**

Consider as relevant:

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

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

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

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

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

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

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

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

Improve connections to regional and metropolitan transport services.
Coastal settlement

Objective
To plan for sustainable coastal development.

Strategies
Plan and manage coastal population growth and increased visitation so that impacts do not cause unsustainable use of coastal resources.
Support a network of diverse coastal settlements that provide for a broad range of housing types, economic opportunities and services.
Encourage urban renewal and redevelopment opportunities in existing settlements to reduce the demand for urban sprawl.
Identify a clear settlement boundary around coastal settlements to ensure that growth in coastal areas is planned and coastal values are protected. Where no settlement boundary is identified, the extent of a settlement is defined by the extent of existing urban zoned land and any land identified on a plan in the planning scheme for future urban settlement.
Direct new residential and other urban development and infrastructure to locations within defined settlement boundaries of existing settlements that are capable of accommodating growth.
Support the sustainable management of growth around coastal, estuary and marine assets to protect environmental values, and to achieve regional economic and community benefits.
Avoid linear urban sprawl along the coastal edge and ribbon development in rural landscapes.
Protect areas between settlements for non-urban use.
Avoid development on ridgelines, primary coastal dune systems and low lying coastal areas.
Encourage the restructure of old and inappropriate subdivisions to reduce development impacts on the environment.
Ensure a sustainable water supply, stormwater and sewerage treatment for all development.
Minimise the quantity and enhance the quality of stormwater discharge from new development into the ocean, bays and estuaries.

Policy documents
Consider as relevant:

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

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

Strategies
Recognise the significant geographic and physical features of these areas.
Recognise the important role these areas play in the state as tourist destinations.
Protect the identified key values and activities of these areas.
Support use and development where it enhances the valued characteristics of these areas.
Avoid use and development that could undermine the long-term natural or non-urban use of land in these areas.
Protect areas that are important for food production.
Develop Localised Planning Statements for the Bellarine Peninsula, Macedon Ranges, Mornington Peninsula and the Yarra Valley and Dandenong Ranges.

Policy documents
Consider as relevant:

Regional and local places

Objective
To facilitate integrated place-based planning.

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

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

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

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

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

Objective
To assist the protection and conservation of Victoria’s biodiversity.

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

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

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

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

**Policy guidelines**
Consider as relevant:
- State biodiversity information maintained by the Department of Environment, Land, Water and Planning.

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

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

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

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

Apply the hierarchy of principles for coastal planning and management:

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

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

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

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

Encourage revegetation of cleared land abutting coastal reserves.

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

Avoid disturbance of coastal acid sulfate soils.

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

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

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

**Strategies**
Protect the environmental, cultural and landscape values of all water bodies and wetlands.
Ensure development responds to and respects the significant environmental, conservation, cultural, aesthetic, open space, recreation and tourism assets of water bodies and wetlands.
Ensure development is sensitively designed and sited to maintain and enhance environmental assets, significant views and landscapes along river corridors and waterways and adjacent to lakes and wetlands.
Ensure development does not compromise bank stability, increase erosion or impact on a water body or wetland’s natural capacity to manage flood flow.
Protect the Yarra, Maribyrnong and Murray River corridors as significant economic, environmental and cultural assets.
Facilitate growth in established settlements where water and wastewater can be managed.

**Policy documents**
Consider as relevant:
- *Maribyrnong River Valley Design Guidelines* (Department of Planning and Community Development, 2010)
- *Healthy Waterways Strategy* (Melbourne Water, 2013)

**Yarra River protection**

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

**Strategies**
Strengthen the Yarra River’s natural environment, heritage and overall health by:

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

Promote a sense of place and landscape identity by:

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

Retain and enhance people’s enjoyment of the river and its environment by:
- Planning for the river and its environs as a recreation and tourism resource.
- Ensuring linkages and public access to the river and its parklands are maintained, enhanced and new links created where appropriate.
- Avoiding overshadowing of the river, its banks and adjacent public open space to ensure that the amenity of the public realm is maintained year-round.

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

- Minimising the visual intrusion of development when viewed from major roads, bridge crossings, public open space, recreation trails and the river itself.
- Ensuring that the siting and design of buildings avoids conflicting with the local natural landscape and environmental character.
- Ensuring building height is below the natural tree canopy and all development is set back a minimum of 30 metres from the banks of the river.

**Policy documents**

Consider as relevant:

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

13.05-1S  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 Broiler Farms* (Department of Primary Industries, 2009, plus 2018 amendments)
- *Apiary Code of Practice* (Department of Planning and Community Development, 2011)
- *Planning Guidelines for Land Based Aquaculture in Victoria* (Department of Primary Industries, No. 21, 2005)
- *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines* (Department of Economic Development, Jobs, Transport and Resources, June 2018)
- *Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines* (Department of Economic Development, Jobs, Transport and Resources, June 2018)
Forestry and timber production

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

Strategies
Identify areas that may be suitably used and developed for plantation timber production.
Promote the establishment of softwood and hardwood plantations on predominantly cleared land, as well as other areas that are subject to or contributing to land and water degradation.
Ensure protection of water quality and soil.
Ensure timber production in native forests is conducted in a sustainable manner.
Conduct timber production (except agroforestry, windbreaks and commercial plantations of 5 hectares or less) in accordance with the *Code of Practice for Timber Production* (Department of Environment and Primary Industries, 2014).
Ensure Victoria’s greenhouse sinks are protected and enhanced by controlling land clearing, containing the growth of urban areas and supporting revegetation programs.

Policy documents
Consider as relevant:

- *Code of Practice for Timber Production* (Department of Environment and Primary Industries, 2014)
Catchment planning and management

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

Strategies
Ensure the continued availability of clean, high-quality drinking water by protecting water catchments and water supply facilities.

Consider the impacts of catchment management on downstream water quality and freshwater, coastal and marine environments.

Retain natural drainage corridors with vegetated buffer zones at least 30 metres wide along each side of a waterway to:

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

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

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

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

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

Require appropriate measures to restrict sediment discharges from construction sites.

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

Policy documents
Consider as relevant:

- Any regional catchment strategy and related plans approved under the Catchment and Land Protection Act 1994
- State Environment Protection Policy (Waters of Victoria)
- Murray River Regional Environmental Plan No 2 (REP2) of New South Wales
- Planning permit applications in open, potable water supply catchment areas (Department of Sustainability and Environment, 2012)
- Any applicable implementation strategy approved by a catchment management authority or waterway management authority
- Any special area or management plan under the Heritage Rivers Act 1992
- Any action statement or management plan prepared under the Flora and Fauna Guarantee Act 1988
- Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999)
Water quality

Objective
To protect water quality.

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

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

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

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

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

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

Policy documents
Consider as relevant:

- *Construction Techniques for Sediment Pollution Control* (Environment Protection Authority, 1991)

- *Environmental Guidelines for Major Construction Sites* (Environment Protection Authority, 1996 - Publication 480)

- *Doing it Right on Subdivisions: Temporary Environmental Protection Measures for Subdivision Construction Sites* (Environment Protection Authority, 2004 - Publication 960)

- *Planning permit applications in open, potable water supply catchments* (Department of Sustainability and Environment, 2012)
14.03 EARTH AND ENERGY RESOURCES
Resource exploration and extraction

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

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

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

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

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

Develop and maintain buffers around mining and quarrying activities.

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

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

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

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

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

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

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

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

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

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

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

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

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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:

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

Policy documents
Consider as relevant:

Subdivision design

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

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

- Creating compact neighbourhoods that have walkable distances between activities.
- Developing activity centres in appropriate locations with a mix of uses and services and access to public transport.
- Creating neighbourhood centres that include services to meet day to day needs.
- Creating urban places with a strong sense of place that are functional, safe and attractive.
- Providing a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.
- Creating landscaped streets and a network of open spaces to meet a variety of needs with links to regional parks where possible.
- Protecting and enhancing native habitat.
- Facilitating an urban structure where neighbourhoods are clustered to support larger activity centres served by high quality public transport.
- Reduce car dependency by allowing for:
  - Convenient and safe public transport.
  - Safe and attractive spaces and networks for walking and cycling.
  - Subdivision layouts that allow easy movement within and between neighbourhoods.
  - A convenient and safe road network.
- Being accessible to people with disabilities.
- Creating an urban structure and providing utilities and services that enable energy efficiency, resource conservation, integrated water management and minimisation of waste and air pollution.

Policy documents
Consider as relevant:

Healthy neighbourhoods

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

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

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

Policy documents
Consider as relevant:

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.
SUSTAINABLE DEVELOPMENT
Energy and resource efficiency

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

Strategies
Improve the energy, water and waste performance of buildings and subdivisions through environmentally sustainable development.

Promote consolidation of urban development and integration of land use and transport.

Improve efficiency in energy use through greater use of renewable energy technologies and other energy efficiency upgrades.

Support low energy forms of transport such as walking and cycling.

Reduce the urban heat island effect by greening urban areas, buildings, transport corridors and open spaces with vegetation.

Encourage retention of existing vegetation and planting of new vegetation as part of development and subdivision proposals.
Heritage conservation

Objective
To ensure the conservation of places of heritage significance.

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

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

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

Encourage appropriate development that respects places with identified heritage values.

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

- *Aboriginal Heritage Act 2006*
HOUSING

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

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

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

**Objective**
To promote a housing market that meets community needs.

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

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

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

Facilitate the delivery of high quality social housing.

**Policy documents**
Consider as relevant:

Integrated housing - Metropolitan Melbourne

Strategies

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

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

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

Strategies
Increase the proportion of new housing in designated locations within established urban areas and reduce the share of new dwellings in greenfield and dispersed development areas.
Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.
Ensure an adequate supply of redevelopment opportunities within established urban areas to reduce the pressure for fringe development.
Facilitate residential development that is cost effective in infrastructure provision and use, energy efficient, water efficient and encourages public transport use.
Identify opportunities for increased residential densities to help consolidate urban areas.
Housing opportunity areas - Metropolitan Melbourne

Strategies

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

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

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

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

Direct new housing to areas with appropriate infrastructure.
Housing diversity

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

Strategies
Ensure housing stock matches changing demand by widening housing choice.
Facilitate diverse housing that offers choice and meets changing household needs through:

- A mix of housing types.
- Adaptable internal dwelling design.
- Universal design.

Encourage the development of well-designed medium-density housing that:

- Respects the neighbourhood character.
- Improves housing choice.
- Makes better use of existing infrastructure.
- Improves energy efficiency of housing.

Support opportunities for a range of income groups to choose housing in well-serviced locations.
Ensure planning for growth areas provides for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.
Housing diversity - Metropolitan Melbourne

Strategy

Create mixed-use neighbourhoods at varying densities that offer more choice in housing.
Housing affordability

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

Strategies
Improve housing affordability by:

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

Increase the supply of well-located affordable housing by:

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

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

Policy documents
Consider as relevant:

Rural residential development

Objective
To identify land suitable for rural residential development.

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

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

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

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

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

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

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

Encourage consolidation of existing isolated small lots in rural zones.

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

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

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

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

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

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

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

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

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

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

Objective
To strengthen and diversify the economy.

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

Strategies

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

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

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

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

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

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

Plan for industrial land in suitable locations to support employment and investment opportunities.

Facilitate investment in Melbourne’s outer areas to increase local access to employment.
Innovation and research

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

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

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

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

Objective
To manage out-of-centre development.

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

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

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

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

Objective
To ensure availability of land for industry.

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

Identify land for industrial development in urban growth areas where:

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

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

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

Policy documents
Consider as relevant:

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

**Objective**
To facilitate the sustainable development and operation of industry.

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

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

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

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

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

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

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

**Policy documents**
Consider as relevant:

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

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

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

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

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

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

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

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

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

Policy documents
Consider as relevant:
Tourism in Metropolitan Melbourne

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

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

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

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

Strategies
Support the development of ecotourism, tourism and major maritime events.
Ensure a diverse range of accommodation options and coastal experiences are provided for and maintained.
Ensure sites and facilities are accessible to all.
Ensure tourism development, within non-urban areas, demonstrates a tourist accommodation need and supports a nature-based approach.
Ensure development is of an appropriate scale, use and intensity relative to its location and minimises impacts on the surrounding natural, visual, environmental and coastal character.
Develop a network of maritime precincts around Port Phillip and Western Port that serve both local communities and visitors.
Maintain and expand boating and recreational infrastructure around the bays in maritime precincts at Frankston, Geelong, Hastings, Hobsons Bay, Mordialloc, Mornington, Patterson River, Portarlington, Queenscliff, St Kilda, Stony Point/Cowes and Wyndham.
Provide public access to recreational facilities and activities on land and water.
Encourage high quality urban design that is innovative, sustainable and integrated with surrounding areas.
Support maritime and related industries in appropriate locations.

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

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

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

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

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

- Ensuring equitable access is provided to developments in accordance with forecast demand, taking advantage of all available modes of transport and to minimise adverse impacts on existing transport networks and the amenity of surrounding areas.

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

- Requiring integrated transport plans to be prepared for all new major residential, commercial and industrial developments.

- Focussing major government and private sector investments in regional cities and centres on major transport corridors, particularly railway lines, in order to maximise the access and mobility of communities.

Integrate public transport services and infrastructure into new development.

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

Policy documents
Consider as relevant:

- The Victorian Transport Plan (Victorian Government, 2008)

- Public Transport Guidelines for Land Use and Development (Victorian Government, 2008)

- Cycling into the Future 2013-23 (Victorian Government, 2012)

Transport system

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

Strategies
Reserve land for strategic transport infrastructure.

Require transport system management plans for key transport corridors and for major investment proposals.

Incorporate the provision of public transport, cycling and walking infrastructure in all major new state and local government road projects.

Locate transport routes to achieve the greatest overall benefit to the community to making the best use of existing social, cultural and economic infrastructure, minimising impacts on the environment and optimising accessibility, safety, emergency access, service and amenity.

Locate and design new transport routes and adjoining land uses to minimise disruption of residential communities and their amenity.

Plan or regulate new uses or development of land near an existing or proposed transport route to avoid detriment to and where possible enhance, the service, safety and amenity desirable for that transport route in the short and long terms.

Facilitate infrastructure that connects and improves train services between key regional cities and townships and Melbourne.

Ensure that pedestrian and cyclist access to public transport is facilitated and safeguarded.

Ensure the design, construction and management of all transport modes reduces environmental impacts.

Ensure careful selection of sites for freight generating facilities to minimise associated operational and transport impacts to other urban development and transport networks.

Consider all modes of travel, including walking, cycling, public transport, taxis and private vehicles (passenger and freight) in providing for access to new developments.

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

Policy documents
Consider as relevant:
Sustainable personal transport

Objective
To promote the use of sustainable personal transport.

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

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

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

Sustainable personal transport - Metropolitan Melbourne

Strategies

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

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

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

Strategies
Maintain and strengthen passenger transport networks.
Connect activity centres, job rich areas and outer suburban areas through high-quality public transport.

Improve access to the public transport network by:

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

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

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

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

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

Policy documents
Consider as relevant:

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

Strategies

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

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

Identify and plan for new Principal Public Transport Network routes.

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

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

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

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

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

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

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

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

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

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

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

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

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

Strategies
Allocate or require land to be set aside for car parking subject to the existing and potential modes of access including public transport, the demand for off-street car parking, road capacity and the potential for demand management of car parking.
Encourage the efficient provision of car parking by consolidating car parking facilities.
Design and locate local car parking to:

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

Protect the amenity of residential precincts from the effects of road congestion created by on-street parking.
Make adequate provision for taxi ranks as part of activity centres, transport interchanges and major commercial, retail and community facilities.

Policy documents
Consider as relevant:

Planning for ports

Objective
To support the effective and competitive operation of Victoria’s commercial trading ports at local, national and international levels and to facilitate their ongoing sustainable operation and development.

Strategies
Provide for the ongoing development of ports at Melbourne, Geelong, Hastings and Portland in accordance with approved Port Development Strategies.
Identify and protect key transport corridors linking ports to the broader transport network.
Manage any impacts of a commercial trading port and any related industrial development on nearby sensitive uses to minimise the impact of vibration, light spill, noise and air emissions from port activities.

Policy documents
Consider as relevant:

- *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)
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.
INFRASSTRUCUTRE

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

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

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

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

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

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

Objective
To facilitate appropriate development of energy supply infrastructure.

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

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

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

Policy documents
Consider as relevant:

Renewable energy - Metropolitan Melbourne

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

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

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

COMMUNITY INFRASTRUCTURE
Health facilities

Objective

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

Strategies

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

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

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

Provide adequate car parking for staff and visitors of health facilities.
Health precincts - Metropolitan Melbourne

Strategies

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

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

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

Ensure health precincts are well serviced by community services.
Education facilities

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

Strategies
Consider demographic trends, existing and future demand requirements and the integration of facilities into communities in planning for the location of education and early childhood facilities.
Locate childcare, kindergarten and primary school facilities to maximise access by public transport and safe walking and cycling routes.
Ensure childcare, kindergarten and primary school facilities provide safe vehicular drop-off zones.
Locate secondary school and tertiary education facilities in designated education precincts and areas that are highly accessible to public transport.
Locate tertiary education facilities within or adjacent to activity centres.
Ensure streets and accessways adjoining education and early childhood facilities are designed to encourage safe bicycle and pedestrian access.
Develop libraries as community based learning centres.
Education precincts - Metropolitan Melbourne

Strategy

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

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

Strategies
Encourage a wider range of arts, cultural and entertainment facilities including cinemas, restaurants, nightclubs and live theatres in the Central City and at Metropolitan Activity Centres.

Reinforce the existing major precincts for arts, sports and major events of state wide appeal.

Establish new facilities at locations well served by public transport.
Cultural facilities - Metropolitan Melbourne

Strategies

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

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

Strategies
Identify and address gaps and deficiencies in social and cultural infrastructure, including additional regionally significant cultural and sporting facilities.

Encourage the location of social and cultural infrastructure in activity centres.

Ensure social infrastructure is designed to be accessible.

Ensure social infrastructure in growth areas, is delivered early in the development process and in the right locations.

Plan and design community places and buildings so they can adapt as the population changes and different patterns of work and social life emerge.

Support innovative ways to maintain equitable service delivery to settlements that have limited or no capacity for further growth, or that experience population decline.

Identify and protect land for cemeteries and crematoria.
Emergency services

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

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

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

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

Ensure that open space networks:

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

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

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

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

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

Protect large regional parks and significant conservation areas.

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

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

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

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

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

Develop open space to maintain wildlife corridors and greenhouse sinks.

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

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

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

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

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

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

Plan open space areas for multiple uses, such as community gardens, sports and recreation, active transport routes, wildlife corridors and flood storage basins.
Open space - Metropolitan Melbourne

Objective
To strengthen the integrated metropolitan open space network.

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

Ensure major open space corridors are protected and enhanced.

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

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

Create continuous open space links and trails along the:

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

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

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

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

Support establishing community gardens and productive streetscapes.

Policy documents
Consider as relevant:

- Linking People and Spaces: A Strategy for Melbourne’s Open Space Network (Parks Victoria, 2002)
- Maribyrnong River Valley Design Guidelines (Department of Planning and Community Development, 2010)
Development and infrastructure contributions plans

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

Strategies
Prepare development contributions plans and infrastructure contributions plans, under the Planning and Environment Act 1987, to manage contributions towards infrastructure.
Collect development contributions on the basis of approved development and infrastructure contributions plans.
Require annual reporting by collecting and development agencies to monitor the collection and expenditure of levies and the delivery of infrastructure.

Policy documents
Consider as relevant:

- Development Contributions Guidelines (Department of Sustainability and Environment, 2003 -as amended 2007)
- Infrastructure Contributions Plan Guidelines (Department of Environment, Land, Water and Planning, 2016)
- Ministerial Direction on the Preparation and Content of Development Contribution Plans and Reporting Requirements for Development Contributions Plans
- Ministerial Direction on the Preparation and Content of Infrastructure Contribution Plans and Reporting Requirements for Infrastructure Contributions Plans
Infrastructure design and provision

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

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

Objective
To sustainably manage water supply, water resources, wastewater, drainage and stormwater through an integrated water management approach.

Strategies
Plan and coordinate integrated water management, bringing together stormwater, wastewater, drainage, water supply, water treatment and re-use, to:

- Take into account the catchment context.
- Protect downstream environments, waterways and bays.
- Manage and use potable water efficiently.
- Reduce pressure on Victoria's drinking water supplies.
- Minimise drainage, water or wastewater infrastructure and operational costs.
- Minimise flood risks.
- Provide urban environments that are more resilient to the effects of climate change.

Integrate water into the landscape to facilitate cooling, local habitat improvements and provision of attractive and enjoyable spaces for community use.

Facilitate use of alternative water sources such as rainwater, stormwater, recycled water and run-off from irrigated farmland.

Ensure that development protects and improves the health of water bodies including creeks, rivers, wetlands, estuaries and bays by:

- Minimising stormwater quality and quantity related impacts.
- Filtering sediment and waste from stormwater prior to discharge from a site.
- Managing industrial and commercial toxicants in an appropriate way.
- Requiring appropriate measures to mitigate litter, sediment and other discharges from construction sites.

Manage stormwater quality and quantity through a mix of on-site measures and developer contributions at a scale that will provide greatest net community benefit.

Provide for sewerage at the time of subdivision or ensure lots created by the subdivision are capable of adequately treating and retaining all domestic wastewater within the boundaries of each lot.

Ensure land is set aside for water management infrastructure at the subdivision design stage.

Minimise the potential impacts of water, sewerage and drainage assets on the environment.

Protect significant water, sewerage and drainage assets from encroaching sensitive and incompatible uses.

Protect areas with potential to recycle water for forestry, agriculture or other uses that can use treated effluent of an appropriate quality.

Policy documents
Consider as relevant:

- **State Environment Protection Policy (Waters of Victoria)**
- **Water for Victoria - Water Plan** (Victorian Government, 2016)
- **Urban Stormwater - Best Practice Environmental Management Guidelines** (Victorian Stormwater Committee, 1999)
- *Guidelines for Environmental Management: Code of Practice - Onsite Wastewater Management* (Publication 891.4, Environment Protection Authority, 2016)

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

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

Strategies
Facilitate the upgrading and maintenance of telecommunications facilities.

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

Telecommunications - Metropolitan Melbourne

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

Objective

To reduce waste and maximise resource recovery so as to reduce reliance on landfills and minimise environmental, community amenity and public health impacts.

Strategies

Ensure future waste and resource recovery infrastructure needs are identified and planned for to safely and sustainably manage all waste and maximise opportunities for resource recovery.

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

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

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

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

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

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

Encourage development that facilitates sustainable waste and resource recovery.

Policy guidelines

Consider as relevant:

- Any applicable Regional Waste and Resource Recovery Implementation Plan.

Policy documents

Consider as relevant:

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

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

Locality and Regional Context

Hume City is located approximately 20 kilometres north-west of the Melbourne CBD and is one of Melbourne’s seven growth area municipalities. It is defined by two existing urban areas: the Hume Corridor in the east, and the township of Sunbury to the west of the Hume Corridor (refer to Figure 1). These two urban areas both contain green-field development fronts, and are clearly separated by significant areas of non-urban land, the township of Bulla and Melbourne Airport.

The City comprises an area of 504 km² and is bound by the Merri Creek, Western Ring Road, Maribyrnong River, Calder Freeway and Jacksons Creek.

Hume, together with Whittlesea and parts of Mitchell, forms the Northern Growth Corridor which plays a crucial role in meeting the demands of Melbourne’s growing population. The Northern Growth Corridor will ultimately see the urban area of metropolitan Melbourne extended to encompass Beveridge and Wallan.

Sunbury, along with Diggers Rest (in the City of Melton) forms part of the Sunbury/Diggers Rest Growth Corridor.

Hume is a key gateway to the north of Melbourne and has excellent access to freeways and arterial roads, providing good accessibility to the Melbourne CBD, Melbourne Airport and the Port of Melbourne. Hume also has commuter rail links through the Upfield, Craigieburn and Sunbury lines, and freight links via the national rail line running from Melbourne to Sydney. The proposed Western Intermodal Freight Terminal and Beverage Intermodal Freight Terminal, whilst not located in Hume, will result in increased freight transport through the municipality. The proposed Outer Metropolitan Ring Road, when constructed, will run through Hume adjacent to the Hume Corridor.

Hume’s economy currently generates $27 billion worth of output and has a significant impact on Victoria’s economic performance. Hume is home to a number of employment areas including large strategic employment hubs within and around the Melbourne Airport and along the Hume Highway, which cater for much of the manufacturing, transport and logistics demands of Melbourne. Sunbury provides a smaller, but important, role in providing employment and meeting the economic needs of the wider Macedon Region.

Melbourne Airport is designated as a Transport Gateway and is one of Victoria’s key strategic assets and economic drivers. Directly employing around 12,500 people, it is one of the largest employment generators in Melbourne.

Broadmeadows and the future Donnybrook (Lockerbie) Town Centre are identified as Metropolitan Activity Centres. Broadmeadows is intended to strengthen its role as a key centre in the north, supporting the growing population of Hume and the wider Northern Subregion.

Hume supports a rich natural heritage including significant landscape features, such as creeks, escarpments and hill tops, areas of native vegetation and biodiversity, and a number of significant aboriginal cultural features.
Figure 1: Regional Context Map
Key Issues and Influences

The key issues and influences facing Hume are:

Population growth and changing demographics

- Hume’s population is predicted to grow rapidly from about 198,500 in 2016 to 345,500 by 2041, and will ultimately be around 420,000 once all current growth area land is developed.

- Population growth will primarily be driven by greenfield development in the growth areas of Greenvale, Craigieburn, Merrifield, Lockerbie and Sunbury, but also the intensification of established suburbs such as Broadmeadows.

- Hume’s demographic profile is becoming more diverse in terms of age, household size and structure, ethnicity and household income.

- The demographic profile of new growth areas will continue to be driven by young families, however established areas are aging and household sizes are shrinking.

- The southern end of the Hume Corridor experiences greater levels of disadvantage, with Broadmeadows and Dallas ranking among Victoria’s most socially disadvantaged suburbs.

Housing and infrastructure needs

- Changing demographics and economic factors are generating the need for more diverse forms of housing to ensure that Hume’s residents have access to a range of appropriate and affordable housing that meets their housing needs as they change over time, and that they are able to remain and age in their local community.

- Demand for greater housing diversity will affect suburbs differently, with more pronounced effects at the southern end of the Hume Corridor and around the Sunbury Town Centre where there is a larger ageing population and a greater number of smaller households.

- A reduction in the average lot size in green-field development over the last decade is creating new suburbs with limited scope for future redevelopment opportunities.

- The rate and scale of the growth is generating greater demand for state and federal funding towards major infrastructure, including critical transport infrastructure and higher order health, education, leisure and sports facilities, and for its timely delivery.

- There is a need to ensure that development is sequenced to provide new communities with the timely access to local infrastructure. This includes the provision of local employment and shopping opportunities, and local health, recreation and community service and facilities.

- There is a need to ensure that community infrastructure in established areas continues to meet the need of the community as the demographics change.

Growing and diversifying the economy

- Hume’s economy is dominated by the manufacturing, transport and logistics sectors, which together account for nearly half of Hume’s employment base, with limited job opportunities in professional services.

- Lack of diversity and choice of jobs contributes to high levels of unemployment and results in large numbers of residents leaving the municipality to access work every day, especially from Sunbury.

- It is critical that Hume’s employment base expands and diversifies to accommodate the anticipated decline of the manufacturing section, and the municipalities growing population.

- Economic assessments identify an aspirational but realistic employment target for Hume of 150,000 jobs in the Hume Corridor and 30,000 jobs in Sunbury. Achieving this will require large areas of new employment land, as well as new large scale office, health and education...
It will also require significant investment from the State in improved transport infrastructure to maintain accessibility and connect people to businesses, and in improved education and training facilities and services.

**Protecting the operation of Melbourne Airport**
- The importance of the Melbourne Airport to the State’s economy, and the accessibility of Melbourne to global markets, depends upon the continued curfew free operation of the airport.
- As the airport continues to grow it will attract significant demand for development in proximity to the airport. It will also generate an increase in traffic and increased aircraft noise. Council recognises the need to achieve a balanced approach that protects the curfew free status of the airport and supports economic growth and businesses, whilst at the same time minimising the impacts on existing residents.
- The airport is currently the largest trip generator outside the Melbourne CBD. However it suffers from limited public transport and road connectivity. As the airport continues to grow there will be an urgent need for better accessibility to the airport from both Sunbury and the Hume Corridor.

**Improving the transport network**
- Population growth is exceeding the rate of improvement in the transport network and a number of arterial roads are operating above capacity.
- The arterial road and freeway network is crucial to the economic success and productivity of Hume’s freight, transport and manufacturing businesses, particularly in the Hume Corridor. Maintaining the efficiency of the road network and improving east-west connectivity is crucial to maintaining Hume’s productivity, and for growing and attracting new businesses.
- The lack of connectivity across Jacksons Creek and the rail line in Sunbury will become more problematic as Sunbury grows.
- Hume’s community is highly car dependent, due to limited and infrequent public transport services, overcrowding on some train services, and limited walking and cycling opportunities.
- A combination of land use changes and increased capacity in the transport network and public transport services is needed to assist in accommodating the anticipated scale of growth within Hume.

**Protecting Hume’s natural and cultural heritage**
- There are many significant natural and cultural heritage features located throughout the municipality. A significant number are located within the Urban Growth Boundary, including in areas identified for future development in either existing or proposed Precinct Structure Plans.
- The future growth of Hume has significant implications for the retention and protection of biodiversity and landscape values, as well as the conservation of cultural heritage.
- Hume’s natural and cultural heritage needs to be carefully managed to ensure these assets are protected, whilst providing valuable opportunities for public access and leisure opportunities.

**Improving the image of the Hume Corridor**
- The image and appearance of the Hume Corridor has been characterised by its industrial history which presents poor visual and amenity outcomes to long sections of the southern arterial road network and to key gateways into the municipality.
Protecting Sunbury’s character

- Sunbury’s urban area is separated from Melbourne and the Hume corridor by non-urban areas. This physical separation, together with its rural setting, historic town centre, wide streets and generous public realm, assist in creating the sense that Sunbury is different and more like a regional town than a suburb of Melbourne.

- Sunbury’s population is predicted to grow from over 35,000 currently to 80,000 by 2040, and ultimately will be over 100,000. While the opportunities presented by this change offer a benefit to the community in terms of infrastructure and employment opportunities, there is a need ensure that this growth is provided in a manner that maintains Sunbury’s unique township character.

Protecting non-urban land

- Hume’s non-urban land is primarily zoned Green Wedge. This land provides a permanent break between the urban areas of the Hume Corridor and Sunbury, creates a distinct rural landscape character and outlook to the edge of the urban areas, and contains important conservation, natural resource and landscape features. It also helps protect the curfew free status of Melbourne Airport by limiting land uses that are affected by aircraft noise.

- Farming has traditionally been a major land use in the non-urban areas, however over time a number of factors have combined to reduce its feasibility and profitability, and as a result farming has declined through the majority of the municipality. There is a need to provide long term certainty for landowners to make investment in rural businesses and land management activities.

- The extent of non-urban land in Hume has reduced significantly in recent years as the Urban Growth Boundary has shifted. There is pressure for further expansion of the urban areas, particularly to the west of Mickleham Road.

- The Urban Growth Boundary is an important tool in providing certainty around zoning and future potential land uses, and security for the continued curfew free operation of the aircraft flight path over Hume’s Green Wedge land.

- There is demand for uses that are more appropriately located in urban areas, such as independent schools to locate in the non-urban areas of Hume due to cheaper land prices.

Global challenges

- Global issues such as peak oil, climate change and resource scarcity will continue to affect all cities into the future, and resilience to these impacts should be at the forefront of planning and urban development in Hume.

Vision and Strategic Framework Plan

Council and community vision

Council has two important strategic plans, Hume Horizons 2040 (community plan) and the Hume Council Plan 2013-2017.

The Council Plan sets out the following ‘Vision’ and ‘Mission’ statements:

*Vision:* Hume City Council will be recognised as a leader in achieving social, environmental and economic outcomes with a common goal of connecting our proud community and celebrating the diversity of Hume.

*Mission:* To enhance the social, economic and environmental prosperity of our community through vision, leadership, excellence and inclusion.

Council is committed to addressing the vision and mission through five strategic themes. These themes are central to both the Council Plan and Hume Horizons and reflect community expectations and aspirations captured during consultation.
A well-educated and employed community
A healthy and safe community
A culturally vibrant and connected community
A sustainably built and well-maintained City with an environmentally aware community
A well-governed and engaged community

Strategic planning aim
To ensure that Council’s planning and influence on land use and infrastructure provision appropriately manages change within the municipality and plays its role in addressing the previous five strategic themes, the ‘Aim’ for land use and development in Hume City is:

- To ensure development in new and existing areas creates a highly liveable City, providing increased access and choice to a diverse range of housing, employment and regional facilities, and easy access to local everyday services and facilities.
- To ensure growth occurs in a logical and timely manner, and is supported by the necessary major and local infrastructure to maximise the benefits of change to the community.
- To ensure development creates a high quality built environment that is vibrant, visually interesting and sustainable, and is integrated with the natural environment in a manner that conserves and protects Hume’s significant biodiversity and landscape values, and provides greater public access for the community to enjoy these spaces.

Land use and development vision
The land uses and development visions below, along with the objectives and strategies in the following clauses, seek to address Council’s strategic planning ‘Aim’.

The following land use and development visions reflect the ‘Hume Corridor’ and ‘Sunbury’ Hume Integrated Grown Area Plans (HIGAP). Both of these strategies seek to guide and manage growth and change within the municipality to 2040.

The land use and development ‘Vision’ for the Hume Corridor in 2040 is:

The Hume Corridor Area has changed its image as a peripheral and industrial location to a highly regarded and desirable part of Melbourne to both work and live.

New and existing residential areas offer not only affordable housing but affordable living with great amenity, a diversity of housing and easy access to local everyday services and facilities.

Broadmeadows is the focus for major office, retail and leisure development and together with new centres at Mickleham (Merrifield), Donnybrook (Lockerbie) and Craigieburn ensure residents throughout the Hume Corridor have a wide range of choices for shopping, employment, entertainment, health, education and cultural activities.

Employment precincts along the Hume Highway, Donnybrook Road and around Melbourne Airport are home to global, national, regional and local businesses in a diverse range of industries employing local people across a range of trades and professions.

Connecting residents and visitors throughout the north of Melbourne are regular and extended train services and numerous bus services many of which maximise the use of a dedicated busway along Aitken Boulevard.

The landscape and biodiversity features of the Hume Corridors are protected in connected conservation reserves and parkland areas. The public reserve network provides high quality opportunities at local and regional scales for the community to exercise, relax and enjoy nature.

The land use and development ‘Vision’ for Sunbury in 2040 is:
Sunbury is a unique township with a sense of community and familiarity. It is physically separate but well connected to Melbourne and the Hume Corridor by good transport links, including high frequency bus services and new train stations at Sunbury North and Sunbury South. An orbital link provides greater efficiency and connectivity within Sunbury.

The vibrant town centre along with a new centre on Sunbury Road is the focus for major office, retail and leisure development. These centres are supported by a network of neighbourhood centres that provide local convenience needs, are the hubs of activity throughout the day and evening, and are connected to adjoining residential and employment areas by good walking, cycling and public transport routes.

Access to a diverse range of jobs in employment areas along Vineyard Road and Sunbury Road, as well as a diversity of housing, and large and local scale health, education and leisure facilities, enable people to live and work in Sunbury throughout their lives.

Sunbury’s rural setting and natural and cultural heritage values are protected in connected conservation reserves and parkland areas. High levels of public access to these spaces are provided via walking and cycling paths around Sunbury’s hilltops and along the length of the Jackson Creek and Emu Creek corridors.

**Strategic Framework Plan**

The future urban structure of Hume can be seen in the Strategic Framework Plan at Figure 2. The Strategic Framework Plan reflects spatially the land use and development visions for Hume. Key elements of the plan include:

- Existing and proposed land use;
- Areas of potential future urban growth;
- Significant hilltops, conservation and open space areas;
- Identification and hierarchy of activity centre network;
- Existing and proposed regional facilities;
- Existing and proposed major transport infrastructure; and
- Key gateway locations.
Figure 2: Strategic Framework Plan
Managing Growth and Increasing Choice

Growth Corridor Plans and Plan Melbourne have been developed at the metropolitan level which set the strategic direction for the future urban development of land within Melbourne’s Urban Growth Boundary.

In a local sense, the Sunbury HIGAP Spatial Strategy (2012) and the Hume Corridor Integrated Growth Area Plan (HIGAP) Spatial Strategy (2015) provide long term strategies and infrastructure delivery plans for the two main growth corridors in the municipality.

The Growth Corridor plans and the two HIGAP strategies guide the preparation of more detailed precinct scale plans, including Precinct Structure Plans, structure plans and development plans. All these precinct scale plans confirm:

- the location of town centres and community facilities;
- estimated housing yields and the proposed location of higher density housing;
- employment areas;
- the detailed alignment of important roads;
- local bus routes and their connections with Principal Public Transport Network (PPTN) and arterial road network;
- land uses that best integrate with the transport network;
- open space networks, recreation facilities and shared paths;
- defining edges between urban development and areas of high biodiversity and cultural heritage significance, landscape or drainage significance; and
- major sites or easements required for public utilities.

Precinct Structure Plans (PSPs) are being, or have been developed for all of the growth areas within the Growth Corridor. Structure Plans and other precinct plans are being developed for some activity centres and other residential and employment areas.

Key issues

- Managing significant population growth.
- Delivering higher density residential outcomes.
- Providing jobs near where people live, especially near new employment areas.
- Developing infrastructure in partnership with state and federal governments.
- Providing major infrastructure that is required to meet the needs of the community in a timely manner.
- Managing the impact of urban growth on the natural environment and heritage values.

Objective 1

To facilitate large scale change that meets the needs of Hume’s growing population and provides choice and equitable access to a range of housing, employment, transport, services and facilities.

Strategies

1.1 Ensure planning for large scale green-field communities in both the Hume Corridor and Sunbury provides a range of housing options with high quality activity centres, schools, community facilities, leisure and recreation facilities, road and public transport options.

1.2 Identify strategic development sites with good access to public transport that can accommodate increased dwelling densities and provide for smaller housing products.

1.3 Facilitate high density residential development within and around activity centres and train stations.
Facilitate the delivery of 150,000 jobs in the Hume Corridor and 30,000 jobs in the Sunbury area across a broad range of employment sectors, including new employment areas identified in Figure 2 in Clause 21.01.

Provide a hierarchy of activity centres in the locations shown in Figure 2 in Clause 21.01 that deliver a wider range of retail, office, entertainment, leisure, health, educational and cultural opportunities in both the Hume Corridor and Sunbury.

Provide a network of specialist bulky goods based centres that service a regional catchment in the locations shown in Figure 2 in Clause 21.01.

Ensure high quality walking and cycling infrastructure is provided to improve mode choice and reduce car dependency for local trips.

Ensure a range of open space opportunities are provided to meet the leisure and recreation needs of the community.

**Objective 2**

To ensure that the planning for growth in Hume minimises the impact on the environment and heritage.

**Strategies**

1. Ensure biodiversity, landscape, heritage and waterway values are appropriately considered during the planning process.
2. Ensure new development maximises the retention of biodiversity, including scattered trees.
3. Protect the significant waterways, conservation and open space areas identified in Figure 2 in Clause 21.01.
4. Ensure waterways, conservation and open space areas are well integrated within the built environment and provide for appropriate community access.

**Objective 3**

To provide communities with access to critical transport infrastructure and regional facilities in step with growth.

**Strategies**

1. Coordinate and sequence development and infrastructure.
2. Provide communities with access to critical transport infrastructure and regional facilities.
3. Facilitate the timely provision of high quality and diverse retail, health, entertainment and leisure options within all activity centres.
4. Ensure that the planning and funding of regional facilities takes into account growth and existing facilities beyond municipal boundaries.
5. Limit new development where it exceeds the capacity of existing infrastructure.

**Further strategic work**

- Review and update approved Precinct Structure Plans where necessary to meet identified community needs.
- Monitor growth in jobs against the job targets for the Hume Corridor and Sunbury areas.
- Monitor the capacity of major transport, education and health infrastructure in the Hume Corridor and Sunbury areas.

**Other actions**

- Advocate for the timely delivery of upgrades to arterial roads and improved train and bus services to connect residents to employment areas, activity centres and other major destinations within and beyond Hume.
- Advocate for the timely delivery of the Outer Metropolitan Ring Road.

**Hume Corridor**

The land use and development vision for the Hume Corridor in 2040 is set out in Clause 21.01-3. The proposed future urban structure of the Hume Corridor will support a significant increase in population, primarily located in the new growth areas of Greenvale, and Craigieburn in the middle...
of the corridor, and Mickleham (Merrifield) and Donnybrook (Lockerbie) at the northern end. In total these areas are anticipated to deliver over 40,000 new dwellings and 1,100 hectares of employment land, primarily located along the Hume Highway and Donnybrook Road. This equates to approximately 65 percent of the future growth in the Hume Corridor.

Serving these new areas will be the Donnybrook (Lockerbie) Metropolitan Activity Centre and the Mickleham (Merrifield) Major Activity Centre, which will be the focus for higher order regional and sub-regional facilities, as well as an expanded Craigieburn Town Centre. These centres will be a focus for employment and will be connected to new bus services particularly via Aitken Boulevard and new train stations on the extended Craigieburn train line.

The southern end of the Hume Corridor will also accommodate increased population through infill development in established suburbs and the redevelopment of strategic development sites. Broadmeadows is identified as a Metropolitan Activity Centre and is the focus for major change within the established area of the Hume Corridor and wider Northern Subregion.

Existing employment land along the Hume Highway in Campbellfield and around the airport, and the existing intermodal freight terminal in Somerton continue to provide for and support the growth of Hume’s manufacturing, transport and logistic sectors. The Attwood Connector, a potential new link between the Pascoe Vale Road and the airport, will facilitate greater east-west connection between these major employment precincts.

New employment areas along the Hume Freeway and Donnybrook Road will form an extension to the State significant industrial precinct and provide for a range of employment and business opportunities.

The Inter Urban Break continues to provide a permanent separation between the urban areas of Craigieburn and Mickleham. Supporting low density rural residential development, it provides for the ecological connectivity between the Mt Ridley Conservation Reserve and conservation and open space areas in Craigieburn.

Significant biodiversity and landscape values that contribute to the corridor’s character and natural heritage are protected in conservation, open space and waterway areas. This includes extensions to the regional parkland along the Merri Creek, increased parkland around Greenvale Reservoir, and extensions to parkland along a number of other waterways.

**Key issues**

- Managing significant population growth in the Hume Corridor.
- Increasing the number and diversity of jobs in the Hume Corridor.
- Providing communities with greater access to higher order facilities.
- Protecting and promoting the operation of Melbourne Airport.
- Improving the Hume Corridor’s transport network to increase east-west connectivity across the Hume Corridor and provide greater connectivity to the Melbourne Airport and the Melbourne CBD.
- Protecting areas of significant environmental value and improving public access to these places.

**Objective 4**

To plan for and enable large scale change within the Hume Corridor.

**Strategies**

4.1 Facilitate new residential and employment areas shown in Figure 2 Clause 21.01 that are supported by a network of activity centres and high order facilities.
4.2 Manage the outward expansion of the Hume Corridor.
4.3 Facilitate Transit Oriented Development around existing and future train stations at Broadmeadows, Craigieburn and Lockerbie, and along Craigieburn Road east of the Craigieburn Town Centre.
4.4 Maintain existing subdivision patterns and discourage development that would prejudice the planning of future Precinct Structure Plan areas.
Objective 5
To increase the number and diversity of jobs in the Hume Corridor.

Strategies
5.1 Promote Broadmeadows and Donnybrook (Lockerbie) as Metropolitan Activity Centres and facilitate the delivery of higher order retail, commercial, health, educational, entertainment, leisure, community and cultural activities.
5.2 Promote Broadmeadows as Hume’s primary activity centre and the focus for new office and professional service businesses.
5.3 Promote Craigieburn, Mickleham (Merrifield) and Donnybrook (Lockerbie) activity centres as important locations for office and professional service businesses.
5.4 Promote the Merrifield Employment Area as a high quality business park suitable for businesses across a range of sectors.
5.5 Encourage business growth around the Melbourne Airport in transport and logistics, wholesale trade and other sectors that require immediate access to the airport.
5.6 Promote the employment land along the Hume Highway, Hume Freeway and Donnybrook Road as a major employment location for a range of transport and logistics and manufacturing uses.
5.7 Facilitate the development of multi-use intermodal terminals and designated freight precincts at Somerton.
5.8 Discourage the development of bulky goods retail premises in existing and future industrial areas outside of identified bulky goods centres shown in Figure 2 in Clause 21.01.

Objective 6
To secure the delivery of higher order health, recreation and education facilities in the Hume Corridor.

Strategies
6.1 Ensure land is identified for the delivery of a university and hospital or equivalent facilities in the Donnybrook (Lockerbie) Metropolitan Activity Centres.
6.2 Plan for expanded health facilities in Broadmeadows and Craigieburn.
6.3 Facilitate the development of a State scale sports and leisure hub at Merrifield Park.
6.4 Facilitate the extension of the Merri Creek Marran Baba Regional Park from Campbellfield to Lockerbie North.
6.5 Ensure development establishes a recreational loop around Greenvale Reservoir, that does not compromise the security of the drinking water quality.

Objective 7
To reinforce the role of Melbourne Airport as one of Victoria’s key economic assets.

Strategies
7.1 Support land-use and development within the airport precinct that is consistent with its specialist function as a Transport Gateway.
7.2 Ensure that land use and development protects the airport's curfew free status and is compatible with the operation of Melbourne Airport in accordance with the Melbourne Airport Master Plan.

Objective 8
To reinforce the role of the Inter Urban Break as a permanent separation and conservation and landscape buffer between conventional density development areas.

Strategies
8.1 Maintain the Inter Urban Break for predominantly larger detached housing and low density rural residential development that supports the conservation of biodiversity and landscape values.
8.2 Facilitate the connectivity of conservation and open space areas through the Inter Urban Break.
8.3 Facilitate an additional north-south connector road through the Inter Urban Break between Mickleham Road and the future extension of Aitken Boulevard.

Objective 9
To ensure that the growth of the Hume Corridor is supported by an improved transport network.
Strategies

9.1 Facilitate the upgraded and extended arterial road and freeway network in Figure 1 in Clause 21.07.
9.2 Ensure land is identified for the Attwood Connector to provide improved road and public transport access to Melbourne Airport.
9.3 Promote increased north-south and east-west connectivity by a range of transport modes.
9.4 Ensure land is identified for a new train station at Campbellfield and Lockerbie.
9.5 Facilitate timely extensions and improvements to the bus network to serve new development areas.

Further strategic work

- Monitor the need for the development of the Attwood Land for a future business park.
- Monitor the need to develop the land identified for employment development either side of Gunns Gully Road.
- Investigate long term land uses for the closed Tullamarine landfill and associated buffer land.
- Prepare plans for the development of Maygar Barracks and the Ford site to enable their renewal and reuse for employment generating uses.

Other actions

- Advocate for the timely delivery of the transport network and regional infrastructure shown on Figure 2 in Clause 21.01 and Figure 1 in Clause 21.07.

Sunbury

The land use and development vision for Sunbury in 2040 is set out in Clause 21.01-3. The proposed future urban structure of Sunbury will see the outward expansion of the existing township to include new growth areas in Sunbury East, Sunbury South, Sunbury North and Sunbury West. These growth areas will accommodate significant residential growth, and include new employment areas along Sunbury Road and Vineyard Road which will provide for a range of regional and local businesses.

The growth of Sunbury will be supported by an expanded Town Centre, a new activity centre in Sunbury South and a network of smaller activity centres throughout the growth areas. This growth, along with the potential for higher order regional facilities, will enable a greater level of self-containment for Sunbury’s community in terms of retail, education, health, recreation, community services and employment.

A new orbital road which provides connectivity across Jacksons Creek and the train line will enhance accessibility within the township, connect new activity centres with residential and employment areas, and minimise through traffic in the expanded Town Centre. The Bulla Bypass, upgrades to Sunbury Road, new train stations in Sunbury South and Sunbury North, and new train and bus services will increase connectivity to the Hume Corridor, the Melbourne Airport and inner areas of Melbourne.

Diggers Rest in the City of Melton enjoys a close relationship with the township of Sunbury, due to its location and proximity to the Sunbury Town Centre and the services that Sunbury offers.

Conservation and open space along Jacksons Creek and Emu Creek and their tributaries and escarpments as well as at Redstone Hill will protect areas of significant biodiversity and landscape value and contribute to the unique landscape and rural character of the Sunbury township.

Key issues

- Managing significant population growth in Sunbury.
- Providing jobs and higher order facilities that reduce the need for the community to leave Sunbury.
Improving Sunbury’s transport network to better connect different areas within Sunbury, as well as providing greater connectivity to the Hume Corridor, Melbourne Airport and the Melbourne CBD.

- Protecting areas of significant environmental value and rural landscapes that are visually prominent.

**Objective 10**
To facilitate the growth of Sunbury while retaining its unique landscape and township qualities.

**Strategies**

10.1 Facilitate new residential and employment areas that are supported by a network of activity centres and higher order facilities shown in Figure 2 in Clause 21.01.

10.2 Ensure that the planning of new areas within the Urban Growth Boundary considers the potential long term development of land between Watsons Road and the Outer Metropolitan Ring Road.

10.3 Support appropriately located higher density residential development in and around the Sunbury Town Centre and Sunbury train station.

10.4 Protect hilltops, escarpments, ridgelines and waterway corridors from development that could impact on the rural outlook and the landscape qualities of the township.

10.5 Ensure development proposals in the older parts of Sunbury sensitively integrate with the preferred neighborhood character.

10.6 Facilitate the planning of the former Victoria University Site at Jacksons Hill to recognise, protects and retains its historical and cultural significance.

10.7 Ensure land is identified for a regional sports facility in the vicinity of the proposed Sunbury North train station.

10.8 Facilitate complementary and compatible development that supports the continued operations of wineries in and around the Sunbury township.

**Objective 11**
To provide new employment opportunities and major education, health, leisure and recreation facilities within Sunbury that support growth and provide for a greater level of self-containment of the town.

**Strategies**

11.1 Promote the Sunbury Town Centre as a Regional Activity Centre with expanded higher order retail, commercial, entertainment, leisure, community and cultural activities.

11.2 Promote Sunbury Town Centre as an important office location and the preferred location for large scale professional service businesses.

11.3 Promote the Sunbury Town Centre as the preferred location for a hospital or equivalent and a tertiary education facility within the town.

11.4 Ensure the Victoria University Site at Jacksons Hill retains an educational role.

11.5 Safeguard land for a hospital or equivalent and a tertiary education facility in proximity to the proposed Sunbury North train Station.

11.6 Ensure land is identified for a regional sports facility in the vicinity of the proposed Sunbury North train station.

11.7 Ensure that planning for the major new employment area on Sunbury Road adjoining the Hi-Quality Quarry provides for a range of manufacturing, transport and logistics, and business service uses.

11.8 Facilitate the development of Sunbury Business Park on Vineyard Road for a range of industrial uses.

11.9 Facilitate a new bulky goods node and employment area along Vineyard Road adjoining the Calder Freeway.

11.10 Facilitate new regional parks along Jacksons Creek and Emu Creek, and at Redstone Hill and Mount Holden.

**Objective 12**
To ensure that the growth of Sunbury is supported by an improved transport network.

**Strategies**

12.1 Facilitate and safeguard the opportunity for the delivery of the transport network shown in Figure 1 in Clause 21.07.

12.2 Advocate for the funding and commitment for other elements of the network shown in Figure 1.
12.3 Facilitate good access and connectivity between areas within Sunbury by all modes of transport.
12.4 Provide for improved connections to Diggers Rest, the Hume Corridor, Melbourne Airport, Broadmeadows and inner areas of Melbourne.
12.5 Facilitate an orbital loop through Sunbury comprising Elizabeth Drive, the Northern and Southern Links across Jacksons Creek, Lancefield Road and Sunbury Road.

Further strategic work

- Monitor the need for the development of the land between Watsons Road and the Outer Metropolitan Ring Road to meet employment needs.

Other actions

- Advocate for the timely delivery of the regional infrastructure in Figure 2 in Clause 21.01.
- Advocate for the timely delivery of the transport network in Figure 1 in Clause 21.07.
- Work with Melton Shire Council to facilitate the delivery of a new employment area north of Diggers Rest-Coimadai Road.
- Work with VicTrack in designing walking and cycling links along the rail line to link residential areas of Sunbury and Diggers Rest with the train station, the neighbourhood activity centre and other facilities within this precinct.
- Work with VicRoads to extend the existing shared path along Vineyard Road to connect to (and over) the Calder Freeway.

Non-Urban Land

Hume’s non-urban land (green wedge) will continue to provide clear separation and distinction between the urban areas of the Hume Corridor and Sunbury, providing improved connectivity via the Bulla Bypass, Outer Metropolitan Ring Road and the potential extension of Craigieburn Road to Lancefield Road.

The green wedge will support land uses which provide for the sustainable and economically viable ongoing management of the land. Uses are to be compatible and sympathetic to the rural and landscape character of the land, and take into account the presence of the Melbourne Airport Environs Overlay and the need to maintain the airports curfew-free status.

Key issues

- Maintaining the quality of environmental values in green wedge areas.
- Providing for appropriate land uses that maintain the sustainability and viability of green wedge areas.
- Erosion around Sunbury

Objective 13

To protect the role and enhance the viability of Hume’s non-urban areas.

Strategies

13.1 Ensure the green wedge retains a physical separation between the Hume Corridor and Sunbury.
13.2 Support rural activities that provide for the sustainable and economical management of non-urban land.
13.3 Discourage the use of non-urban land for urban land uses that would be better located and supported within the Urban Growth Boundary.
13.4 Discourage small lot excisions and the construction of more than one house on allotments in the rural areas unless it can be demonstrated that there is a link with an established rural enterprise on the land.
13.5 Discourage small lot excisions and the construction of more than one house on allotments in the rural areas unless it will assist in the protection of biodiversity values or an identified heritage site.
13.6 Ensure any future planning of land north west of Sunbury recognises erosion and land management issues and the native vegetation and visual qualities of the area.
Objective 14

To limit the expansion of the Bulla township.

Strategies

14.1 Contain the development of Bulla within the existing township boundary.
14.2 Encourage the consolidation of smaller allotments in accordance with the Bulla Restructure Plan.
14.3 Support low density rural residential development within the Bulla township.

Further strategic work

- Prepare a non-urban (rural) HIGAP spatial and delivery strategy.

Reference Documents

- Healthy by Design: a planners’ guide to environments for active living, National Heart Foundation of Australia, 2004
- Hume Corridor HIGAP Spatial Strategy and Delivery Strategy, Hume City Council, 2015
- Hume Open Space Strategy 2010-2015, Hume City Council, 2010
- Melbourne Airport Master Plan, Australia Pacific Airports Melbourne, 2013
- Mt Ridley Local Structure Plan for Inter Urban Break Mickleham, Greenaway and Katz Pty Ltd, 1997
- Sunbury HIGAP Spatial Strategy and Delivery Strategy, Hume City Council, 2012
- Jacksons Hill Master Plan, Victorian Planning Authority, 2018
LIVEABLE NEIGHBOURHOODS AND HOUSING

Liveable Communities

Liveability is the sum of factors which shapes the ‘quality of life’ experienced in an area and the wellbeing of a community. This includes the quality of the built and natural environment, including its environmental sustainability and resilience to climate change, economic prosperity and social equity. It also includes access to a choice of everyday things that people require, including housing, employment, public transport and retail, health, education, recreation and cultural services and facilities.

While Melbourne’s inner areas are seen to be highly ‘liveable’, Hume’s community, like most growth areas, does not experience the same level of access and choice to the things that they require. It is vital that the growth of Hume provides existing and future populations with the level of access experienced in other areas of Melbourne.

Key issues

- Delivering the infrastructure that is needed to support liveable, connected and healthy communities in line with urban growth so that it does not place an unacceptable strain on existing infrastructure and services in established areas.
- Meeting the infrastructure and service needs of young families in new growth areas and mature families and older persons in established areas.
- Maintaining existing community infrastructure and ensuring it meets the needs of the community.
- Minimising the impacts of gaming and liquor licencing on the health and wellbeing of the community.

Objective 1

To ensure the provision of local infrastructure and services that meets the needs of the local community.

Strategies

1.1 Ensure the upgrade of existing community facilities to service the needs of the local community.
1.2 Ensure the equitable distribution of a range of community facilities.
1.3 Ensure the equitable distribution of a range of active and passive open space.
1.4 Ensure that developers contribute equitably to the provision of local infrastructure.
1.5 Facilitate the co-location of community facilities with complementary uses such as education, recreation and health services.

Ensure new activity centres provide opportunities for community and health facilities.

Objective 2

To coordinate and sequence development so that it provides communities with access to local infrastructure and services in a timely manner.

Strategies

2.1 Ensure that neighbourhood subdivisions are staged to ensure the early delivery of activity centres that meet local convenience needs.
2.2 Discourage the expansion of existing activity centres that would delay delivery of new centres thereby reducing accessibility in new neighbourhood areas.
2.3 Ensure that the provision of community facilities and local active and passive open space is coordinated with the sequencing of residential development.
2.4 Facilitate options for the delivery of interim facilities in areas of significant growth with limited accessibility to existing services and facilities where appropriate.
2.5 Ensure the delivery of the necessary transport infrastructure to manage the impacts of new development.
2.6 Facilitate the upgrade of any access roads to the required urban standard from major roads.
2.7 Ensure developers construct footpaths, dedicated bicycle paths, shared paths and upgrade roads in line with their development to facilitate the timely delivery of walking and cycling networks.
Objective 3
To minimise the social impacts of liquor and gaming venues on Hume’s community.

Strategies
3.1 Manage the distribution, location, design and operation of licensed premises and gaming machines to reduce their amenity impacts.

Policy guidelines
When deciding on an application for use, development or subdivision the following local policies will be considered, as appropriate:
- Clause 22.17 Gaming.

Other actions
- Work with health and community support providers to establish a presence in new activity centres.

Housing
Overview
Hume’s housing stock is overwhelmingly dominated by large detached dwellings. The Hume housing market is primarily aimed at delivering homes for family households. While there is an expectation and an assumption that this will continue to remain true for new housing in the growth areas, there is a need for greater housing diversity. This includes demands for an increasing number of smaller households to house an ageing population and the community’s aspirations of being able to age in their local community.

Being an outer metropolitan municipality, and given large areas across the southern end of the Hume Corridor include development restrictions associated with the Melbourne Airport, the appetite and opportunity for medium and high density development is considerably less when compared with inner or middle metropolitan municipalities. Nevertheless, pressure for increased densities will change over time, and considerations for the retention of unique neighbourhood character will need to be balanced against the need for urban consolidation and the demand and need for greater housing diversity.

Key issues
- Accommodating a projected population of approximately 345,500 by 2041.
- Reducing the mismatch between Hume’s current housing supply and the demand for different types of housing generated by an increase in smaller, older and more diverse households.
- Limited provision of apartment and attached townhouse dwellings through recent infill development.
- Limited provision of one and two bedroom dwellings.
- Uniformity of new subdivisions and the decreasing size of conventional lots provide limited opportunity for people to access different forms of housing as their housing needs change.
- The need to consider ‘neighbourhood character’ when assessing infill development.

Objective 4
To increase the diversity of housing in Hume.

Strategies
4.1 Encourage well designed infill residential development that provides smaller housing product.
4.2 Encourage the development of one and two bedroom dwellings.
4.3 Encourage housing that is able to be adapted for different life stages or is suitable for the needs of an ageing household.

4.4 Ensure residential subdivisions provide a mix of lot densities, including larger lots and medium density development sites to facilitate a range of housing products.

4.5 Maintain the Inter Urban Break in the Hume Corridor and the Rolling Meadows areas in Sunbury for predominantly larger detached housing and low density rural residential development.

**Policy guidelines**

When deciding on an application for use, development or subdivision the following local policies will be considered, as appropriate:

- Clause 22.07 Aged Accommodation and Services
- Clause 22.13 Residential Neighbourhood Character - Sunbury
- Clause 22.14 Residential Neighbourhood Character - Tullamarine
- Clause 22.15 Residential Neighbourhood Character - Westmeadows

**Further strategic work**

- Prepare a Housing Strategy to guide the future planning for housing growth and diversity, including the application of zones and overlays to facilitate preferred housing outcomes.

**Reference Documents**

- Healthy by Design: a planners’ guide to environments for active living, National Heart Foundation of Australia, 2004
- Hume Corridor HIGAP Spatial Strategy and Delivery Strategy, Hume City Council, 2015
- Hume Development Goals, Hume City Council, 2015
- Hume Liquor Licensing Referral Policy, Hume City Council, 2013
- Hume Open Space Strategy 2010-2015, Hume City Council, 2010
- Hume Responsible Gaming Policy, Hume City Council, 2013
- Sunbury HIGAP Spatial Strategy and Delivery Strategy, Hume City Council, 2012
Urban Design

Urban design is the practice of shaping the layout, appearance and function of the built environment. It seeks to ensure that development responds to its context and that buildings, streets and public spaces are designed to work together to create a liveable city that supports a healthy, prosperous and sustainable community.

The image and appearance of the Hume Corridor has been characterised by its industrial history which presents poor visual and amenity outcomes to long sections of the southern arterial road network and to key gateways into the municipality. It is important that investment in the public realm and the redevelopment of housing, industrial and commercial development achieves better urban design outcomes and improves the image and appearance of Hume.

In addition, the scale of development in Hume’s growth areas means that there are new neighbourhoods, employment precincts, activity centres, community and recreation facilities being developed regularly. This provides an opportunity to ensure that right from the start the design and layout of these new areas is of high quality and achieves the best urban design outcomes.

Key issues

- Altering the perception of the Hume Corridor as a manufacturing and logistics area and peripheral employment location.
- Improving the interface of development to key roads particularly in industrial areas.
- Improving the design and appearance of built form in industrial and commercial areas.
- Balancing the tension in policy between urban consolidation objectives and the desire to respect residential amenity and neighbourhood character.
- Minimising the loss of backyard areas and established vegetation where this is a strong part of the neighbourhood or landscape character.
- Improving the design quality of infill development.
- Improving the diversity and character of new residential areas.
- Recognising the role of activity centres, particularly in new areas, in creating a sense of place and defining the character of an area.
- Ensuring the design of community facilities maximise their integration with adjoining compatible land uses and their contribution to the public realm.

Objective 1

To improve the image and appearance of Hume Corridor’s established areas and deliver high quality development in new growth areas across Hume.

Strategies

1. Ensure development located at key gateways into and within the municipality shown in Figure 2 in Clause 21.01 enhances the visual appearance of that location.
2. Ensure development adjacent to or visible from major roads and key transport routes is of a high quality and makes a positive contribution to the appearance, amenity and character of the area.
3. Ensure development addresses the street and provides an active interface to the public realm, including open space and creek corridors.
4. Ensure development is designed to follow the natural land form in areas with slope to minimise the need for cut and fill and the appearance of visual bulk.
5. Encourage built form to incorporate architectural treatments and use of colours, materials and finishes that are visually interesting and engaging, particularly for industrial, commercial and high density residential development and in areas with a high volume of pedestrian traffic.
6. Encourage signage to be innovative, add interest to the locality and where possible be incorporated with built form.
7. Encourage public art in public spaces which contribute to a sense of place.
Ensure car parking that is visible from the public realm is designed to positively contribute to the image and amenity of the area.

1.9 Establish and maintain boulevard treatments along the entire length of Aitken Boulevard, Donnybrook Road, Sunbury Road/Macedon Street, Riddell Road, Vineyard Road/Horne Street, Gap Road and Lancefield Road.

1.10 Ensure the widening of Mickleham Road and Craigieburn Road protects existing trees in the road reserve and provides space for additional planting.

**Objective 2**
To enhance the amenity and appearance of industrial and commercial areas.

**Strategies**

2.1 Ensure new business parks and industrial precincts are designed to attract investment and provide businesses and workers with a high quality working environment.

2.2 Ensure redevelopment proposals in business and industrial areas enhance the visual appearance of the area.

2.3 Ensure that development is designed to carefully manage residential interfaces to minimise the impacts of built form, noise, traffic congestion, safety and pollution.

2.4 Ensure that office components of industrial and warehouse development front the street.

2.5 Encourage front fencing that is low and/or permeable.

2.6 Encourage loading and service areas to be located at the rear of sites, screened from the street and the public realm.

2.7 Discourage car parking in site frontages and encourage car parking areas to be located at the rear, softening the visual appearance of these areas through landscaping treatments including canopy trees.

**Objective 3**
To enable well designed medium and higher density residential development that protects the amenity of existing residents and sensitively responds to identified preferred neighbourhood character.

**Strategies**

3.1 Ensure development in Sunbury, Tullamarine and Westmeadows reflects the preferred neighbourhood character identified in Clause 22.13, Clause 22.14 and Clause 22.15.

3.2 Ensure multi-level buildings are designed to provide an appropriate transition in scale to adjoining single storey building forms.

3.3 Encourage basement car parking in multi-level development where practical.

3.4 Ensure that buildings are sited and designed to follow the natural land form and minimise the need for cut and fill in areas of slope.

3.5 Encourage split level development on steep sloping land.

3.6 Encourage and support well designed infill residential development in areas characterised by single and double storey detached dwellings.

3.7 Encourage infill development to retain the backyard realm in areas characterised by large backyard spaces.

3.8 Encourage front fencing that is low and/or permeable.

3.9 Ensure the redevelopment of corner sites includes side fencing that is designed to achieve a balance between providing privacy and maintaining visual connections to the public realm.

**Objective 4**
To create vibrant and attractive activity centres that contribute to the character of an area.

**Strategies**

4.1 Ensure that activity centres are designed to protect the amenity of residential and open space interfaces.

4.2 Ensure new neighbourhood activity centres are designed to be predominantly street based and include opportunities for a range of small businesses to locate outside of the supermarket and specialty retail core.

4.3 Ensure that the first stages of development in new activity centres are designed to allow for the integration of future development on adjoining land parcels.

4.4 Ensure development provides active frontages to the public realm and incorporates a high level of glazing at the ground floor.

4.5 Ensure multi storey developments provide windows and balconies that overlook the public realm.
4.6 Encourage on-street dining and entertainment spaces which promote street edge activity and provide passive surveillance to the public realm.

4.7 Ensure entrances to buildings are clearly marked and are oriented towards the street.

4.8 Ensure that building facades incorporate design detailing and articulation which reflects a human scale at street level.

4.9 Ensure development presents a defined street wall and incorporates appropriate weather protection.

4.10 Ensure development minimises the adverse effects of wind down drafts and provides wind protection in public spaces.

4.11 Encourage a high quality public realm that is safe, accessible and encourages community interaction and activity.

4.12 Ensure public spaces are located to act as a focal point and benefit from a high level of pedestrian activity and passive surveillance from surrounding built form.

4.13 Ensure public spaces are functional, comfortable and convenient places for people to meet.

4.14 Ensure the design of new activity centres considers all road users and prioritises pedestrian and cycle access.

4.15 Ensure public transport stops and bicycle parking facilities are conveniently located to building entries and public spaces.

4.16 Ensure large scale loading, storage and servicing areas are located at the rear of development and integrated with the main building and that the vehicle access ways are separated from primary pedestrian and cycling routes.

4.17 Consolidate car parking in activity centres and ensure it is located to not dominate the visual appearance of the centre.

4.18 Ensure car parking areas incorporate landscaping to provide shade and visual relief.

4.19 Ensure there are clear pedestrian routes through car parking areas and car park entries/exits are clearly marked to avoid conflict between vehicle and pedestrian traffic.

**Objective 5**

To provide accessible, functional, well-designed and innovative community buildings.

**Strategies**

5.1 Ensure community centres are sited and oriented to best address the public realm and contribute to street activity.

5.2 Where a range of community infrastructure and open space is clustered together:
   - Ensure the different building parcels are designed to create an integrated design outcome.
   - Ensure built form addresses adjoining development and building entries are oriented to address each other.
   - Encourage each development parcel to integrate into a shared public space.
   - Ensure a safe and attractive path network links each building to each other and to the wider movement network.
   - Encourage consolidated car parking.
   - Provide a consistent landscaping regime that creates an attractive and cohesive visual appearance.

5.3 Require new, and upgraded community facilities to be designed using environmentally sustainable design and development principles.

**Objective 6**

To provide a network of well-designed and connected open spaces and waterway corridors.

**Strategies**

6.1 Ensure the design of new subdivisions achieves a continuous and connected open space network.

6.2 Encourage the use of green links between properties to facilitate direct pedestrian and cycle access to activity centres, schools and community facilities.

6.3 Ensure passive and active open spaces are integrated to maximise use of the space, connectivity and passive surveillance.

6.4 Ensure open spaces have street frontages to avoid dead interfaces, promote use, increase safety and facilitate cost effective maintenance.

6.5 Ensure maximum active and passive design outcomes are achieved where open space is directly adjoined by development.

6.6 Where street frontage is not possible, ensure residential, industrial and commercial development directly fronts open space areas, with car parking access provided at the rear of properties.

6.7 Ensure pedestrian crossings connect shared paths to open space areas and across arterial and connector roads.
6.8 Ensure walking and cycling routes through open space areas are clearly defined and connected to the wider walking and cycling network.

6.9 Encourage open space areas to include well-arranged seating, shelter and other public amenities.

6.10 Encourage open space areas to utilise water sensitive urban design and alternative water sources.

6.11 Encourage the incorporation of natural landscape features including remnant vegetation, scattered trees and geological features, into landscape design and public art.

6.12 Support opportunities for community gardens adjacent to community facilities and open space areas and ensure they do not compromise the active or passive function of the open space.

**Policy guidelines**

When deciding on an application for use, development or subdivision the following matters will be considered, as appropriate:

- Clause 22.01 Industrial
- Clause 22.04 Townships
- Clause 22.06 Sunbury Town Centre
- Clause 22.09 Advertising Signs Local
- Clause 22.10 Macedon Street Office Area
- Clause 22.13 Residential Neighbourhood Character – Sunbury
- Clause 22.14 Residential Neighbourhood Character – Tullamarine
- Clause 22.15 Residential Neighbourhood Character – Westmeadows
- Clause 22.16 Horne Street and Gap Road, Sunbury

**Further strategic work**

- Prepare a Housing Strategy to guide the future planning for housing growth and diversity, including the application of zones and overlays to facilitate preferred housing outcomes.
- Retain and supplement tree planting along Craigieburn Road and Mickleham Road.

**Environmentally Sustainable Design and Development**

Planning and building for sustainability and future climatic trends can help minimise the negative impacts of climate change and resource scarcity by enhancing liveability. There is significant opportunity to ensure that new buildings and development in Hume set high environmental standards and are designed to be more resilient to the impacts of climate change and more resource, energy and water efficient. This will also improve the long term affordability of housing in the region, particularly in light of anticipated increasing utility costs.

**Key issues**

- Recognising the opportunity to implement precinct wide ESD outcomes in master planning and large scale development in new growth areas.
- Implementing ESD outcomes as standard practice.
- Maximising the use of existing water resources in the planning and design of new growth areas.
- Retaining permeable surfaces and reducing the Urban Heat Island effect associated with redevelopment in established areas and new development in growth areas.

**Objective 7**

To encourage environmentally sustainable design and development.
Strategies

7.1 Ensure that Precinct Structure Plans, Development Plans, Structure Plans, Urban Design Frameworks and Design Guidelines include environmentally sustainable design principles.
7.2 Support development that encompasses environmentally sustainable design principles and operating practices.
7.3 Ensure the design of new subdivisions and the siting of buildings maximises passive solar design principles.
7.4 Encourage development that incorporates energy conservation, efficiency and generation.
7.5 Encourage development that incorporates water conservation and water sensitive urban design practices at both an individual site and precinct wide scale.
7.6 Encourage development to integrate waste management and recycling facilities and ensure appropriate design and access for waste and recycling collection.
7.7 Encourage the use of sustainable building materials including recycled materials.
7.8 Encourage the retention of buildings, or parts of buildings, that can be adapted to a variety of uses.
7.9 Support development that incorporates opportunities for local food production.
7.10 Ensure the design of public spaces considers future climatic conditions and demonstrates environmentally sustainable design excellence.

Objective 8

To minimise the contribution of new development to the Urban Heat Island effect.

Strategies

8.1 Encourage development to maximise the use of permeable surfaces.
8.2 Encourage development to protect existing vegetation and incorporate drought tolerant plants into landscape treatments.
8.3 Ensure new growth areas contribute towards an increase in canopy cover across Hume.
8.4 Ensure industrial development incorporates canopy tree planting in setbacks and car parking areas.
8.5 Encourage canopy tree planting in road reserves and open space areas.

Landscape Character

The rural landscape is a key characteristic of Hume’s image and identity. It includes wide expanses of flat open woodland and grassland, cleared grazing land and natural features such as largely undeveloped hills and ridges, and very steep creek valleys. These features are highly valued by the community and are often highly visible, providing an important backdrop to urban areas within the Hume Corridor and the Sunbury township.

Development which is highly visible and insensitive to the surrounding landscape has the potential to diminish the visual qualities of these features and fundamentally change the rural landscape character of Hume. It is therefore important that development is appropriately sited and designed to manage any adverse visual impacts and integrate with the natural characteristics of the site and surrounding area.

Key issues

- Managing the pressures to develop land in locations of high scenic value.
- Prioritising the protection of significant landscape values for character and community purposes and enjoyment.
- Protecting landscape values and features in new development areas and on non-urban land.
- Protecting and reinforcing the landscape character of Hume’s Inter Urban Break.
- Protecting and reinforcing the landscape character of the former Victoria University site at Jacksons Hill.
- Recognising the value of a connected landscape.
- Improving the siting and design of buildings and landscaping in visually prominent areas to minimise the visual impact on the landscape character of the area.
Improving the interface between development and waterways, landscape and conservation areas.

Ensuring that landscaping in new growth areas complements the existing landscape character of Hume.

**Objective 9**
To ensure development protects significant and unique landscape values which contribute to Hume’s character and identity.

**Strategies**

9.1 Ensure that development adjacent to waterways, conservation and open space areas is sited and designed to protect the conservation and landscape qualities of these spaces and considers the opportunity for improved community access.

9.2 Encourage infill development to retain and protect existing vegetation.

9.3 Ensure new development in rural areas is sited and designed to consolidate building footprints; minimises visual bulk; follows the natural land form; retains and protects the existing vegetation and complements the surrounding landscape.

9.4 Design new subdivisions to maximise the retention of existing vegetation and consider the potential for community access and opportunities for passive recreation.

9.5 Incorporate and protect existing vegetation, including scattered trees within open space, road reserves and tree reserves and ensure these areas are linked through the subdivision and connected to the wider landscape.

9.6 Ensure the retention of existing vegetation incorporates the necessary buffers to appropriately manage its ongoing protection.

9.7 Conservation reserves must be bordered with road frontage wherever possible.

9.8 Ensure that development along the Merri Creek is planned in a manner that protects the creek environs and enables the creation of a linear regional park.

9.9 Ensure development incorporates landscaping which complements the landscape character of the area.

**Objective 10**
To protect significant views and vistas of hilltops, escarpments, ridgelines, and creek valleys and waterways.

**Strategies**

10.1 Restrict development on the upper slopes of Redstone Hill, Bald Hill, Mount Holden, Mount Ridley and Mount Aitken to maintain their visual prominence in the landscape.

10.2 Restrict development on the western side of Redstone Hill and the eastern side of Jacksons Hill to maintain a landscape and visual connection between Redstone Hill and Jacksons Creek when viewed from Jacksons Hill.

10.3 Facilitate open space connections to maintain view lines and physical connections from the Redstone Hill Town Centre to Redstone Hill and from Jacksons Creek to Redstone Hill.

10.4 Protect the deeply incised creek valleys and escarpments of Jacksons Creek, Emu Creek, Harpers Creek, Deep Creek and Merri Creek and their tributaries.

10.5 Ensure development is setback from escarpment edges in Sunbury to protect views from the creek valleys and accommodate needs for fire protection, passive open space and walking and cycling opportunities.

10.6 Locate and align local subdivision roads and open space areas to capture significant views.

10.7 Ensure landscaping is used to soften the visual appearance of development on hillsides.

10.8 Ensure that the siting and design development on hillsides responds to contours to minimise its visual impact on the landscape and avoid extensive earthworks which will substantially alter the natural landform.

**Objective 11**
To protect significant vistas and long range views towards the Melbourne CBD and surrounding mountain ranges from Hume’s hilltops, escarpments and ridgelines.

**Strategies**

11.1 Ensure development maintains uninterrupted views in all directions from Redstone Hill, Jacksons Hill, Bald Hill, Mount Holden, Mount Ridley and Mount Aitken.
11.2 Ensure road frontage and walking and cycling paths as part of new development adjoining ridgelines and escarpments along Jacksons Creek and Emu Creek in Sunbury.

11.3 Maintain views to hilltops, escarpments, ridgelines and creek valleys through the alignment of local subdivision roads.

**Objective 12**

To protect and encourage significant roadside vegetation that contributes to Hume’s landscape character.

**Strategies**

12.1 Ensure the widening and upgrade of Mickleham Road, Riddell Road, Gap Road and Macedon Street retains existing vegetation in the road reserve.

12.2 Ensure a strong landscaping treatment in the upgrade of Craigieburn Road, Donnybrook Road, Somerton Road, Sunbury Road, Lancefield Road and Vineyard Road.

12.3 Ensure a strong informal landscape treatment is established along the north-south connector road through the western end of the Inter Urban Break that reflects a rural landscape character.

12.4 Ensure the upgrade on rural roads to an urban standard retains existing vegetation in the road reserve.

12.5 Establish new streetscape planting which enhances and reinforces Hume’s landscape character.

**Policy guidelines**

When deciding on an application for use, development or subdivision the following matters will be considered, as appropriate:

- Clause 22.04 Townships

**Further strategic work**

- Prepare Precinct Structure Plans containing cross sections which enable boulevard treatments.

- Prepare Precinct Structure Plans which safeguards significant landscape features, maintain views, protect vegetation, and provide open space and landscape connectivity.

- Update Council’s Scenic Hilltops and Major Ridgelines Policy to identify and confirm significant view lines and areas of significant landscape value that warrant protection, and to determine the appropriate controls to achieve this.

- Prepare masterplans for Jacksons Creek and Emu Creek to facilitate a regional scale parkland outcome that enables public access whilst protecting the visual, environmental and landscape qualities of the creek corridors and tributaries.

**Heritage**

Hume has a rich and very diverse cultural heritage that includes ceremonial rings, middens, scar trees, heritage bridges, ruins of bluestone cottages and flour mills, pastoral homesteads, the former Industrial School and Asylum, Emu Bottom Homestead, Rupertswood Mansion, wineries, sites reputedly associated with early explorers, and sites associated with community events of State and national significance. This heritage is integral to Hume’s identity and constitutes a significant tourism and education resource.

A large number of Hume’s heritage places are of regional and State significance and any development within these places must ensure the conservation and protection of these heritage buildings and places.

**Key issues**

- Protecting significant heritage places in areas of growth.

- Incorporating heritage assets into development in a way that optimises their long-term protection and conservation.
Objective 13

To identify, recognise and protect places of heritage, cultural and social significance.

Strategies

13.1 Recognise the importance of the City’s heritage assets.
13.2 Ensure that new subdivisions do not compromise identified heritage values.
13.3 Ensure that the productive use of non-urban land does not compromise identified heritage values.
13.4 Ensure that new growth areas protect, and where possible integrate heritage sites into the design of subdivisions, particularly open space areas.
13.5 Encourage heritage buildings and places to be incorporated into new development in a manner that optimises their adaptive reuse where appropriate.
13.6 Ensure development maintains the visual prominence of historic buildings and local landmarks.
13.7 Ensure that additions, alterations and replacement buildings are sympathetic to the heritage place and surrounds.
13.8 Ensure that the use and development of heritage places and adjoining land is compatible with and does not adversely affect the significance of the place.

Further strategic work

- Prepare Precinct Structure Plans which safeguard heritage features.
- Prepare a heritage local policy to guide the consideration of applications for use and development in areas covered by a heritage overlay.

Reference Documents

- Healthy by Design: a planners’ guide to environments for active living, National Heart Foundation of Australia, 2004
- Hume Biodiversity Planning Policy, Hume City Council, 2016
- Hume Corridor HIGAP Spatial Strategy and Delivery Strategy, Hume City Council, 2015
- Hume Open Space Strategy 2010-2015, Hume City Council, 2010
- Sunbury HIGAP Spatial Strategy and Delivery Strategy, Hume City Council, 2012
- Jacksons Hill Master Plan, Victorian Planning Authority, 2018
Activity Centres

Activity centres provide for a range of retail, commercial, entertainment and community services. The distribution of activity centres provides opportunities for a diverse range of activities to be integrated with housing in locations which are highly accessible by walking, cycling, public transport and road. With new development areas in Hume up to 40km from the Melbourne CBD, it is important that a hierarchy of activity centres is planned and managed to meet community needs.

The location of activity centres is shown in Figure 2 in Clause 21.01 (Municipal Profile) and include:

- Metropolitan Activity Centres (MAC) - Broadmeadows, Donnybrook ( Lockerbie) Town Centre (future)
- Major Activity Centres - Sunbury Town Centre, Roxburgh Park Shopping Centre, Craigieburn Town Centre, Gladstone Park Shopping Centre, Mickleham (Merrifield) Town Centre (future), and Sunbury South Town Centre (future).
- Neighbourhood Centres - Campbellfield Plaza, Craigieburn Plaza, Meadow Heights, Greenvale, Westmeadows Village, Dallas, Olsen Place, Tullamarine, Upfield, Highlands Shopping Centre, Homestead Place and Gap Road (Sunbury).
- New Neighbourhood Centres planned in developing areas of the City.

Key issues

- Protecting and maintaining the hierarchy of existing activity centres.
- Ensuring Sunbury Town Centre remains the primary activity centre in Sunbury.
- Preventing the loss of retail expenditure from Hume.
- Ensuring activity centres are the areas of focus for retail, health, entertainment and leisure activity and community.
- Providing and safeguarding opportunities for a range of non-retail businesses, employment opportunities and community uses in new and developing activity centres.
- Providing opportunity for local businesses and enterprises.
- Managing demand for out of centre retail, health and leisure development, particularly in significant industrial areas.
- Staging new centres to ensure timely and convenient access for residents.
- Ensuring activity centres provide a mix of uses that serve the changing needs of the community.
- Providing opportunity for residential development, particularly in the early phases on new activity centres.
- Providing activity centres that are a source of pride for the surrounding community.

Objective 1

To facilitate new and expanding activity centres in the hierarchy of activity centres within Hume.

Strategies

1.1 Facilitate retailing that complements and reinforces the hierarchy of activity centres (see Clause 21.02).
1.2 Facilitate activity centres which serve an appropriate catchment.
1.3 Facilitate a network of convenience (neighbourhood) based local activity centres, characterised by supermarket anchored mixed use centres.
1.4 Discourage retailing outside of Metropolitan Activity Centres, Major Activity Centres and identified specialised regional bulky goods centres.
1.5 Encourage bulky goods retailing to locate in activity centres, preferably in higher density urban formats.
1.6 Ensure activity centres develop along both primary and secondary streets.
1.7 Ensure that activity centres provide for a range of leisure activities and community spaces.
1.8 Ensure that land uses within the Melbourne Airport Transport Gateway do not adversely impact on the viability of nearby activity centres.

**Objective 2**

To provide for an appropriate land supply for activity centre development and opportunities for a range of businesses.

**Strategies**

2.1 Encourage expansion of existing centres where the scale of development is in accordance with its role within the activity centre hierarchy.
2.2 Ensure the expansion of existing activity centres does not adversely impact on the timely delivery of new centres or planned expansion of other existing centres.
2.3 Ensure planning and precinct structure plans provide for new activity centres to support new growth areas where there is sufficient catchment.
2.4 Encourage the establishment of retail activity as the basic ‘building block’ and economic driver in activity centres unless there is a superior local land use or economic driver that can be used.
2.5 Facilitate the development of activity centres in locations that provide for multiple land ownership opportunities.
2.6 Encourage small scale activity centres within large employment areas that provide a range of convenience retailing services and facilities for the needs of the employees.
2.7 Support supermarkets in employment areas that have higher job densities where it is demonstrated that they will not adversely affect residential based centres.
2.8 Identify locations for office space to facilitate business and employment development as part of plans for new and existing centres.

**Objective 3**

To reduce the loss of retail expenditure from Hume.

**Strategies**

3.1 Ensure that new activity centres within the Sunbury and Hume Corridors are located, planned and staged to deliver retailing and other facilities in a timely manner.
3.2 Encourage and prioritise higher order retail development in Broadmeadows and the Sunbury and Craigieburn Town Centres in the short term, and over time in Mickleham (Merrifield) and Donnybrook (Lockerbie) Town Centres.
3.3 Ensure new activity centres offer a variety of retail opportunities and premises for a range of businesses and complementary uses.

**Application requirements - retail capacity and economic impact assessments**

Proposals for retailing and activity centres must be supported by a retail capacity and economic impact assessment if the amount of retail floorspace proposed will result in a total retail floorspace in excess of that indicated in the relevant Precinct Structure Plan, Structure Plan or Development Plan or the Default Centre Profiles in the Hume City Retail Strategy, Final Report, 2009 where there is no relevant approved plan. The retail analysis must address:

- The primary catchment of the centre.
- Whether the primary catchment has sufficient population (residents and workers) to support the centre.
- Whether the centre negatively impacts on other existing centres or preclude the development of future centres identified within the Activity Centre Hierarchy or another planned centre within its catchment.

**Decision guidelines - retail development decision criteria**

Council will consider the following criteria (as appropriate) when assessing activity centre development proposals:
The retail capacity of the catchment to support the proposed retail space without compromising the ability of other existing or planned centres to operate viably.

- The capacity of the centre/site (excluding regional bulky goods centres) to provide a suitable mix of non-retail uses including housing, offices and community facilities.

- The capacity of the centre/site to be serviced by an efficient transport network, including public transport.

- The provision of dedicated off-road walking and cycling facilities into centres and sites, from the surrounding catchment (excluding regional bulky goods centres and established areas).

- The capacity of the centre, other than single supermarket based centres, to be developed in multiple land ownership.

- How the proposal addresses the objectives and strategies in Clause 21.05.

**Further strategic work**

- Prepare plans for existing activity centres to manage and guide their ongoing change.

- Review the appropriateness of land use zoning to accommodate the identified bulky goods centres in Clause 21.01 (Figure 2).

**Other actions**

- Monitor the hierarchy of activity centres taking into account Plan Melbourne, changing transport infrastructure, current and future population growth, and existing and planned retail floor space.

- Work with State Government and the private sector to locate and integrate health and education facilities within or adjoining neighbourhood centres.

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**Metropolitan Activity Centres**

**Broadmeadows**

Broadmeadows is one of ten Metropolitan Activity Centres in Victoria and is planned to be one of the premier centres in the Northern Sub Region over the next 20-30 years. It will be a regional hub for offices and services, supported by a mix of retail, leisure and transport facilities to accommodate the needs of the growing population in the Northern Sub Region.

**Objective 4**

To establish Broadmeadows Metropolitan Activity Centre as a premier activity centre in the Melbourne Northern Sub Region with a diverse range of retail, commercial, educational, cultural, community and leisure facilities.

**Strategies**

4.1 Implement the Broadmeadows Structure Plan (March 2012).

4.2 Implement Hume Central: The Vision (September 2014).

4.3 Facilitate the expansion of the Broadmeadows Shopping Centre to realise the potential of Broadmeadows as a major entertainment and higher order retailing destination in the Melbourne Northern Sub Region.

4.4 Encourage existing bulky goods retailing to the north of the existing Broadmeadows Shopping Centre to be gradually replaced by more intensive retail, commercial, residential and leisure uses.

4.5 Facilitate the provision of office space to support the growth of jobs in government, community, and professional services.

4.6 Encourage a diverse mix of hospitality, entertainment and other leisure and cultural uses that result in more active streets and facilitate strong physical and visual connections between different areas.

4.7 Facilitate increased business, cultural and education opportunities east of the train line as identified in the Broadmeadows Structure Plan.

4.8 Facilitate the development and change identified in the Broadmeadows Structure Plan for the area east of the train line subject to detailed infrastructure capacity assessments.

4.9 Encourage improved street networks through subdivision and redevelopment of large land parcels and improvements to the pedestrian amenity of existing streets.
Donnybrook (Lockerbie) Town Centre

Donnybrook (Lockerbie) Town Centre is one of ten Metropolitan Activity Centres in Victoria. It will service a large area including the catchment of Lockerbie, Beveridge and the extensive growth area to the east of the train line in Whittlesea. The Lockerbie PSP (2012) provides a detailed framework for the centre. The centre will include a full mix of retail uses, as well as local and higher order office, health, education and civic services and facilities to service the large regional catchment.

Objective 5

To establish Donnybrook (Lockerbie) as a vibrant mixed use and economic hub which provides a focal point for the northern part of the Melbourne Northern Sub Region.

Strategies

5.1 Facilitate a diverse mix of higher order retail, entertainment, cultural, leisure and recreation uses.
5.2 Encourage major office development, small scale office/warehouse spaces and office/showroom spaces for a range of small, medium and large businesses.
5.3 Safeguard land for a range of regional education, health, aged care and community services.
5.4 Encourage a range of higher density housing, including aged care, within and around the town centre.
5.5 Ensure that the design of the town centre is pedestrian friendly and accessible by all transport modes, including public transport.
5.6 Facilitate a fine grain town centre core that promotes walking, cycling and public transport access with car dependent uses located on the edge of the centre.
5.7 Facilitate walking and cycling connections through the town centre and to the future Lockerbie train station through a series of attractive, accessible and well-connected streets and public spaces.
5.8 Encourage different public realm treatments to reinforce the street hierarchy and different open spaces.
5.9 Facilitate character precincts that contain a different mix of uses and activity, and have different built form and landscaping elements.
5.10 Ensure the town centre provides a sensitive interface to the adjoining natural landscape.

Other actions

- For the Broadmeadows MAC:
  - Advocate for new, and expanded integrated regional-level education, community and health services and facilities in Broadmeadows.
  - Explore options to deliver an extension of Coleraine Street over Pascoe Vale Road and the railway line in Broadmeadows.
  - Mitigate the east-west divide created by Pascoe Vale Road and the railway line, including improvements to the station underpass, and improved pedestrian crossings of Pascoe Vale Road.
  - Advocate for the redevelopment of Broadmeadows Train Station and improved streetscape around the bus terminal and along Pascoe Vale Road.

- For the Lockerbie MAC:
  - Advocate for the timely delivery of Lockerbie Train Station.

Major Activity Centres

Sunbury Town Centre

The growth in population in Sunbury and the wider region offers significant potential to increase self-containment of Sunbury for a range of needs and uses that are best located in Sunbury Town Centre.
**Objective 6**
To maintain Sunbury Town Centre as the primary activity centre within the township, comprising a mixture of convenience and comparison retailing, commercial, entertainment, community and leisure facilities.

**Strategies**

6.1 Ensure that all development reflects and enhances the historic and ‘rural town’ character of the Centre.
6.2 Encourage a greater and more diverse provision of retailing uses to consolidate the Centre’s role as the primary activity centre within the township.
6.3 Facilitate comparison retail developments that have large floor area requirements and are dependent on high exposure and vehicular access outside of the retail ‘core’ (but within the Centre).
6.4 Ensure retail development outside the Sunbury Town Centre does not detract from and recognises and compliments the role and function of the centre.
6.5 Encourage above ground floor uses in the core of the town centre to intensify activity and increase apartment housing and opportunities for a range of businesses.
6.6 Encourage office development and medium density housing on the edge of the town centre.
6.7 Encourage redevelopment which activates and improves the amenity of laneways.

**Craigieburn Town Centre**
Craigieburn Town Centre is centrally located within the Hume Corridor adjacent to Aitken Boulevard. Its proximity to new residential areas makes it highly suitable for a range of local and regional facilities. It provides a significant opportunity to provide a strong sense of identity and a focal point for residents in the Craigieburn area.

**Objective 7**
To promote the development of the Craigieburn Town Centre as an activity centre with a strong sense of place, providing a wide range of retail, commercial, entertainment and leisure facilities.

**Strategies**

7.1 Facilitate the development and expansion of Craigieburn Central for a range of retail, commercial, entertainment, leisure services and facilities commensurate with the growing population.
7.2 Encourage a commercial, community, recreation and high density residential spine along Central Park Avenue to support a broader mix of uses.
7.3 Ensure improved pedestrian and cycling connections to and through the centre from surrounding residential areas.
7.4 Facilitate proposals for major office development, small scale office/warehouse spaces and office/showroom spaces on the western side of Aitken Boulevard.
7.5 Facilitate a medical and healthy living cluster of development in the vicinity of Lygon Drive and Craigieburn Road, including the land adjoining the Northern Health facility.
7.6 Encourage proposals for high density development that provides a diverse range of housing within and adjoining the centre.

**Gladstone Park Shopping Centre**
Gladstone Park Shopping Centre is a large internal shopping centre which has a number of community facilities adjoining it. It benefits from passing trade on Mickleham Road, a large local catchment and good proximity to Melbourne Airport and the large employment precinct to the west of Mickleham Road.

**Objective 8**
To support the role of the Gladstone Park Shopping Centre as a sub-regional retail centre while promoting opportunities to improve its accessibility and appearance.

**Strategies**

8.1 Encourage development that further enhances the scale and range of retail, including convenience and comparison retailing.
8.2 Encourage increased community services, medical and leisure facilities within the centre.
8.3 Discourage the conversion of housing fronting Mickleham Road in favour of purpose built facilities for such uses.

8.4 Ensure the amenity of the centre and its connections to the surrounding residential and employment areas are enhanced.

8.5 Ensure improved accessibility and connectivity between the Gladstone Park Shopping Centre and the education and community facilities, and residential areas to the east.

8.6 Facilitate improved integration of the centre with the public transport, cycling and pedestrian routes along Mickleham Road and employment area to the west of Mickleham Road.

8.7 Encourage improvements to the overall appearance and feel of the centre that:
   - Improves the interface of the centre with Mickleham Road, Gladstone Park Drive and South-Circular Road.
   - Improves the visibility of the centre from Mickleham Road to optimise usage of the centre.
   - Facilitates revitalisation and investment in the building stock.
   - Provides opportunities for outdoor spaces and opportunities for social interaction.

**Mickleham (Merrifield) Town Centre**

Mickleham (Merrifield) Town Centre has the potential to meet many of the retail, employment and service requirements of the residential and employment areas immediately surrounding it and to the north-west of Beveridge and up to Wallan. Its proximity to the potential Merrifield Park, its location on the proposed premium bus service Aitken Boulevard corridor, and its good access to the Hume Freeway, the existing Donnybrook Station and future Lockerbie Train Station make it well located for facilities servicing a sub-regional catchment, which may include tertiary education and health services.

**Objective 9**

To promote the development of Mickleham (Merrifield) Town Centre as a vibrant and integrated, employment based activity centre.

**Strategies**

9.1 Facilitate a wide range of retail, commercial, education, community, health and residential land uses in the centre.

9.2 Ensure uses and development at the northern interface promotes and facilities the delivery of Merrifield Park as a State scale sports and leisure hub.

9.3 Ensure the town centre is integrated with the residential areas to the west, the employment areas to the east and Merrifield Park to the north.

9.4 Encourage a mix of uses within precincts and buildings.

9.5 Facilitate the provision of a recognisable heart in the town centre that is well connected and integrated with the retail core and commercial areas, Merrifield Park and the major transport routes.

9.6 Encourage the use of open space and changes in street widths and built form to create areas of different character and other points of interest.

9.7 Facilitate high levels of permeability and connectivity through the town centre for all modes of transport through a grid based movement network, through a range of measures that includes a fine grain network of streets.

9.8 Encourage active and safe streets by limiting the continuous length of internalised mall space, discouraging excessive blank walls and facilitating on street parking.

9.9 Ensure the servicing of larger shops and businesses is via service lanes and defined truck routes.

**Roxburgh Park**

Roxburgh Park Shopping Centre is a large shopping centre consisting of both internal and external shopping areas. It benefits from passing trade on Somerton Road and direct access from Roxburgh Park Station.

**Objective 10**

To promote Roxburgh Park as a vibrant, highly accessible and integrated activity centre and sub-regional retail centre.
Strategies

10.1 Facilitate development that provides for an integrated centre, linking land uses and activity on both sides of Somerton Road.
10.2 Ensure the continued focus on conventional retailing and community services within and adjoining the Roxburgh Park Shopping Centre.
10.3 Ensure that development to the south of Somerton Road and east of the railway line complements these uses.
10.4 Encourage commercial and industrial development on the south side of Somerton Road for:
   - Restricted retailing, other forms of 'highway retailing' and offices along Somerton Road.
   - Services such as a hotel, motel, restaurants, conference meeting and reception facilities, medical consultancies, offices and associated uses along Pascoe Vale Road and eastward.
   - Well-presented industrial buildings and/or warehouses to the south-east.
10.5 Facilitate development which enhances the integration of the different buildings and public space, and overall ‘sense of place’ of the centre.
10.6 Ensure further development of the Roxburgh Park Shopping Centre improves and prioritises pedestrian and cycle access.
10.7 Facilitate and encourage improved connections and interfaces between the Roxburgh Park Shopping Centre, the commercial area south of Somerton Road, Roxburgh Park Railway Station and the industrial areas to the East of the railway line, through
   - The development of strong ‘gateway’ elements and design features.
   - The creation and use of architectural and landscape themes.
   - Improved pedestrian and cycling connections and vehicle circulation that enables direct and safe pedestrian and cycle movements.

Sunbury South

The Sunbury South Activity Centre will service the eastern development area of Sunbury. The centre will provide for retail and leisure land uses and opportunities for local businesses and community services. Its street and pedestrian network will provide easy access from adjoining residential areas and local community facilities to a ‘main street’ that maximises views to Redstone Hill.

Objective 11

To develop a vibrant and accessible Activity Centre and sub-regional retail centre that meets the needs of the growing population on the eastern side of Sunbury without impacting on the primacy and viability of the Sunbury Town Centre.

Strategies

11.1 Ensure that the scale of retail and commercial development does not adversely impact on the viability of the Sunbury Town Centre or divert investment away from the Sunbury Town Centre.
11.2 Ensure that the staging of development initially meets the local retail, commercial and community needs in the south-east of Sunbury, and in the longer term, the needs of the wider community on the eastern side of Sunbury.
11.3 Encourage higher density residential development within and adjoining the activity centre.
11.4 Facilitate a range of retail, commercial and community uses within the activity centre and limit large format non supermarket floorspaces.
11.5 Encourage office development fronting Sunbury Road.
11.6 Encourage a main street and fine grain road network to achieve maximum accessibility from the surrounding residential areas and maximise the range of business opportunities.
11.7 Facilitate a suitably designed bus interchange within the centre that enables convenient change from local to regional bus services.
11.8 Ensure new bus ready connector roads with good cycling provision enable good accessibility to the centre.
11.9 Require an urban design framework or equivalent as part of preparation of a Precinct Structure Plan showing:
   - A street based centre with active street frontages.
   - The location and scale of retail, office, community, residential and other uses.
   - The potential scale and height of building in different locations and how this helps provide legibility to the centre and the precinct.
The road and public transport network and the parking approach and how this encourages a pedestrian and cyclist friendly activity centre.

How residential development is integrated into the built form.

Policy guidelines
When deciding on an application for use, development or subdivision the following local policies will be considered, as appropriate:

- Clause 22.06 Sunbury Town Centre.

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Neighbourhood and other local centres

Overview
Neighbourhood Centres generally include a limited mix of uses aimed at meeting local convenience needs. They can be supermarket anchored centres as well as a collection of small shops. Neighbourhood Centres should be accessible to the local community by walking and cycling and provide public transport links to the other Activity Centres. Within Hume City Council there are at least twelve existing identified Neighbourhood Centres and a number of small convenience centres.

Objective 12
To ensure that designated neighbourhood centres are distributed across the municipality.

Strategies
12.1 Facilitate centres with a range of local food and convenience retailing, and small scale leisure and community services for existing and new communities.
12.2 Facilitate supermarket based neighbourhood centres to perform the role of primary food convenience centres for communities.
12.3 Encourage single supermarket based centres serving a catchment of approximately 11,000 people in preference to larger supermarket based centres.
12.4 Encourage single supermarket based centres to meet the needs of defined communities, preferably on connector roads rather than major arterial roads.
12.5 Ensure new centres provide for a range of opportunities outside of the supermarket core for local businesses and services.
12.6 Facilitate the integration of a diversity of higher density housing and community facilities in or adjoining neighbourhood activity centres, including supermarket based centres.
12.7 Encourage streetscape and built form improvements that make existing centres more attractive and improve their function and viability.

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Reference Documents
- Broadmeadows Structure Plan, Hume City Council, 2012
- Hume City Retail Strategy, Final Report, 2009
- Hume Corridor HIGAP Spatial Strategy and Delivery Strategy, 2015
Hume’s economy currently generates $27 billion worth of output and has a significant impact on Victoria’s economic performance. Hume’s employment and economic base is therefore of state significance. As the population of Hume and the Northern Sub Region grows, increasing the number and diversity of employment opportunities in Hume is critical. Plans are in place to enable the development of large areas of employment land north of Donnybrook Road, along the Hume Freeway, around Melbourne Airport and in parts of Sunbury. These will be capable of increasing employment in Hume to over 180,000 jobs. The majority of this growth is to be in transport and logistics, advanced manufacturing, healthcare, education, training, retail and professional services.

Achieving this job target will be a significant challenge, particularly given the slowdown in new job creation within the Hume Corridor and the transition from large scale manufacturing to small niche manufacturing in recent years. It will rely on significant investment in attracting new businesses, including major investment and support from the State Government to duplicate and upgrade the major transport network and attract global and regional investment.

Key issues
- Growing and diversifying the employment options in Hume.
- Promoting Hume as a place for business attraction and investment.
- Protecting industrial land from the establishment of non-industrial uses that may compromise the continued operation of existing industrial uses.
- Providing the necessary upgrades to State infrastructure to support economic growth.

Objective 1
To facilitate economic growth and job diversity through the continued support of existing businesses and the attraction of new businesses.

Strategies
1.1 Facilitate greater employment opportunities within activity centres.
1.2 Support existing employment areas with a large number of businesses in similar sectors.
1.3 Encourage site consolidation and integrated development on small sites within existing employment areas to improve their functionality.
1.4 Discourage community, leisure and health facilities and large supermarkets outside of identified activity centres.
1.5 Discourage the development of bulky goods retail premises in existing and future industrial areas outside of identified bulky goods centres.
1.6 Ensure adequate separation and buffer areas between sensitive land uses and industry with potential offsite amenity impacts.
1.7 Support best practice management of industrial and resource recovery uses to better manage onsite storage and minimise offsite amenity impacts on the community and environment from upset conditions including fires or other emergency management events.

Policy guidelines
When deciding on an application for use, development or subdivision the following matters will be considered, as appropriate:
- Clause 22.01 Industrial.
- Clause 22.06 Sunbury Town Centre.

Other actions
- Advocate for the timely delivery of freight and transport infrastructure upgrades critical to business efficiencies and growth.
Reference documents

- Hume Corridor HIGAP Spatial Strategy and Delivery Strategy, 2015
- Sunbury HIGAP Spatial Strategy and Delivery Strategy, Hume City Council, 2012
TRANSPORT CONNECTIVITY AND INFRASTRUCTURE

Connectivity and Choice

Transport connectivity and mode choice are critical to achieving productive, sustainable and socially just cities.

Travel demand will increase as the municipality grows and increasing numbers of people seek to access work, retail, education, leisure, health and entertainment opportunities.

New and upgraded roads will be critical to unlocking new development areas. However new train stations, train and bus services, and walking and cycling infrastructure will be required to provide the level of connectivity and mode choice required to manage this demand fully and sustainably. Improved connectivity and travel choice between residential areas, activity centres, employment areas and Melbourne Airport is particularly important.

There are a number of creeks, train lines and freeways that present significant barriers to transport connectivity, notably in Sunbury and the southern and eastern areas of the Hume Corridor. Overcoming these barriers is expensive but necessary to connect communities, increase accessibility to jobs, and provide genuine travel choice.

Failure to deliver this transport connectivity and mode choice will lead to increased congestion, long and unreliable journeys, and increased pollution. This will impact the health and well-being of the community, the environment and businesses. Keeping congestion on roads to a minimum is particularly important for the Hume Corridor, given the large number of freight and manufacturing businesses reliant on good transport connectivity. Any increase in travel time will impact upon their competitiveness and productivity.

The Strategic Transport Plan at Figure 1 identifies new and upgraded transport infrastructure required to support Hume’s proposed future urban structure.

Key issues

- Managing and responding to increases in travel demand.
- Increasing connectivity and travel choice, particularly between residential areas, activity centres, train stations, employment areas, and Melbourne Airport.
- Timing and funding of upgrades to arterial roads, public transport infrastructure and services, walking and cycling infrastructure.
- Addressing transport network barriers like creeks, train lines and freeways.
- Increasing the appeal and reliability of public transport.
- Provision of genuine public transport options to and from activity centres, employments nodes, residential areas and Melbourne Airport.
- Recognising the social and health benefits of reduced commuting times.
- Acknowledging the environmental, economic and public health benefits of alternative transport options.
Figure 1: Strategic Transport Plan
**Objective 1**
To improve the connectivity and capacity of the transport network.

**Strategies**
1. Facilitate improved road and public transport linkages to Melbourne Airport from Sunbury and the Hume Corridor.
2. Ensure land is identified for the upgrade of existing arterial roads and the delivery of future arterial roads on Figure 1.
3. Ensure land is identified for the Attwood Connector between Barry Road and Melbourne Airport.
4. Ensure land is identified for the extension of Aitken Boulevard to the Western Ring Road in the south and northwards to Wallan.
5. Ensure land is identified for the extension of Craigieburn Road, Mount Ridley Road, Summerhill Road, Gunns Gully Road, English Street and Cameron Street over the Hume Freeway, the train line and Merri Creek.
6. Confirm the need to safeguarded land to extend Coleraine Street over Pascoe Vale Road and the railway line in Broadmeadows.
7. Facilitate the delivery of crossings of the Jacksons Creek and train line in Sunbury.

**Objective 2**
To provide genuine mode choice for travel within Hume, particularly to activity centres, train stations, major employment areas and Melbourne Airport.

**Strategies**
2. Ensure that new and upgraded arterial roads leading to activity centres, train stations and employment areas make provision for bus priority at intersections.
3. Facilitate safe, direct and continuous networks of on and off-road pedestrian and cycling priority routes to suit different walking and cycling needs.
4. Ensure existing and proposed green corridors, waterways and road and rail corridors are used for direct and continuous walking and cycling links.
5. Encourage the provision of end-of-trip facilities (including bicycle parking, shower and changing facilities) and other cycling infrastructure in large scale commercial developments and at key destinations.
6. Encourage large scale residential, retail, commercial and industrial developments to provide Green Travel Plans.

**Objective 3**
To maintain reliable journey times for businesses reliant on the road network, particularly freight companies.

**Strategies**
3. Facilitate the development of intermodal freight terminals at Somerton.
4. Identify and monitor capacity constraints on arterial roads, particularly those on the Principal Freight Network.
5. Discourage non industrial uses in employment areas with immediate access to Principal Freight Network.

**Objective 4**
To design high quality, well-connected neighbourhoods which promote sustainable modes of transport.

**Strategies**
4. Ensure the design of subdivisions provides a permeable and legible street network which allows safe and direct pedestrian and cycle access to local destinations and the major road network.
5. Ensure street layouts in new development areas connect into the existing movement network, including walking, cycling and public transport networks.
6. Ensure that gaps in the walking and cycling network are addressed in development applications to achieve a continuous network.
7. Ensure walking and cycling path networks incorporate shade, seating and directional signage, and provide safe access to activity centres, community and educational facilities, and open spaces.
8. Ensure pedestrian crossings are located along roads with heavy traffic volumes and at key destinations such as activity centres, schools and community facilities.
4.6 Ensure that crossing points are provided where the bicycle network crosses major roads.
4.7 Discourage areas of car parking that interrupt primary pedestrian and cyclist routes.
4.8 Ensure that all connector roads are “bus ready” prior to service commitments, and have high quality pedestrian access to stops.
4.9 Ensure public transport stops are located at the primary pedestrian activity points and close to key building entries.

Policy guidelines
When deciding on an application for use, development or subdivision the following local policies will be considered, as appropriate:

- Require transport and traffic impact assessments for all large scale developments.

Further work
- Work with VicRoads to prepare functional layout plans for all arterial roads.
- Identify opportunities to improve transport connectivity in new structure plans and place frameworks, and through large scale redevelopments.

Other actions
- Advocate for timely upgrades to the arterial road infrastructure within Hume in Figure 1.
- Advocate for the timely extension of the Upfield Train Line to Roxburgh Park, the electrified train services to Lockerbie in the Hume Corridor and the Lancefield Road north area of Sunbury.
- Advocate for the timely provision of new stations at Lockerbie, Sunbury South and Sunbury North.
- Advocate for the timely delivery of the Melbourne Airport Rail Link.
- Ensure that travel time benefits to businesses, and productivity and economic benefits to the Hume and Melbourne economy are recognised in the prioritisation of funding and preparation of business cases for upgrades to the transport network.
- Explore the potential for a new train station at Campbellfield.
- Plan and advocate for extensions to Hume’s Principal Public Transport Network to enable good accessibility to direct, frequent and reliable bus services.
- Advocate for timely extensions to the Metropolitan Trail Network and Principle Bicycle Network within Hume.
- Advocate for improved frequency, directness and reliability of bus services within Hume, particularly those leading to Melbourne Airport, activity centres and train stations.
- Advocate for better timetable integration between bus and train services.
- Advocate for bike parking infrastructure at train stations and other public transport interchanges.

Integrated Land Use and Transport
The integration of land use and transport provides opportunities to create sustainable and well-connected communities with a broad range of genuine travel mode choices. Concentrating high trip generating uses, employment opportunities, community uses and an increasing proportion of new housing close to activity centres and public transport corridors provides the greatest potential to reduce reliance on the private vehicle.

The planning of the growth areas in Hume provides opportunities to achieve this land use and transport integration at the outset of new developments. Equally, the intensification of established areas and the upgrade of transport infrastructure offer significant opportunities to achieve this integration and higher density development within established areas.
The quality of the transport infrastructure is vital to providing the amenity and level of access required to attract and support higher density and diverse land uses. It is also vital to the take up of sustainable modes.

**Key issues**
- Increasing the number of public transport corridors capable of supporting higher density development and activity.
- Improving the amenity around activity centres, along public transport corridors and around train stations to support and enable more intense development.
- Improving the amenity and quality of the walking and cycling infrastructure within and leading to activity centres and train stations to support less car dependent development.
- Ensuring that the design of roads, parking and walking and cycling infrastructure in activity centres supports an integration of land uses.

**Objective 5**
To increase the number of transport corridors capable of supporting higher density development and increased integration of land uses.

**Strategies**
5.1 Ensure Aitken Boulevard and Craigieburn Road are designed to support high frequency buses, walking and cycling and have high quality landscaping amenity.
5.2 Ensure new connector roads are designed with bus priority at intersections with arterial roads, high quality walking and cycling infrastructure, and good landscaping and amenity to support higher density development over time.
5.3 Identify and review opportunities to improve the bus priority infrastructure, walking and cycling infrastructure, landscaping and amenity along arterial and connector roads with high frequency bus routes.

**Objective 6**
To ensure that the design of the transport infrastructure within and around activity centres and train stations supports and facilitates higher density development and activity.

**Strategies**
6.1 Encourage streetscape improvements that make existing activity centres more attractive and improve their function and viability.
6.2 Facilitate new activity centres in the locations shown in Figure 1 and discourage new activity centres on arterial roads.
6.3 Encourage the ‘main street’ of new activity centres to be perpendicular to roads anticipated to experience high levels of through traffic.
6.4 Facilitate new activity centres with streets and parking arrangements capable of supporting development above ground floor uses, particularly residential and commercial development.
6.5 Ensure that roads within and leading to new activity centres and new train stations are direct and have high quality landscaping and walking and cycling infrastructure.
6.6 Ensure activated frontages are provided on the primary pedestrian and bicycle routes to and within activity centres.

**Further work**
- Work with VicRoads to prepare functional layout plans for Craigieburn Road and Aitken Boulevard.
- Identify opportunities to improve transport infrastructure and amenity in existing areas in new structure plans and place frameworks, and through large scale redevelopments.

**Other actions**
- Advocate for delivery of high quality landscaping along all arterial roads in Hume, particularly around activity centres and train stations.
Work with VicRoads to ensure that the design of Macedon Street retains its historic qualities and supports the potential for redevelopment.

**Parking**

Streets provide for a diverse range of road users, including for vehicles to drive along and to park. Effective planning, management and design of parking are critical to achieving high levels of amenity, good accessibility and long term sustainability.

The benefits of car parking are that it facilitates easy access by car to residential, recreational and business activities, and to public transport. Provision of sufficient parking provides an economic benefit to businesses. However, the costs of car parking, including occupying large amounts of high value land, has the potential to generate demand for car travel causing congestion impacting on the environment and reducing local amenity. Given the costs and benefits of parking, it is desirable to optimise the amount and management of parking in order to provide ‘just enough’, and flexibility to provide for changing requirements over time.

The demand for car parking varies between different land uses, and is dependent on the location of the use and the convenience and level of service of other transport modes. In areas with good public transport, or convenient walking and cycling access, the demand for car parking will be lower, therefore it is critical to locate development in areas where it will have a lower demand for access by private car, such as at activity centres that are well served by public transport.

**Key issues**

- Balancing the need and demand for car parking with the needs of other uses.
- Encouraging the co-location and consolidation of parking.
- Ensuring car parking does not impact on the amenity of activity centres or streets.

**Objective 7**

To plan, design and manage parking so that the supply of parking is optimised and makes a positive contribution to the public realm.

**Strategies**

7.1 Ensure the design of new activity centres identifies opportunities for development of car parking areas in response to increased sustainable travel.

7.2 Encourage the co-location of land uses which generate large parking demand, and the sharing of their parking requirements.

7.3 Encourage parking in activity centres to be located on the edge of the centre on appropriate access roads.

7.4 Ensure that parking incorporates environmentally sustainable design and development principles, including canopy tree cover and sustainable storm water management measures.

**Policy guidelines**

When deciding on an application for use, development or subdivision the following local policies will be considered, as appropriate:

- Apply Council’s Parking Hierarchy to prioritise the needs of the various users across different areas to ensure that kerbside space is allocated in an appropriate, fair, consistent and transparent way across the city.

- Require car parking plans for new and expanding activity centres and other major trip generating uses to balance demand for car parking with sustainable travel.

**Other actions**

- Advocate for increased car parking at Craigieburn and Sunbury Train Stations.
Reference Documents

- Healthy by Design: a planners’ guide to environments for active living, National Heart Foundation of Australia, 2004
- Hume Bicycle Network Plan, Hume City Council, 2015
- Hume Corridor HIGAP Spatial Strategy and Delivery Strategy, Hume City Council, 2015
- Melbourne Airport Master Plan, Australia Pacific Airports Melbourne, 2013
- Sunbury HIGAP Spatial Strategy and Delivery Strategy, Hume City Council, 2012
- Walking and Cycling Strategy 2010-2015, Hume City Council, 2010
NATURAL ENVIRONMENT AND ENVIRONMENTAL RISK

Natural Heritage

Hume supports a rich natural heritage which contributes to the municipality’s character and provides the community with a range of social, economic, ecological and health benefits. Hume’s landscape is characterised by undulating basalt plains punctuated by volcanic hilltops and deep incised valleys and waterways.

Hume’s remnant vegetation is amongst the most endangered in Victoria. This vegetation exists as scattered trees, woodlands, grasslands, scrub-lands and riparian vegetation. Hume’s remnant landscape continues to support both common and threatened native plants and animals.

Sites of particular note include Organ Pipes National Park, Woodlands Historic Park, Cooper Street Grassland, Evans Street Wildflower Grassland Reserve, Kalkallo Commons Grasslands, Mt. Ridley Nature Reserve and the waterways of Deep, Emu, Jacksons, Merri and Moonee Ponds Creeks and their associated tributaries.

Improving public access to a greater number and diversity of natural landscapes has the potential to improve the overall health and wellbeing of Hume’s community and increase their understanding of its natural heritage values.

The Melbourne Strategic Assessment (MSA) is the Victorian Government’s approach to managing the impact of urban development in Melbourne’s growth areas on significant vegetation communities, plants and animals. The MSA program is endorsed by the Commonwealth Government under the Federal Environment Protection and Biodiversity Conservation Act 1999. It streamlines the development process in Melbourne’s growth corridors by assessing the impacts of development on certain native plant and animal species in a consolidated process, rather than property by property. The MSA takes the cumulative effects of development on the environment into account, and sets out actions to address the impacts, giving better protection for species in strategically located conservation areas and reserves.

Within Hume three precinct areas are subject to Native Vegetation Precinct Plans which directly enact the requirements of the MSA – Greenvale North (R1), Craigieburn (R2) and Greenvale West (R3).

Outside of these precincts the Biodiversity Conservation Strategy 2013 is the primary strategic framework which enacts the MSA. In the Hume growth areas 12 Conservation Areas are identified for retention including the Mt Ridley Woodland, Kalkallo Creek, Merri Creek, Jacksons Creek and Emu Creek.

Key issues

- Incremental loss of native vegetation through urban and rural development.
- Protecting and restoring biodiversity, natural habitats and ecological linkages.
- Increasing community and public access to natural landscapes.

Objective 1

To protect, conserve and enhance natural heritage for biodiversity, amenity and landscape character purposes.

Strategies

1. Ensure development seeks to preserve the diversity and long term security of terrestrial and aquatic species and their environments.
2. Ensure development seeks to retain native vegetation, including scattered indigenous trees.
3. Conserve and re-establish areas of natural habitat where appropriate.
4. Protect and enhance existing habitat and open space corridors, including waterways, with significant landscape and/or flora and fauna values.
5. Ensure development and the planning of new areas connects areas of native vegetation identified for protection with the wider landscape and open space network.
1.6 Ensure conservation assets in existing and future urban areas are well integrated with the built environment and incorporate opportunities for the public to access and enjoy these spaces.
1.7 Ensure new areas contribute towards an increase in tree canopy cover throughout the landscape.
1.8 Encourage the use of indigenous species in landscaping and planting work.

**Decision guidelines – native vegetation decision criteria**

Council will consider the following criteria (as appropriate) when assessing proposals which involve the removal or retention of native vegetation:

- The Melbourne Strategic Impact Assessment, including the Biodiversity Conservation Strategy, any approved native vegetation precinct plan and any other State approved biodiversity policy.
- The context of the site and its surrounds with regard to the network of existing and future reserves.
- The presence of indigenous and non-indigenous cultural heritage values.
- The capacity to maintain the ongoing viability of the populations of flora and fauna species and vegetation communities and the role of the site in providing habitat connectivity.
- The capacity to manage bushfire, grassfire and public safety risks.
- The capacity of the land to support the proposed activity including slope, land subsidence potential and protection of water quality including the role of native vegetation in preventing soil erosion or landslip.

**Further strategic work**

- Prepare a Precinct Structure Plan for Craigieburn West that protects the areas of woodland identified in the Biodiversity Conservation Strategy along with other scattered trees and remnant patches of local significance, and integrates and connects them as part of the wider open space network in the Mickleham and Craigieburn precincts.
- Prepare a Precinct Structure Plan for the western end of the Inter Urban Break that protects the biodiversity values, including scattered trees, across the site in conservation and open space areas, and connects them into the wider open space network in the Mickleham and Craigieburn precincts.
- Prepare a structure plan for Kalkallo Township that protects the Kalkallo Commons, the Kalkallo Creek and the Kalkallo Cemetery with the provision of appropriate public access.
- Prepare structure plans for the Sunbury area that protect Jacksons Creek and Emu Creek and their tributaries and escarpments and integrates “nature conservation” and “open space” areas identified in the Biodiversity Conservation Strategy with the wider open space network.
- Review the planning controls of identified sites of environmental and landscape value to update existing overlays and apply new zones and overlays where relevant.
- Prepare a non-urban HIGAP spatial and delivery strategy to guide the planning of Hume’s rural areas, including the application of overlays to protect sites and areas of environmental and landscape significance and identify areas at risk of significant erosion.

**Environmental Land Management**

Significant change has occurred to the natural landscape, including land clearance, habitat degradation and the introduction of invasive species. Other threats to land health in Hume include invasive plants and animals, soil degradation, and climate change.

Areas of the municipality, particularly around Sunbury are highly susceptible to soil erosion due to the steep landforms and fragile soil types. Risk of erosion may be increased in these areas through inappropriate land management and development.
Key issues
- Reducing the amount of earthworks required by land development.
- Managing the effects of large scale earthworks on rural land.
- Minimising the visual and amenity impacts associated with large scale fill in inappropriate locations.
- Ensuring that land uses do not compromise the long term sustainability of soils and waterways.

Objective 2
To improve the land health of the natural environment.

Strategies
2.1 Ensure development avoids, minimises or mitigates the impacts of erosion.
2.2 Encourage the appropriate use of protective measures for erosion including geotechnical recommendations, storm water flow and volume measures, and the appropriate use of construction materials, landscaping, watering systems and impervious surfaces.
2.3 Ensure development is sited and designed to avoid the expansion of areas affected by erosion or the creation of new erosion affected areas.
2.4 Discourage and restrict development on soils with extreme erosion capacity.
2.5 Encourage the retention of vegetation on erosion prone soils.
2.6 Ensure development works avoid, minimise and mitigate the generation of fill.
2.7 Encourage development that requires earthworks to create a balance between cut and fill and to minimise the amount of fill taken off site.
2.8 Ensure recipient sites for large scale fill deliver improvements to the land which generates a net improvement to the natural landscape.
2.9 Ensure that the placement of fill on rural land is controlled through an Environmental Management Plan.
2.10 Ensure that potentially contaminated land is identified, and appropriately managed and remediated to a standard suitable for the intended use or development.

Decision guidelines
- Where appropriate ensure development proposals prepare a Conservation, Vegetation or Environmental Management Plan for the management of remnant vegetation, faunal habitat and geological features to be retained, and areas requiring restoration or revegetation.
- Where appropriate ensure development proposals prepare a Construction Environmental Management Plan that provides measures to mitigate the impact of development on the environment.

Further strategic work
- Investigate sites of known or potential contamination to apply the Environmental Audit Overlay.

Water Quality and Conservation
Hume is located within the Port Phillip and Western Port Catchment region, and falls within both the Maribyrnong and Yarra River catchments. Significant waterways include Deep, Emu, Blind, Kismet, Jacksons, Merri, Merlynston, Aitken, Malcolm, Yuroke and Moonee Ponds Creeks. Hume’s waterways provide habitat corridors, support a variety of flora and fauna species, and also contain cultural heritage values and a range of environmental services.

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

Key issues
- Protecting and improving the water quality of Hume’s waterways.
Objective 3
To protect water quality and ensure that water resources are managed in a sustainable way.

Strategies
3.1 Encourage development to be designed to minimise wastewater and stormwater discharge and maximise reuse.
3.2 Ensure land use and development proposals identify and consider their impact on surrounding waterways and have the capacity to manage storm water onsite.
3.3 Ensure that development within the Greenvale Reservoir catchment area is compatible with the protection of the reservoir and provides for the integration of protection measures.
3.4 Ensure industrial and commercial land uses incorporate stormwater treatment measures into the design of development.
3.5 Ensure the siting, design, operation and rehabilitation of landfills minimises impacts on groundwater and surface water.

Policy guidelines
When deciding on an application for use, development or subdivision the following local policies will be considered, as appropriate:

- Clause 22.19 Industrial Stormwater Management.

Other actions
- Work with Melbourne Water and Yarra Valley Water to deliver recycled water to new development areas and to reduce the volume of stormwater entering waterways.
- To work with Melbourne Water to assist with the preparation of drainage master plans (Development Services Schemes) for new development areas.

Bushfire and Flood Risks
The municipality encompasses areas of significant bushfire (grassfire) and flood risk. It has been impacted by bushfire and floods in the recent past and the risks persist today.

Key issues
- Minimising bushfire and flood risks to urban areas.

Objective 4
To minimise the risk to life, property and the environment from flood and bushfire.

Strategies
4.1 Ensure that subdivisions are appropriately designed to mitigate flood and bushfire risk.
4.2 Ensure that development is appropriately sited to provide protection from flood and bushfire.
4.3 Encourage planning decisions to prioritise protection of human life and adopt a precautionary approach.
4.4 Consider the following principles for development in areas at risk of bushfire:
   - direct development to locations of lower bushfire risk and away from areas of high bushfire risk
   - avoid development in areas of extreme bushfire risk (BMO)
   - avoid development in areas where planned bushfire protection measures may be incompatible with other environmental objectives.

Reference documents
- Hume Biodiversity Planning Policy, Hume City Council, 2016
- Hume Corridor HIGAP Spatial Strategy and Delivery Strategy, Hume City Council, 2015
- Hume Open Space Strategy 2010-2015, Hume City Council, 2010
- Industrial Stormwater Code of Practice, Hume City Council, 2008
- Sunbury HIGAP Spatial Strategy and Delivery Strategy, Hume City Council, 2012
INDUSTRIAL LOCAL POLICY

Industrial Areas and Business Parks

This policy applies to land located in the Industrial 1 and Industrial 3 Zones. The Policy also applies to land in the Commercial 2 Zone shown on Map 1 of this Policy and identified below as:

- Precinct 1: Land bounded by Camp Road, Upfield Railway Line, Geach Street and Dallas Drive, Broadmeadows (known as Northcorp Industry Park);
- Precinct 2: Land bounded by Jack Roper Reserve and Merlynston Creek, Camp Road, Upfield Railway Line, and Western Ring Road, Broadmeadows;
- Precinct 3: Land to the north of the Tullamarine Freeway within Westmeadows and bounded by the Tullamarine Freeway to the south, Mickleham Road to the east and residential properties to the north;
- Precinct 4: Land to the south of the Tullamarine Freeway within Tullamarine and bounded by Mickleham Road, Derby Street, and Springbank Street;
- Precinct 5: Land within Tullamarine bounded by Melrose Drive, Post Office Street, Airport Drive, and Trade Park Reserve; and
- Precinct 6: Land within Tullamarine bounded by Annandale Road, Keilor Park Drive, Keilor Park Recreation Reserve, and Commonwealth land.

Land covered by Schedule 16 to the Development Plan Overlay is excluded from this policy.

Policy Basis

Industry and large scale business are key contributors to the City’s strong employment base. The appearance and amenity of development strongly influences people’s impressions of the City and the amount of investment by business and industry attracted to high quality environments.

Haphazardly developed or poorly designed industrial areas adversely affect the amenity and appearance of the City, particularly if the area is close to residential areas, major roads or natural heritage sites. It is important that industrial areas achieve a high architectural and landscape standard. Stormwater management, car parking provision and vehicular access are also important considerations.

The enhanced amenity and appearance of the City’s industrial areas and gateways is a key objective in the MSS.

The City’s main industrial areas are located adjacent to the Hume Highway in Cambellfield, Collaroo and Somerton or around Melbourne Airport in Tullamarine and Westmeadows. Sunbury and Craigieburn also contain industrial areas that accommodate mainly service and light industrial-type uses.

The City contains several business parks that offer a high quality industry and business environment and substantial employment opportunities. These parks have excellent access to the metropolitan freeway network and Melbourne Airport. It is important that these parks are promoted for their employment and investment potential and that development is of a high design and landscape standard.

The development of land around Melbourne Airport and along the Hume Highway, Hume Freeway and Donnybrook Road for employment uses and business growth are key strategies of the MSS.

The City of Hume contains state significant industrial land including waste and resource recovery facilities that are important infrastructure essential to meet the waste and resource recovery needs of the State and Metropolitan Melbourne. Waste and resource recovery facilities include materials recycling, refuse disposal (including operating and closed landfills), transfer stations and other facilities that manage, reprocess and dispose of waste.
Protection of these facilities is important and a balance must be struck between this and the use and development of land within proximity of these facilities.

Cooper Street is an important east-west arterial road which links Somerton and the Hume Highway industrial corridor with the City of Whittlesea. The industrial activities located adjacent to Cooper Street include large scale warehousing, manufacturing and distribution activity. Its proximity to national road, rail, air and port transport linkages, makes the Cooper Street precinct an ideal location for industrial development, reliant on good transport networks and freight movement.

The precinct also contains several natural heritage sites of significance. One of these is a grasslands community located on the south side of Cooper Street, between the proposed Hume Freeway Extension and Merri Creek, which is of State significance.

**Objectives**

- To provide a range of lot sizes to meet current and anticipated employment needs.
- To ensure that new development is well designed and will enhance the visual and streetscape amenity of the area, particularly along roads with a residential interface.
- To discourage non-industrial uses that have a negative impact on the operation of industrial uses or would be more appropriately located within a Commercial Zone.
- To protect significant natural and cultural heritage sites wherever possible.
- To provide for effective stormwater management as part of new development proposals.
- To ensure that new development along major roads such as the Hume Highway and Cooper Street enhances the appearance and function of those roads.
- To establish and maintain a consistently high quality industry and business environment that protects and enhances the investment of those who choose to locate and work within, and the amenity of those who reside near, the City’s business parks and industrial areas.
- To create an attractive park-like setting in the City’s business parks focussing on ample landscaped open areas complemented by high quality architecture and urban design.
- To create gateway features at the intersection of Cooper Street with the Hume Highway to identify the Cooper Street precinct.
- To create a consistent built form and landscaping character along Cooper Street.

**Policy**

It is policy that:

**Subdivision design**

New subdivisions should provide a range of lot sizes that cater for different types of employment uses.

Subdivisions should be designed so that natural heritage sites become a feature or focus of the development, rather than backing onto these sites.

New lots should:

- be at least 4000 square metres in area, where adjoining a road included in a Road Zone.
- be at least 800 square metres in area, where adjoining any other road;
- have a frontage to a road that is at least 21.2 metres wide; and
- have a depth of at least 30 metres.

A clutter of small allotments along major road frontages or adjacent to non-industrial zones are discouraged.

Large, ‘prestigious’ style lots should be located on service roads along roads in a Road Zone.
High amenity, larger scale developments that will benefit from close proximity to the metropolitan freeway network and Melbourne Airport, are encouraged on Annandale Road.

**Building setbacks**

Except in established industrial areas where existing developments have created a uniform, new developments should be setback:

<table>
<thead>
<tr>
<th>Location</th>
<th>Setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads included in a Road Zone</td>
<td>20 metres from a front boundary (including at least a 3 metre landscape strip)</td>
</tr>
<tr>
<td>Any other road,</td>
<td>6 metres (including a 3 metre landscape strip) plus 0.5 metre per 1000 square metres of site area above 4000 square metres</td>
</tr>
<tr>
<td>Vineyard Road frontage,</td>
<td>A 20 metre wide, with a densely planted landscape strip to screen new development from view.</td>
</tr>
<tr>
<td>Side boundaries</td>
<td>5 metres (including a 1.8 metre wide landscape strip)</td>
</tr>
<tr>
<td>Northcorp Industrial Park</td>
<td></td>
</tr>
<tr>
<td>Area A – Camp Road</td>
<td>As shown in the attached Northcorp Industry Building Areas plan</td>
</tr>
<tr>
<td>Area A – Northcorp Boulevard;</td>
<td>9 metres</td>
</tr>
<tr>
<td>Lakeside Drive</td>
<td>6 metres</td>
</tr>
<tr>
<td>Areas B, D-G</td>
<td>6 metres</td>
</tr>
<tr>
<td>Area C</td>
<td>5 metres</td>
</tr>
<tr>
<td>Annandale Road</td>
<td></td>
</tr>
<tr>
<td>Keilor Park Drive and Annandale Road.</td>
<td>A landscaped area of at least 5 metres</td>
</tr>
<tr>
<td>All other frontages and sideages to a road.</td>
<td>A landscaped area of at least 3 metres</td>
</tr>
</tbody>
</table>

**Architecture**

Development adjacent to open space area or waterways should complement the scale and appearance of the open space area or waterway environs.

Buildings in Business Parks proposed for each site should seek to achieve a high standard of design. Outbuildings and/or ancillary installations in Business Parks should be compatible with the design theme established by primary buildings on each site.

Plant and equipment in developments in Business Parks should be concealed or, in the case of freestanding structures, appropriately screened from view.

Buildings in Area A of the Northcorp Industrial Park should be designed and finished having a high regard to their prominent position in Camp Road. Specifically, buildings in this Area should address this frontage and Northcorp Boulevard and/or Lakeside Drive, where relevant.

**Building materials and finishes**

Buildings should be constructed in masonry or other material suited to the type of building and its use with appropriate use of glazing.

External walls should be painted or finished with a quality textured coating.

The use of timber as a dominant building material should be avoided.

Except in the Cooper Street precinct buildings constructed of colourbond materials should be avoided.
In the Cooper Street Precinct a combination of colourbond steel and precast concrete should be used. Buildings constructed of galvanised iron should be avoided unless they are adequately screened from roadways and abutting properties.

**Fencing**

Fencing along the frontage of a site should be low, designed to have a high degree of transparency and be located behind the front landscape setback.

Side and rear boundary fences should be black plastic coated cyclone wire.

In the Cooper Street Precinct security fencing should be black chainmesh or steel. Screen fencing should be solid timber, ‘earthy’ coloured colourbond steel fencing is discouraged.

**Car Parking and Access**

A 1.5 metre wide landscaped area should be provided between car parking and buildings/side property boundaries to provide a visual contrast and ensure safe vehicular movements.

Large areas set aside for car parking should be provided with landscape islands to allow the planting of shade trees and shrubs.

A minimum of one (1) shade tree must be provided for every 10 car parks, distributed evenly across the site to ensure maximum shade potential.

All car parking areas should be provided with suitable lighting to ensure safety and security of users after dark.

Car parking areas external to buildings are encouraged to be screened and designed so as not to be visible from Vineyard Road.

Loading and servicing areas should be designed as an integral part of the development on each site.

Land uses generating regular truck movements are to provide designated truck parking in addition to spaces provided within loading bays.

**Storage and disposal of waste**

Where possible, storage areas should be an integrated part of the design of buildings.

Outside storage areas should be screened and designed to prevent the proliferation of litter and other material within and beyond the site.

Frontage setbacks should not be used to store goods, materials or waste.

**Lighting**

All lighting should be located, directed and baffled to limit light spill beyond the site boundaries.

All premises should provide external lighting to ensure adequate site security.

**Landscaping**

Landscaping is to achieve a very high quality and appropriately scaled landscape in the front setback, and is to include shade trees.

Where buildings are not built to side and rear boundaries, a landscape screen should be established along these boundaries.

**Northcorp Industry Park**

Tree and plant species used in landscaping should accord with the Northcorp Industry Park Planning and Design Guidelines.

**Development abutting Cooper Street**

Basalt walls should be constructed:
at the intersection of the Hume Highway and Cooper Street and at collector road intersections to act as signage walls and entry statements.

along the Hume Highway and Cooper Street frontages wherever possible.

Bluestone threshold paving should be used at roads which intersect with Cooper Street wherever possible.

Boulevard planting should be established along the full length of Cooper Street, using similar planting styles and species.

Centre median and nature strips should be planted with street trees, utilising tree species recommended in the Cooper Street Precinct Strategy Landscape Design Guidelines.

Planting in new developments should be positioned to enhance entry walls at road intersections, using tree species recommended in Cooper Street Precinct Strategy Landscape Design Guidelines.

Understorey planting arranged in a massed formation should be used at entry/signage walls to create a visually striking groundplane.

The use of basalt plinths or endwalls, and solid timber or earthy ‘coloured’ colourbond steel fencing should be used along property frontages to Cooper Street.

**Balance of Cooper Street precinct**

- The provision of a landscape buffer incorporating landforming and planting should be provided along street frontages.

- Street planting should be provided in nature strips wherever possible, utilising species recommended in Cooper Street Precinct Strategy Landscape Design Guidelines.

- Lighting which is a simple boom and mast style powdercoated light that reflects the contemporary nature of the surrounding area should be used.

- The application of a bollard style that is reminiscent of rural post and rail fencing but constructed of materials reflective of the contemporary nature of surrounding development is encouraged.

- All steel work in new developments should be in non-reflective earthy colours.

- All new roads should have a footpath on at least one side.

- Where appropriate, roundabout aprons should be paved with local basalt, bluestone or with a material that is related to local basalt, such as exposed aggregate concrete. Brick, segmental pavers and other similar materials should be avoided. Roundabout intersections should only be used at major intersections and roundabout aprons are to be of sufficient width to protect planting in roundabout centre.

- Road entrances to new estates should be paved with local basalt or bluestone cobbles to indicate an entry or gateway.

- Advertising signs should not project above the building line.

**Reference documents:**

Hume City Council Industrial Development Strategy (Amended version, April 1995)

TOWNSHIPS LOCAL POLICY

This policy applies to land in the Kalkallo and Bulla townships, as shown on the attached plans.

Policy Basis

The Bulla and Kalkallo townships were established in the pre-1851 squatting era and are excellent examples of early rural town settlements. They contain many natural and cultural heritage sites of significance, including churches, hotels, monuments, bridges, waterways and, in the case of Kalkallo, important grasslands. These sites, together with the town’s essentially subdivision grid layout, location on a main road and near creeks, predominance of low-rise building forms and surrounding rural landscape, contribute greatly to their historic ambience and character. It is important, therefore, that new development in the towns is designed and sited in a manner sympathetic with these features and complements this ‘rural town’ character.

The townships were subdivided into small allotments without regard for the provision of services or the effects of inadequate effluent disposal. As a result many of the allotments are incapable of adequately supporting a dwelling. To address this problem, restructure plans have been developed for the two townships that seek to encourage the consolidation of existing allotments before a dwelling is built. Where possible the restructure plans aim to ensure that allotments in common ownership are consolidated into one allotment.

The protection of the unique character, heritage and environment of the townships of Bulla and Kalkallo, and encouraging the consolidation of allotments within the townships where necessary to achieve adequate on-site effluent disposal envelopes, are strategies of the MSS.

Objectives

- To preserve and enhance significant natural and cultural heritage features that contribute positively to the character of the townships.
- To ensure that new buildings are sympathetic with the ‘rural town’ character of the townships.
- To preserve and enhance the amenity of the townships and reduce the environmental impacts of new dwellings and other development.

Policy

It is policy that:

- Sites of natural and cultural heritage significance and other features that contribute positively to the ambience and character of the towns are maintained and protected.
- Buildings are to be constructed of materials and painted in colours that blend with the surrounding landscape.
- New development should be sited and designed to reflect the prevailing scale, orientation and setbacks of existing buildings in the immediate vicinity of the site.
- Buildings intended for a commercial, business or other similar use should be designed in a rural town style, incorporating such features as bull-nose verandahs, brick face work and colourbond style roofing. The use of indigenous plant species in landscaped areas is also encouraged.
- Rural-style fencing (such as post and wire) is encouraged.
- The retention of established trees on private property where they contribute to the character of the townships, is encouraged.
- Visual clutter, created by too many or inappropriate sign types, is strongly discouraged.
- Allotments are restructured in accordance with the relevant restructure plan before new development occurs.
- Only one dwelling is constructed on a restructured allotment.
Bulla
Within the Deep Creek valley:

- Access roads and service lines should follow contour lines as far as possible.
- Strong ‘architectural statements’ and buildings that are not residential in scale are avoided.
- Buildings are sited to maximise the retention of existing remnant vegetation.
- Single-storey or split-level buildings are preferred.

Kalkallo

- Kalkallo Creek and its environs and the Kalkallo grasslands are conserved and protected from inappropriate land use and development.
- Where possible, improvements to the external appearance of prominent public buildings such as the Kalkallo Hotel and Kalkallo petrol station are encouraged.
- New development and uses that have the potential to cause the spread of salinity are discouraged.
- New development is to be accessible by a formed road.
- New development is to have appropriate storm water drainage.

Policy Reference
Locality Plans for Bulla & Kalkallo townships
SUNBURY TOWN CENTRE LOCAL POLICY

This policy applies to land bounded by Evans Street, Harker Street, Barkley Street, Macedon Street, and Horne Street, Sunbury.

Policy Basis

Sunbury Town Centre is the primary retail and commercial centre in the Sunbury region. It serves a predominantly convenience shopping role which is complemented by the presence of higher order services and retail outlets to meet needs beyond a convenience role. The retail focus or ‘core’ of the Centre fronts Evans and Brook Streets and O’Shanassy Street between Station and Brook Streets.

Past planning policies have consistently recommended that the Centre should be the major activity centre in the town with a heavy bias toward comparison goods shopping supported by substantial civic, cultural and business uses. Presently, it is a major activity centre in the City’s activity centre hierarchy, as identified by Melbourne 2030: Planning for Sustainable Growth.

In its current form, the Centre is losing expenditure due to a shortfall in facilities and services and the employment patterns of the community with expenditure linked to work trips outside of the town. An expanded range of services and facilities in the Centre is considered critical to its long-term success.

The Centre enjoys good accessibility with existing as well as likely future population concentrations, road networks and public transport systems. It has a historic and ‘rural town’ character and ambience with which people can relate. The Centre is reasonably compact and well-structured.

The form of the Centre has been modified by the development of a network of mid-block plazas, arcades and laneways. These laneways encourage development to have dual frontages, enhance the Centre’s pedestrian scale, and provide an opportunity to utilise a considerable area of land that would otherwise be under-utilised.

Encouraging the development of the Sunbury Town Centre as a major activity centre comprising a mixture of higher order retailing and entertainment facilities, convenience and comparison retailing, and commercial, office and community facilities is a key strategy in the MSS.

Objectives

To encourage the continued development of Sunbury Town Centre as a compact, safe, viable and vibrant major activity centre.

To support the orderly growth and development of the Centre.

To maintain and enhance the historic and ‘rural town’ character and ambience of the Centre.

To facilitate safe pedestrian and vehicular movement throughout the Centre.

Policy

It is policy that:

- Sunbury Town Centre is the major activity centre servicing the Sunbury region.

- Retail development outside the Town Centre should be limited to that which recognises and complements the pre-eminent activity centre role of the Centre.

- The consolidation of retail activity within the Centre east of the railway line is encouraged.

- Evans, O’Shanassy and Brook Streets continue to be the primary destination for specialty retailing and commercial and personal services.

- Retail developments that have large floor area requirements and are dependent on high exposure and vehicular access (such as furniture sales, floor coverings, petrol stations and convenience stores, and family restaurants) be located outside of the retail ‘core’, but within the Centre.

- Retail land uses should occur predominantly at street level with commercial floor space above.
The development of a continuous retail frontage along Evans Street, extending from Station to Macedon Streets, is encouraged.

New development in Brook Street should seek to give it an active frontage, and shops, cafes and other ‘people attractors’ should be encouraged to locate there.

Pedestrian movement between Brook Street and the retail and cinema complex west of the railway line is encouraged through the construction of a generously proportioned, well lit and safe pedestrian overpass over the railway line.

The existing network of mid-block plazas, arcades and laneways be maintained and new development should expand and link with these networks to ensure pedestrian accessibility and permeability of the Centre is retained and enhanced. As a priority, the pattern of mid-block plazas should be extended to the block of land bounded by Evans Street, Brook Street, O’Shanassy Street and Macedon Street.

The creation of comfortable and ‘human scale’ pedestrian spaces as part of new developments be encouraged.

New buildings and the refurbishment of existing buildings, preserve and enhance the existing ‘old town’ character of the Centre.

Setback of buildings from street frontages, spacing between buildings, and building height, bulk, design form, surface materials and finish should reflect the existing ‘rural town’ urban design theme.

A ring road around the centre is created and reinforced to limit through traffic intrusion.

New developments in the centre make adequate provision for car parking.

Where possible, car parking should be consolidated at the edges of the Centre (preferably adjacent to the ring road) to enable easy and direct access for car parking from the ring road.

New development adjacent to the Evans Street grassland is sited and designed so as not to disturb, cause detriment to, or hinder the management of the grassland.

Sites of cultural heritage significance, such as the Sunbury Railway Station, be preserved and enhanced to reinforce the rural character of the Centre and the township.

Theme Guidelines

New development should be sited and designed to reflect the prevailing scale, character and setbacks of key buildings in the Centre, as identified in Clause 4.1 of the Sunbury Town Centre Theme Guidelines.

Buildings should be limited to one or two storeys in height and should not obscure views to Mt. Holden.

New development should be designed to incorporate architectural features and detailing which is sympathetic with the prevailing architectural style of existing buildings in the immediate vicinity of the site.

Bland, featureless developments are discouraged.

Developments adjoining existing mid-block plazas, arcades and laneways are oriented and designed to address these spaces.

Windows on first floor levels are arranged in a regular pattern.

The provision of a verandah along street frontages is strongly encouraged to unify the streetscape and provide weather protection for users of the Centre. The shape and angle of the verandah may be varied, however the provision of posts is preferred. Detailed finishes to verandahs should be kept simple but add diversity and interest to the streetscape. Exterior colours of verandahs and posts that contrast dramatically with the colour of paving, roofing or building materials, are discouraged.
The predominant material to be used on the exterior of buildings is brick. Buildings constructed of concrete, masonry, glass or other similar materials is discouraged (except in the case of large developments in which case those parts of the building having any frontage to a road are to be finished with brick facework).

The use of contrasting brick colours in horizontal or vertical lines across building facades or around window frames is encouraged.

The roofs of buildings are constructed of materials and painted in colours that blend with the ‘rural town’ theme of the Centre.

The location of plant and equipment should be an integral part of the design of buildings.

Plant and equipment is to be concealed or, in the case of freestanding structures, appropriately screened from view.

The roof line of a building is sympathetic with that of adjacent buildings and complements its exterior walls and verandah.

The east elevations of the buildings in the retail and cinema complex in Horne Street are designed to enhance views from the east side of the railway line.

Policy Reference:
AGED ACCOMMODATION AND SERVICES LOCAL POLICY

This policy applies to proposals to use and develop land for accommodation intended to specifically accommodate aged or older persons (such as a retirement village, residential aged care facility and hostel).

Policy Basis

Older people often have particular health, safety and lifestyle needs which necessitate that close attention be given to internal building design, open space and car parking arrangements of existing and new developments. Access to a range of community facilities is also desirable to support independence, social inclusion and participation of older people in the community. The location and design of aged accommodation should take these factors into account.

Aged accommodation is a residential use and typically located in a residential area. It is important, therefore, that this development is of a residential scale and designed to respect the height, bulk, appearance and amenity of buildings in the surrounding area.

Provision of a range and quality of housing opportunities that meet the varied needs of existing and future residents of the City is a broad planning objective of the MSS.

Objectives

- To encourage the construction of attractive, well-designed aged accommodation that meets the needs of future occupants, in appropriate locations throughout the residential areas of the City.
- To support the provision of affordable housing for older persons.
- To ensure that aged accommodation is sited and designed to protect and enhance the character and amenity of the surrounding area.

Policy

It is policy that:

- Aged accommodation should be located:
  - within walking distance of at least a convenience shop or public transport stop and preferably within walking distance of a range of community facilities;
  - away from high levels of traffic and other noises; and
  - on sites that have a minimal slope.

- Aged accommodation should be designed to:
  - resemble residential housing stock in the surrounding area in terms of height, scale, bulk and appearance;
  - include generous communal landscaped areas with seating;
  - provide residents with a reasonable level of privacy and protection from overlooking and noise;
  - make adequate provision for parking of staff, resident and visitor vehicles on-site;
  - make adequate provision for indoor and outdoor recreation facilities; and
  - provide protection from heat and wind, but adequate access to sunlight.

- Developments should be landscaped in a manner which provides a pleasant outlook from within buildings and enhances the appearance of the site and locality overall.
- Advertising signs should be limited to the minimum necessary to identify the premises.
Residential Aged Care Facility and Hostels

- Hostels should be integrated with other forms of aged accommodation.
- Residential Aged Care Facilities should be sited and designed to assist residents in retaining contact with community life (for example, rooms are designed to allow views of some form of community activity or people interaction, such as a park).

Retirement Villages

- Retirement villages should be of a sufficient size to allow for the provision of a range of community, recreation and health facilities to maximise the quality of life of residents.
- All dwellings should be provided with a minimum of 2 bedrooms to provide flexibility for residents and room for family visitors.
- The provision of ancillary services such as garden maintenance, home maintenance, an emergency personal alarm system linked to a Manager’s residence, live-in manager, convenience store, postal service, mini bus and hairdressing should be provided.
- At least one under cover or enclosed car space should be provided for each dwelling.
- A centrally located open space area that occupies at least 10% of the total site area should be provided.
- Each dwelling should be provided with a private open space area and clothes drying facilities.

Services

Day therapy centres and allied health services should be co-located with Planned Activity Groups.

Reference documents:

Hume City Council Positive Ageing Strategy (2014-2024)
Hume City Council Healthy Aging in Hume (2007)
ANIMAL BOARDING AND DOG BREEDING LOCAL POLICY

This policy applies to animal boarding and dog breeding proposals.

Policy Basis

Protecting the amenity of the municipality and community is important and a key objective of the MSS. While animal boarding and dog breeding establishments fulfil an important community need, they also have the potential to cause detriment to surrounding uses through noise, odour and visual impact. It is important, therefore, that animal boarding and similar activities are sited and designed to avoid potential conflicts with surrounding uses.

Objectives

To ensure that animal boarding and dog breeding establishments are sited and designed to:

- Prevent the discharge of pollution and waste beyond the buildings or areas in which the animals are kept;
- Prevent the amenity of surrounding areas from being adversely affected by the emission of any noise or odour; and
- Avoid causing detriment to the visual amenity of the surrounding area.

Policy

It is policy that:

- Proposals to use or develop land for animal boarding, dog breeding or similar purposes be accompanied by a written report describing:
  - method of waste and stormwater management control;
  - curfew hours during which animals are securely locked in the kennels or catteries;
  - times and methods of exercising animals;
  - storage and preparation of food;
  - provision of access ways and car parking areas; and
  - maintenance methods.

- Proposals to use or develop land for animal boarding, dog breeding or similar purposes be accompanied by:
  - Three (3) copies of a site layout plan showing:
    - property title boundaries;
    - size and location of all existing and proposed buildings and works;
    - drainage lines for run-off water through or originating in the site along which water may be discharged from the site;
    - location of any existing dwellings on the site and adjacent properties and the existing use of land within 800 metres of the site;
    - areas being or proposed to be used for intensive raising, manure disposal and drainage disposal;
    - method of waste disposal; and
    - source and capacity of water supply to the site.
  - A site survey plan showing site contours.
  - An acoustic report prepared by a suitably qualified sound engineer.
- Three (3) copies of a landscape plan showing adequate screening of proposed buildings from adjoining properties.

- Sites used to keep or breed dogs be at least 2 hectares in area.

- The ratio of dogs to site area should not exceed a maximum of ten dogs over the age of six months per hectare.

- Sites used to keep or breed cats are at least 1 hectare in area.

- The ratio of cats to site area should not exceed a maximum of 15 cats over the age of 3 months per hectare.

- The total area of the site occupied by kennels and catteries and associated buildings, but excluding runs and open paved areas, should not exceed five percent of the total area of the site.

- Kennels, catteries and runs should be setback at least 50 metres from a front boundary to a road except a road included in a Road Zone in which case the setback is 60 metres.

- Kennels, catteries and runs should be setback at least 10 metres from any dwelling on the site.

- The buildings and areas where animals are being kept, such as catteries, kennels and pens, are screened from view using plant species that are compatible with the character of the surrounding area.

- Exercise yards and training areas are appropriately screened from view.

- Noise emissions from the site, kennel construction, fencing and ventilation are in accordance with the requirements of the State Environment Protection Policy (Control of noise from commerce, industry and trade) No. N-1 and the EPA Noise Control Guidelines.

**Reference document:**

ADVERTISING SIGNS LOCAL POLICY

This policy applies to all land in the City.

Policy Basis

The City is an area of significant natural beauty and an important gateway to Melbourne. It contains many rural and urban landscapes and streetscapes that are visually unique and highly valued by the community.

While there is a need for the effective identification of businesses, a proliferation of signs and signs which are poorly sited and designed, significantly detract from the attractiveness and amenity of the City’s urban and rural environments and major approach roads. A clutter of signs also reduces the effectiveness of individual signs. It is important, therefore, that signs are displayed in a manner compatible with the character of the surrounding area and avoids visual clutter.

Encouraging signage to be innovative, add interest to the locality, and where possible be incorporated with built form are strategies of the MSS.

Objectives

Maintain and enhance the attractiveness and orderly appearance of the City through the siting and appropriate control of advertising signs.

Ensure that signs do not detract from the amenity and character of the surrounding area.

Encourage the display of signs based on themes appropriate to the scale and character of the surrounding area.

Avoid or reduce sign clutter to maximise the effectiveness of individual identification signs.

Policy

It is policy that:

- New developments that require identification should be designed to consider the placement and quantity of signage.

- Signs should be generally located on the land to which they relate.

- The size and height of signs should be compatible with the scale of the building and/or site on which it is displayed; the surrounding streetscape/landscape character; and the size and nature of other signs in the area.

- Signs should reduce or avoid clutter and be integrated with the development design.

- In the Sunbury Town Centre, signs should be sited and designed so as not to obscure views of the steam locomotive water towers, Sunbury Railway Station, Mt. Holden or surrounding hills.

- In areas designated for bulky goods retailing, each bulky goods precinct should provide appropriate directional signage to assist with the movement of pedestrian and vehicular traffic.

- Signs are displayed on buildings so as not to:
  - cover up any important facades or parapets;
  - protrude above the height of the building roofline; or
  - obscure views of important landscapes, streetscapes or architectural features.

Sign Types

- In the Sunbury Town Centre flashing and animated signs should be avoided.

- In Neighbourhood Activity Centres, promotion, animated, sky, floodlit, reflective and pole signs should be avoided.
In Industrial or Business Park areas, illuminated signs should be enclosed within an internally lit box or sensitively designed with spot lighting.

In Industrial or Business Park areas freestanding, low level signage in the front setback area may be considered in association with planting.

In Business Parks only one sign should be located in the front setback area (not including any standard business signage provided by the park’s developer).

Size of Signs

Signs, particularly in rural and residential areas, should be limited in size and number to the minimum necessary to identify the premises.

Design standards

- Signs erected under a verandah should be:
  - at least 2.7 metres above the ground to ensure that adequate clearance from footpath level is provided.
  - Limited to one sign per shop entry.
- Pole signs should not be erected so as to overhang any part of a road reserve.
- Pole signs should not be erected closer to a road than a distance equal to half the height of the sign.
- All lighting should be located, directed and baffled to limit light spill beyond the site boundaries.

Advertising message

- In Neighbourhood Activity Centres the content of the signs should be limited to the name of the business.
- In Activity Centres the display of signs external to these centres should be limited to:
  - the name of the centre;
  - identification of the major tenancies or ‘anchor’ businesses; and
  - a brief description of minor tenancies (for example, “20 specialty shops”).
- For industrial buildings and land uses the content of signs should be limited to the name of the business and a brief description of the services offered.

Off-Site Estate Promotional Panel Signs

Signs not located on the land subject to subdivision (‘off-site estate promotion signs’) should be assessed against the following criteria:

- The width of height should not exceed six metres.
- The individual panel area should not be greater than eight square metres.
- An unobstructed area of two metres below the sign panel should be provided.
- These signs should be located at least 150 metres from any other subdivisional promotion sign and 250 metres from a sign advertising the same estate.
- The number of off-site estate signs promoting a particular subdivision should be limited to four.
- These signs should be located within four kilometres of the subdivision to which they relate.
- The display of off-site estate promotion signs along freeways and highways should be avoided.
Pole Signs

- Pole signs should not be erected so as to overhang any part of a road reserve.
- Pole signs which are erected closer to a road than a distance equal to half the height of the sign are discouraged.

Policy Reference:
MACEDON STREET OFFICE AREA LOCAL POLICY

This policy applies to land on the north side of Macedon Street, between Jacksons Street and Ardcloney Drive, Sunbury.

Policy Basis

The key purpose of this policy is to ensure that Macedon Street continues to be developed as a major gateway to Sunbury and destination for office and institutional-based activities: and that new developments reflect as far as possible the local character and heritage of the area.

Macedon Street is the eastern approach road to Sunbury and a major gateway to the Macedon Ranges and Spa Country tourism region. It is bordered by a mixture of mainly low-scale residential, commercial and institutional developments and contains several sites of cultural heritage significance. Its scale and the architectural style of many of its buildings are reminiscent of the large formal boulevards found in many small country towns.

Macedon Street also forms the northern boundary of the Sunbury activity centre. This centre is the principal retail and commercial centre in the region and its continued development as the focus for retail, commercial and entertainment activity is identified in the Municipal Strategic Statement as a specific outcome Council wishes to achieve.

Whilst the unique character and architectural qualities of Macedon Street owe much to the presence of a mix of low-intensity and attractive developments, increasingly it is coming under pressure to be developed for retail purposes. This is particularly the case for land on the north side of Macedon Street, between Jackson’s Street and Ardcloney Drive, due to its proximity to the Sunbury activity centre and exposure to high traffic volumes. These pressures have the potential to undermine the role of the centre as the primary focus for retail and commercial activity and are generally inconsistent with the established role of Macedon Street as a destination for office and institutional developments.

Objectives

To ensure that the use and development of land in Macedon Street recognises the role of this street as a major entry to the Sunbury township;

To ensure that the use and development of land in Macedon Street reflects and complements the unique rural appearance and architectural character of the Sunbury environs; and

To encourage well-designed office and institutionally based developments in Macedon Street.

Policy

It is policy that:

- Land within the Macedon Street Office Area be developed and used primarily for office and institutionally based purposes;

- Only retail developments which are ancillary to a large office or institutional-based development will be encouraged to locate in the policy area;

- Developments are of a scale, height, bulk and appearance that is compatible with the distinctive landscape or streetscape character of the surrounding area;

- Developments are designed and located so that views of significant heritage, natural, urban or rural features and places are not obscured;

- Developments are designed in accordance with the principles of the Sunbury Town Centre Theme Planning Guidelines in respect of building materials, colours, roofs, advertising signs and verandahs;

- Land within the policy area is developed and used for purposes that recognise the importance of Macedon Street as a major entry to Sunbury; and
Applicants for permits to use or develop land where this policy applies be required to provide a design report and appropriate plans showing how the design, location and landscaping of the proposed development enhances the appearance and character of Macedon Street, and the Sunbury township generally.

**Decision Guidelines**

When considering applications to use and develop land in Macedon Street, the Responsible Authority will have regard to and promote the objectives, guidelines, and design and siting standards of the following:

- Hume City Council Sunbury Town Centre Theme Planning Guidelines.
- Hume City Council Planning Guidelines for Outdoor Advertising.

**Policy Reference**

RESIDENTIAL NEIGHBOURHOOD CHARACTER – SUNBURY LOCAL POLICY

This policy applies to all residential development in the Township of Sunbury as shown on Map 1 forming part of this Clause.

Policy Basis

The town of Sunburysits within a landscape of surrounding hills, intersected by treed creek valleys and open space linkages. Views of these landscape settings are available from within the township. The town’s history as an early rural settlement is expressed through the remaining pre-war buildings, wide streets, large street trees and grid street layout in the heart of the town. These elements create a ‘country town’ feel which is reflected through retaining an openness to the streetscapes created by wide nature strips, a frequent lack of front fencing and spacious garden settings to the dwellings.

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 ensures that new development respects and enhances the preferred neighbourhood character of the residential areas of Sunbury.

A number of precincts have been identified within the Township of Sunbury, which display a distinctive relationship of dwellings to the streetscape and landscape. These areas are described as Sunbury 1, Sunbury 2, Sunbury 3, Sunbury 4, and Sunbury 5.

Policy Objectives

To retain and enhance the identified elements that contribute to the character of the area.

Sunbury 1

Description

The area has mixed dwelling styles and eras, however the frequency of early settlement dwellings provides the area with a distinctive quality that reflects the town’s history. The irregular front and side setbacks are also indicative of the pattern of growth represented in the area. The streetscapes have a spaciousness created by the wide streets with large nature strips, garden settings to the dwellings frequently accommodating large trees, and low or opens style front fencing, usually appropriate to the building era. Large exotic street tree planting complements the early settlement context.

Preferred Neighbourhood Character Statement

The context of the town and the spaciousness and openness of the streetscapes will be retained and enhanced.

It is policy that:

- Where a permit is required to develop or subdivide land in this precinct, the following preferred neighbourhood character objectives and design responses will be taken into account when considering any application.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To maintain and strengthen the garden settings of dwellings.</td>
<td>- Retain large existing trees wherever possible.</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Objectives | Design Responses
---|---
To minimise excavation and site erosion. | - Buildings and other development should follow the topography of the site or minimise their impact on the natural slope of the site.
- Retain existing vegetation, especially on steeply sloping sites.

To reflect the existing rhythm of dwelling space.

To ensure that new buildings and extensions do not dominate the streetscape. | - Second storeys should be setback from front and side ground storey facades.
- Use pitched roof forms wherever practicable.

---

**Sunbury 2**

**Description**

This area demonstrates a mixture of building style and eras, including some dwellings from the early settlement of Sunbury that make this area distinctive. While dwellings from the early settlement eras are not predominant, their presence adds to the historical context of the town. Building spacing is reasonably regular, although front setbacks vary widely reflecting the history of development of the area. The streetscapes have a spacious quality created by wide streets and nature strips, the generally single storey buildings, the garden settings of the dwellings with frequent large trees, and the absence of or low or open style front fencing.

**Preferred Neighbourhood Character Statement**

The context of the town and the spaciousness of the streetscapes will be retained and enhanced. It is policy that:

- Where a permit is required to develop or subdivide land in this precinct, the following preferred Neighbourhood Character objectives and design responses will be taken into account when considering any application.

### Objectives | Design Responses
---|---
To maintain and strengthen the garden settings of the dwellings. | - Retain large existing trees wherever possible.
- Prepare a landscape plan to accompany all development proposals that include substantial trees and shrubs.
- Minimise paving in front yard.

To reflect the existing rhythm of dwelling space.

To ensure that new buildings do not dominate the streetscape. | - Use low pitched roof forms wherever practicable.
## Sunbury 3

**Description**

This area is recently developed with brick dwellings set in garden settings. The streetscapes are open due to the frequent lack of front fencing, and gardens often flow uninterrupted to the street kerb. The hilly topography and availability of views has encouraged frequent two-storey dwellings that are usually designed to fit within the landscape, and therefore do not dominate. The front setbacks are spacious and side setbacks regular despite the curvilinear street pattern.

**Preferred Neighbourhood Character Statement**

The garden settings of the dwellings, openness of the streetscape and dwellings set within the landscape is to be maintained and enhanced.

It is policy that:

- Where a permit is required to develop or subdivide land in this precinct, the following preferred Neighbourhood Character objectives and design responses will be taken into account when considering any application.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To ensure the landscape setting of new dwellings respect the landscape settings.</td>
<td>Retain existing high canopy trees and understorey wherever possible.</td>
</tr>
<tr>
<td></td>
<td>Prepare a landscape plan to accompany all new dwelling proposals that utilise appropriate low maintenance vegetation.</td>
</tr>
<tr>
<td></td>
<td>Minimise paving in front yards.</td>
</tr>
<tr>
<td>To minimise excavation and site erosion.</td>
<td>Buildings and other development should follow the topography of the site or minimise their impact on the natural slope of the site.</td>
</tr>
<tr>
<td></td>
<td>Retain existing vegetation, especially on steeply sloping sites.</td>
</tr>
<tr>
<td>To reflect the existing rhythm of dwelling spacing.</td>
<td></td>
</tr>
<tr>
<td>To ensure that new buildings and extensions do not dominate the streetscape.</td>
<td>Respect the predominant building height in the street and nearby properties. Where there is a dominance of single storey, the height at the front of the dwelling should match the typical single storey wall height.</td>
</tr>
<tr>
<td></td>
<td>Use low pitched roof forms wherever practicable.</td>
</tr>
</tbody>
</table>

## Sunbury 4

**Description**

This is an established residential area, with dwellings set within well developed gardens containing frequent mature vegetation. The spaciousness of the area is created by generous front setbacks and regular side setbacks, and the frequent lack of front fences, providing opportunity for lawn to extend to the roadway. The dwellings are generally low level, and where two storey dwellings exist they have been designed to fit within the landscape. Parkland with substantial exotic trees abuts the precinct to the south strengthening the treed landscape of the precinct.
Preferred Neighbourhood Character Statement

The established garden settings of the dwellings and spaciousness of the area will be retained and enhanced.

It is policy that:

- Where a permit is required to develop or subdivide land in this precinct it is policy to take the following objectives and design responses into account when considering any application.

<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 existing trees wherever possible. - Prepare a landscape plan to accompany all development proposals that include substantial trees and shrubs. - Minimise paving in front yard.</td>
</tr>
<tr>
<td>To minimise excavation and site erosion</td>
<td>- Buildings and other development should follow the topography of the site or minimise their impact on the natural slope of the site. - Retain existing vegetation, especially on steeply sloping sites.</td>
</tr>
<tr>
<td>To reflect the existing rhythm of dwelling spacing.</td>
<td></td>
</tr>
<tr>
<td>To ensure that new buildings and extensions do not dominate the streetscape.</td>
<td>- Second storeys should be setback from front and side ground storey facades.</td>
</tr>
</tbody>
</table>

Sunbury 5

Description

The area is open and spacious due to the low lying dwellings set within simple gardens and the wide nature strips, often flowing uninterrupted to the roadway. The low scale buildings are generally consistent, sometimes generous front and side setbacks, add to the spacious feel of the area. Where present, front fences are usually open style and average height. Some parts have a semi-rural feel due to a lack of kerbing and native street tree planting.

Preferred Neighbourhood Character Statement

The openess of the area, low scale dwellings and the garden settings will be maintained and strengthened.

It is policy that:

- Where a permit is required to develop or subdivide land in this precinct it is policy to take the following objectives and design responses into account when considering any application.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To encourage consideration of the landscape setting of new dwellings.</td>
<td>- Retain existing high canopy trees and understorey wherever possible. - Prepare a landscape plan to accompany all new dwelling proposals that utilise low maintenance species appropriate to the area.</td>
</tr>
</tbody>
</table>
Objectives | Design Responses
--- | ---
To reflect the existing rhythm of dwelling spacing.

Policy Reference

*Hume City Council Neighbourhood Character Study*, Hume City Council, Planisphere and John Curtis, 2002.

MAP 1 – Sunbury Township Residential Neighbourhood Character Precincts
RESIDENTIAL NEIGHBOURHOOD CHARACTER – TULLAMARINE LOCAL POLICY

This policy applies to all residential development in the suburb of Tullamarine as shown on Map 1 forming part of this Clause.

Policy Basis

This policy assists in achieving the objectives of the State Planning Policy Framework, particularly in relation to responding to neighbourhood character and urban design principals. The policy ensures that new development respects and enhances the preferred neighbourhood character of the residential areas of Tullamarine.

A number of precincts have been identified within the suburb of Tullamarine area that display a distinctive relationship of dwellings to the streetscape and landscape. These areas are described as Tullamarine 1, Tullamarine 2, Tullamarine 3, Tullamarine 4, and Tullamarine 5.

Policy Objectives

To retain and enhance the identified elements that contribute to the character of the area.

Tullamarine 1

Description

This area is distinctive for its consistent low lying dwelling styles with low pitched, hipped roof forms, and front and side setbacks. The dwellings are set within simple gardens and are predominantly single storey. The frequent use of timber provides a lightness of appearance to the streetscapes that is assisted by the lack of high front fencing.

Preferred Neighbourhood Character Statement

The consistent low scale dwelling forms and garden settings are to be maintained and strengthened. It is policy that:

- Where a permit is required to develop or subdivide land in this precinct, the following preferred Neighbourhood Character objectives and design responses will be taken into account when considering any application.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To encourage consideration of the landscape setting of new dwellings.</td>
<td>Retain large trees and understorey wherever possible.</td>
</tr>
<tr>
<td></td>
<td>Prepare a landscape plan to accompany all new dwelling proposals that utilises appropriate low maintenance vegetation.</td>
</tr>
<tr>
<td></td>
<td>Minimise the overall height of buildings over one storey.</td>
</tr>
<tr>
<td>To ensure that new buildings and extensions do not dominate the streetscape.</td>
<td>Second storeys should be setback from front and side ground storey facades.</td>
</tr>
<tr>
<td></td>
<td>Use low pitched roof forms wherever practicable.</td>
</tr>
<tr>
<td>To use materials that reflect the predominant materials in the streetscape.</td>
<td>Where there is a predominance of weatherboard/timber dwellings incorporate timber or other non-masonry materials or render, bag or paint masonry surfaces.</td>
</tr>
</tbody>
</table>
Tullamarine 2

Description
This area is distinctive for its consistently low scale, brick dwellings in established but simple garden settings. The low pitched, hipped roofs are a dominant feature of the streetscapes. The streetscapes have an openness created by the frequent lack of front fencing and consistent front and side setbacks.

Preferred Neighbourhood Character Statement
The consistent low scale dwelling forms, open streetscapes and garden settings are to be maintained and strengthened.

It is policy that:

- Where a permit is required to develop or subdivide land in this precinct, the following preferred Neighbourhood Character objectives and design responses will be taken into account when considering any application.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To encourage consideration of the landscape setting of new dwellings.</td>
<td>- Retain existing high canopy trees and understorey wherever possible.</td>
</tr>
<tr>
<td></td>
<td>- Prepare a landscape plan to accompany all new dwelling proposals that utilises appropriate low maintenance vegetation.</td>
</tr>
<tr>
<td>To reflect the existing rhythm of dwelling spacing.</td>
<td></td>
</tr>
<tr>
<td>To ensure that new buildings and extensions do not dominate the streetscape.</td>
<td>- Second storeys should be setback from front and side ground storey facades.</td>
</tr>
<tr>
<td></td>
<td>- Use low pitched roof forms wherever practicable.</td>
</tr>
</tbody>
</table>

Tullamarine 3

Description
This area is distinctive for its highly consistent era of development and setbacks, set within established gardens and pockets of mature trees. The brick dwellings are low scale with low pitched roof forms. The regular front and side setbacks and the lot widths create a predictable rhythm to the streetscape. Where present, front fences are usually low brick styles complementing the era of the dwelling.

Preferred Neighbourhood Character Statement
The consistent low scale dwelling forms, open streetscapes and garden settings are to be maintained and strengthened.

It is policy that:

- Where a permit is required to develop or subdivide land in this precinct, the following preferred Neighbourhood Character objectives and design responses will be taken into account when considering any application.
### Objectives

**To encourage consideration of the landscape setting of new dwellings.**

- Retain existing high canopy trees and understorey wherever possible.
- Prepare a landscape plan to accompany all new dwelling applications that utilises appropriate low maintenance vegetation.

**To reflect the existing rhythm of dwelling spacing.**

**To ensure that new buildings do not dominate the streetscape.**

- Minimise the overall height of buildings over one storey.
- Second storeys should be setback from front and side ground level facades.
- Use low pitched roof forms wherever practicable.

### Tullamarine 4

**Description**

This area is distinctive for its highly consistent era of development, set within established gardens and pockets of mature trees. The brick dwellings are low scale with low pitched or split pitch roof forms. Despite the irregular lot sizes created by the cul-de-sac street layout the streetscapes have a spaciousness created by the low or absent front fences.

**Preferred Neighbourhood Character Statement**

The consistent low scale dwelling forms, open streetscapes and mature garden settings are to be maintained and strengthened.

It is policy that:

- Where a permit is required to develop or subdivide land in this precinct, the following preferred Neighbourhood Character objectives and design responses will be taken into account when considering any application.

### Objectives

**To encourage consideration of the landscape setting of new dwellings and to retain established trees.**

- Retain existing high canopy trees and understorey wherever possible.
- Prepare a landscape plan to accompany all new dwelling proposals that utilises appropriate low maintenance vegetation.

**To minimise excavation and site erosion.**

- Buildings and other development should follow the topography of the site or minimise their impact on the natural slope of the site.
- Retain existing vegetation, especially on steeply sloping sites.

**To reflect the existing rhythm of dwelling spacing.**

**To ensure that new buildings do not dominate the streetscape.**

- Use split or low pitched roof forms wherever practicable.
Tullamarine 5

Description

This area is distinctive for the low scale dwellings, set within established gardens and pockets of mature trees. The brick dwellings are low scale with dominant low pitched or split pitch roof forms. Despite the irregular lot sizes created by the cul-de-sac street layout the streetscapes have a spaciousness created by the frequent lack of front fences.

Preferred Neighbourhood Character Statement

The consistent low scale dwelling forms, open streetscapes and garden settings are to be maintained and strengthened.

It is policy that:

- Where a permit is required to develop or subdivide land in this precinct, the following preferred Neighbourhood Character objectives and design responses will be taken into account when considering any application.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To encourage consideration of the landscape setting of new dwellings and to retain established trees.</td>
<td>Retain existing high canopy trees and understorey wherever possible.</td>
</tr>
<tr>
<td></td>
<td>Prepare a landscape plan to accompany all new dwelling proposals that utilises appropriate low maintenance vegetation.</td>
</tr>
<tr>
<td>To reflect the existing rhythm of dwelling spacing.</td>
<td></td>
</tr>
<tr>
<td>To ensure that new buildings do not dominate the streetscape.</td>
<td>Second storeys should be setback from front and side ground level facades.</td>
</tr>
<tr>
<td></td>
<td>Use low pitched roof forms wherever practicable.</td>
</tr>
</tbody>
</table>

Policy Reference

*Hume City Council Neighbourhood Character Study, Hume City Council, Planisphere and John Curtis, 2002.*
RESIDENTIAL NEIGHBOURHOOD CHARACTER – WESTMEADOWS LOCAL POLICY

This policy applies to all residential development in the suburb of Westmeadows as shown on Map 1 forming part of this Clause.

Policy Basis

This policy assists in achieving the objectives of the State Planning Policy Framework, particularly in relation to responding to neighbourhood character and urban design principals. The policy ensures that new development respects and enhances the preferred neighbourhood character of the residential areas of Westmeadows.

Two precincts have been identified within the suburb of Westmeadows area which display a distinctive relationship of dwellings to the streetscape and landscape. These areas are described as Westmeadows 1 and Westmeadows 2.

Policy Objectives

To retain and enhance the identified elements that contribute to the character of the area.

Westmeadows 1

Description

Westmeadows is centred on a village located in the Moonee Ponds Creek Valley. The proximity of the Creek Valley and views to surrounding large expanses of open space gives this area of Westmeadows a distinct semi-rural quality. The area contains a mix of building styles ranging from early settlement of the area to recent development. Cohesiveness is created by expansive nature strips, low scale buildings and established gardens that dominate the streetscapes. The frequent mature trees, particularly natives, complement the nearby creek corridor. The nature strips often extend uninterrupted to the kerb, however where front fences are provided they are usually open style.

Preferred Neighbourhood Character Statement

The physical linkage between the established garden settings that dominate the streetscape and the Moonee Ponds Creek environs will be maintained and strengthened.

It is policy that:

- Where a permit is required to develop or subdivide land in this precinct, the following preferred Neighbourhood Character objectives and design responses will be taken into account when considering any application.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To encourage consideration of the landscape setting of new dwellings and the relationship to the landscape of the Moonee Ponds Creek environs.</td>
<td>- Retain existing high canopy trees and under storey wherever possible.</td>
</tr>
<tr>
<td></td>
<td>- Prepare a landscape plan to accompany all new dwelling applications that supports the vegetation located within the environs of the Moonee Ponds Creek.</td>
</tr>
<tr>
<td>To reflect the existing rhythm of dwelling spacing.</td>
<td></td>
</tr>
<tr>
<td>To ensure that new buildings use materials that reflect the predominant materials in the streetscape.</td>
<td>- Where the site adjoins an significant heritage building, new development should reflect the dominant building forms in the street, including roof forms.</td>
</tr>
</tbody>
</table>
Westmeadows 2

Description
This area of Westmeadows is centred on a village located in the Moonee Ponds Creek Valley. The proximity of the Creek Valley gives the area a distinct semi-rural quality. The mix of building styles, front setbacks and building spacing is unified by the wide nature strips that sometimes extend uninterrupted to the kerb, and the established garden settings of the dwellings. The gardens often contain pockets of mature trees and other substantial vegetation, and adjacent to the creek corridor native trees complement the creek environs. The buildings are generally low scale, although the hilly terrain in some streets has encouraged two storey dwellings that usually fit into the landscape. A lack of front fencing and low front fences in other areas, adds to the garden dominated vistas along the streetscapes.

Preferred Neighbourhood Character Statement
The garden dominated streetscapes and cohesiveness of the area will be maintained and enhanced. It is policy that:

- Where a permit is required to develop or subdivide land in this precinct, the following preferred Neighbourhood Character objectives and design responses will be taken into account when considering any application.

<table>
<thead>
<tr>
<th>Objectives</th>
<th>Design Responses</th>
</tr>
</thead>
</table>
| To encourage consideration of the landscape setting of new dwellings. | - Retain existing large trees and understorey wherever possible.  
- Prepare a landscape plan to accompany all new dwelling proposals that utilises appropriate native vegetation. |
| To minimise excavation and site erosion. | - Buildings and other development should follow the topography of the site or minimise their impact on the natural slope of the site.  
- Retain existing significant vegetation, especially on steeply sloping sites. |
| To reflect the existing rhythm of dwelling spacing. |  |
| To ensure that new buildings do not dominate the streetscape and wider treed landscaping setting. | - Design new buildings and extensions so as not to exceed the predominant tree canopy height. |

Policy Reference
Hume City Council Neighbourhood Character Study, Hume City Council, Planisphere and John Curtis, 2002.
HORNE STREET AND GAP ROAD, SUNBURY

This policy applies to all land located on the west side of Horne Street between Riddell Road and Mitchells Lane and land along both sides of Gap Road between Horne and Darbyshire streets as shown on Map 1 forming part of this Clause and included in the Design and Development Overlay.

Policy Basis

The Hume Municipal Strategic Statement (MSS) defines Horne Street as the eastern boundary of the Sunbury Town Centre. The Hume MSS also limits retail development outside the Sunbury Town Centre to that which recognises and complements its pre-eminent activity centre role. Retail developments that have large floor area requirements that are dependent on high exposure and vehicle access should be located outside the retail core of the Town Centre however within the Centre.

There has been an ongoing transition of land uses along the western side of Horne Street and along Gap Road. This area is now a mix of commercial uses, vacant lots and residential properties and is no longer predominately residential in character.

This policy provides guidance for future development along the west side of Horne Street and Gap Road in order to prevent any further ad-hoc development within this area and to protect the amenity of existing residential properties. All new development will be required to enhance the rural town character of Sunbury as detailed in the Horne Street Urban Design Guidelines.

Within this Policy two Precincts have been designated. Precinct 1 extends the existing large format bulky goods area north of Mitchells Lane, Sunbury along the west side of Horne Street, and continues the existing development pattern east of Horne Street along Gap Road. Precinct 2, land north of Gap Road, is in close proximity to the retail core and as such will encourage land uses that complement the retail core.

Land uses that do not detract from the retail core will be encouraged and include restricted retail, commercial and office uses. Land uses which will have a detrimental effect on the neighbourhood including industry are to be discouraged.

Objectives

- To encourage land uses, including restricted retail, commercial and office uses, which do not detract from the amenity of the adjoining residential area.
- To encourage new land uses to locate along the west side of Horne Street and Gap Road that do not detract from the retail core of the Town Centre.
- To minimise the impact of new development on the amenity of existing residential land uses in Horne and Pasley Street.
- To ensure built form outcomes improve the overall appearance and amenity of the area and enhance the rural town character of Sunbury.
- Discourage uses, including industry, which will have a detrimental affect on the amenity of adjoining properties.

Precinct Policies

Precinct policies relate to precincts 1 and 2 shown on Map 1 forming part of this Clause.

Precinct 1 (DDO2)

This precinct includes all properties to the west side of Horne Street between Gap Road to the north and Mitchells Lane to the south and extends along both sides of Gap Road in a westerly direction to Derbyshire Street.
Precinct 1 encourages a mix of restricted retail and commercial uses which do not detract from the retail core of the Town Centre. Land uses which will have a detrimental effect on the neighbourhood and amenity of adjoining properties are discouraged. Land for the use of industry is discouraged.

**Precinct 2 (DDO3)**

This precinct includes all properties on the west side of Horne Street between Riddell Road to the north and Gap Road to the south.

Precinct 2 encourages a mix of accommodation, office and commercial uses that do not detract from the retail core of the Town Centre. Land uses which will have a detrimental effect on the neighbourhood and amenity of adjoining properties are discouraged. Land for the use of industry is discouraged.

**Policy**

It is policy within both precinct 1 and 2 that:

- All new development should ensure that built form and facade detail interprets traditional building form and character present in Sunbury as described in the Horne Street Urban Design Guidelines. This will include the use of:
  - verandahs
  - facia/parapet treatment
  - articulated use of windows and doors
  - pitched, hipped and gabbled roofs,
  - vertical rectangular windows and openings.

- Front boundary treatments of new development are consistent in style and appearance with the building on site and provide clear views of the building facade.

- The Western Water asset (sewer line) at the rear of properties fronting Horne Street is protected from all forms of development or damage.

- Adjoining residential properties are protected from views of buildings, noise and odour arising from machinery, maintenance services and exhaust flues.

- The amenity of existing residential areas is protected.

- A Landscape Plan must accompany all development proposals. The selection of plant species are to be approved by the Responsible Authority and plantings located in the 3 metre wide buffer strip to the rear of properties fronting Horne Street consider the views of Western Water.

- Maintain the efficient and safe operation of Horne Street by minimising the number of crossovers along Horne Street and Gap Road.

**References**

Hume Activity Centre Hierarchy Study (2004).
GAMING

This policy applies to all applications which require a permit to install or use a gaming machine, or use land for the purpose of gaming.

Policy basis

This policy supports the broad planning objectives of the Municipal Strategic Statement, in particular the social, activity centre and amenity objectives, by setting out how and where gaming machines should be located.

It is recognised that whilst gaming is a legal form of recreational activity, for some it leads to adverse consequences for the gambler, others and for the community. Research has concluded that there are links between social disadvantage, problem gambling and proximity to gaming venues. Gaming machines should reasonably be accessible to the community as a form of entertainment, but not be convenient.

The need for a fair and equitable distribution of gaming machines throughout metropolitan Melbourne and Hume City is recognised. This ensures an average gaming machine density for the City being comparable to that of metropolitan Melbourne.

Objectives

- To discourage the location of gaming machines in disadvantaged areas.
- To ensure the location of gaming machines and the design and operation of facilities containing gaming machines minimise opportunities for convenience gaming and the incidence of problem gambling.
- To ensure that gaming machines are located where the community has a choice of non-gaming entertainment and recreation facilities and activities within the gaming venue and in the local area.
- To protect the operations and amenity of existing uses surrounding gaming venues.

Policy

It is policy to:

- Plan the location of gaming machines as part of the overall range of entertainment and recreation facilities and activities on offer in Hume City.

It is policy that gaming machines should not be located:

- In areas of high socio-economic disadvantage as defined in the ABS Socio-Economic Indexes for Areas (SEIFA) index of relative disadvantage.
- In areas where the average gaming machine density is higher than the average gaming machine density for metropolitan Melbourne.
- In new venues on Council or Crown owned land within the municipality or within existing venues on Council or Crown land as from 9 December 2013 onwards.
- Where they are convenient to shops, community facilities and services or key public transport nodes where large numbers of pedestrians are likely to pass in the course of their daily activities.
- In the core of activity centres where there is the highest intensity of activity, including the main shopping areas, and other widely visited civic, transport and community functions.
- Where the gaming machines and associated uses will be incompatible with the predominant surrounding land uses on the basis of their:
  - ability to achieve safe pedestrian and vehicle access;
- proposed design, location and operations detrimentally affecting the amenity of the surrounding area;
- potential to compromise the ongoing operations of surrounding businesses and industry.

It is policy that gaming machines should be located:

- On the periphery of, or within walking distance of, major and principal activity centres as listed in the Hume Activity Centre Hierarchy Study. This does not apply to a sports or recreation club with a land holding of more than 2 hectares.
- In areas where residents within 5km radius of the proposed location of the gaming machines have a reasonable choice of alternative non-gambling entertainment and recreation facilities and activities.
- In areas where the total density of gaming machines, is lower than the average gaming machine density for metropolitan Melbourne. The average gaming densities of neighbouring suburbs where their densities are higher than the metropolitan average should be considered.
- Where the location could reasonably be perceived as a destination in its own right. This would be achieved through the separation of the location of gaming machines from areas where there are high concentrations of people undertaking daily activities,
- In venues which:
  - Have a range of non-gambling entertainment and leisure options;
  - Offer social and recreational opportunities other than gambling as the primary purpose of the venue;
  - Have gaming floor area of less than 25% of the total floor area of the venue; and
  - Do not allow for 24 hour a day operation.

Application requirements

It is policy to require applications to include the following information:

- Details about the existing and proposed distribution and densities of gaming machines in the municipality.
- Evidence of the need for additional gaming machines in the municipality broadly and more specifically at the proposed location.
- A robust assessment of the social and economic benefits and costs of the proposal to the local area (minimum 5km radius from the location of the proposed gaming machines).
- Evidence of community attitudes towards the gaming proposal and its various aspects.
- Details of the nature and extent of community benefits expected from the proposal and how the benefits are to be secured and distributed to the local community (community benefits derived from existing contractual agreements that the applicant is obliged to undertake are to be detailed separately).
- Details of existing and proposed gaming and non-gambling related entertainment and recreation facilities within the local area of the proposed machines. If those facilities are not satisfying the current or future needs of the community, provide details of why those needs are not being, or will not be, satisfied.
- If the gaming machines are to be relocated from other venues, provide reasons why the gaming machines are being relocated and the likely social and economic impact of the proposal on those venues and the local areas from which those machines were taken.
- Details of the design and layout of the premises, including all proposed and existing signage.
Evidence of compliance with any relevant gaming regulations concerning premises layout, design and operation of the gaming venue.

Distances of the proposed gaming machines from shopping complexes, shopping strips, community facilities and services, and public transport.

**Decision guidelines**

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

- The net community benefit to be derived from the application.
- Whether approval is likely to increase the social disadvantage or financial vulnerability of the local community.
- Whether the location of the gaming machines or gaming premises will facilitate or discourage convenience gaming.
- Whether the approval is likely to detract from the overall uses and amenities of the surrounding area.
- Whether the venue is accessible by a variety of transport modes.
- Whether residents will have a choice between entertainment and recreation facilities and services with and without gaming in the local area.
- The views of the community surrounding the venue.

**Reference:**

Hume Responsible Gaming Policy (2013)

Strategic Reference Document for Gaming in Hume City (2007)

Hume City Council Prohibited Gaming Areas (2007)

Hume Activity Centre Hierarchy Study (2004)
INDUSTRIAL STORMWATER MANAGEMENT POLICY

This policy applies to applications for buildings and works and use for:

- Industry.
- Warehouse.
- Subdivision for Industry and Warehouse.

This policy does not apply to an application for:

- An extension or alteration of an existing building of less than 50 square metres in floor area.
- Subdivision of an existing building.

Policy Basis

Industrial development and subdivision can result in greater hard surface area and changes to the volume, velocity and quality of stormwater drainage into natural waterways. Achieving improved stormwater quality is a key objective in reducing the environmental impact of industrial development on waterways and receiving water bodies. This policy implements the *Urban Stormwater Best Practice Environmental Management Guidelines*, CSIRO (1999) to achieve the objectives of the State Environment Protection Policy (Water of Victoria).

Waterways are an important environmental asset and measures that protect, or improve, water quality will be of significant benefit environmentally, socially and economically. Incorporating stormwater treatment measures into the design of development, including wetlands, bio-retention systems and porous pavements to filter pollutants, will help to protect and improve the condition of the natural waterways.

Water sensitive urban design (WSUD) is the design of buildings, subdivisions and works to minimise the hydrological impact of industrial development on the surrounding environment. WSUD provides the means for treating stormwater run-off in a variety of ways so that the flow is reduced, and the quality of run-off is improved. Stormwater management can take various forms in the urban environment including infrastructure upgrades, streetscape layout changes, piping reconfigurations, storage tanks, and the use of different paving.

Objectives

- To promote the use of water sensitive urban design, including stormwater re-use.
- To mitigate the detrimental effect of development on downstream waterways.
- To apply best practice stormwater management to industrial development and subdivision.
- To minimise peak stormwater flows and stormwater pollutants to improve the health of water bodies.
- To reintegrate urban water into the landscape.
- To ensure that ongoing management practices will prevent materials and waste from reaching groundwater and stormwater drains.

Policy

It is policy to:

- Consider stormwater disposal arrangements at the planning stage of development.
- Ensure compliance with the requirements for suspended solids, total phosphorus and total nitrogen, as set out in the *Urban Stormwater Best Practice Environmental Management Guidelines*, CSIRO (1999). Currently, these water quality performance objectives require:
  - Suspended Solids - 80% retention of typical urban annual load.
- Total Nitrogen - 45% retention of typical urban annual load.
- Total Phosphorus - 45% retention of typical urban annual load.
- Litter - 70% reduction of typical urban annual load.
- Maintaining flow discharges for the 1.5 ARI at pre-development (natural) level.

- Ensure that development is designed to structurally isolate work areas and materials from groundwater and stormwater drains and flows.

- Require the use of stormwater treatment measures that improve the quality and reduce the flow of water discharged to waterways, including, but not limited to:
  - Collection and reuse of rainwater and stormwater on site.
  - Vegetated swales and buffer strips.
  - Rain gardens.
  - Installation of water recycling systems.
  - Multiple uses of water within a single manufacturing site.
  - Direction of flow from impervious ground surfaces to landscaped areas.

- Encourage the use of measures to prevent litter being carried off-site in stormwater flows, including:
  - appropriately designed waste enclosures and storage bins, and
  - the use of litter traps for developments with the potential to generate significant amounts of litter.

- When appropriate, require approvals for use and development to include an environmental management plan that addresses at a minimum: materials selection and identification; materials handling, materials storage; cleaning, wash down and maintenance; storing and disposing of wastes; transporting materials and wastes; emergencies; and staff and contractor training to the satisfaction of the Responsible Authority.

### Application requirements

22.19-4

An application must be accompanied by the following information as appropriate:

- Site and building layout plans showing the location of proposed stormwater treatment measures.
- A report including an industry accepted performance measurement tool.
- Design details, such as cross sections, to assess the technical effectiveness of the proposed stormwater treatment measures.
- Site and building management plans which detail how the site and buildings will be managed through construction and which sets out future operational and maintenance arrangements.

### Decision guidelines

22.19-5

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority will consider, as appropriate:

- The extent to which the development meets the objectives and requirements of this policy
- Whether the proposal is designed and incorporates works to maintain, or improve, the quality of stormwater within or exiting the site.
- Whether the proposal will significantly add to the stormwater discharge or adversely affect water quality entering the drainage system.
Opportunities for water conservation and reuse that influence the use of water sensitive urban design.

The level of ongoing management required to achieve and maintain the desired stormwater quality measures that will be used during the construction phase to prevent a loss of stormwater quality as a result of building activities, such as silt traps.

Reference documents

Hume City Council Industrial Stormwater Code of Practice (2008)
LIQUOR LICENSING

This policy applies to all applications for new licensed premises and for the extension of the licensed area (including the extension of hours and the extension of patron numbers), where a permit is required pursuant to Clause 52.27.

Policy Basis

Council recognises that alcohol is an enjoyable part of Australian culture and that licensed premises have substantial economic, social and cultural benefits. Well managed licensed premises can contribute positively to the activity, appearance, character and image of an area.

However inappropriate sale and consumption of alcohol can be associated with a range of social, economic and health harms, particularly for vulnerable groups and individuals. In addition, the concentrated location of licensed premises can have negative cumulative impacts on an area.

The purpose of this policy is to provide guidance for new licensed premises and where existing licensed premises change their operation.

Objectives

- To manage the appropriate locations, trading hours and patron numbers for licensed premises.
- To minimise amenity conflicts between licensed premises and other uses including cumulative impacts.
- To manage the impacts of licensed premises on the diversity of uses and economic viability of activity centres.
- To encourage an appropriate mix of licensed premises relative to other commercial, retail and residential uses within activity centres.
- To encourage daytime uses and active frontages within activity centres.
- To support reasonable commercial opportunities for the trading of licensed premises.
- To strongly encourage good venue design of licensed premises based on the Design Guidelines for Licensed Venues (Department of Justice).

Policy

It is policy that:

- The operation of licensed premises should have no unreasonable impact on the amenity and safety of surrounding uses, in relation to noise, car parking, patron movement, traffic and other amenity issues.
- The location of the licenced premises, its use, nature of surrounding uses, its zoning and the zoning of surrounding land will be considered in the determination of the hours of operation of licensed premises to ensure minimal impact on neighbourhood amenity and alcohol related harms.
- Patron numbers are reasonable having regard to the size of the premises, its location, hours of operation and does not adversely affect the amenity of the surrounding area.
- Licensed premises should not be concentrated to the extent that there is an adverse cumulative effect on the area.
- Daytime uses and active street frontages are encouraged within activity centres.
Application Requirements

All applications for new licensed premises and for the extension of a licensed area (including the extension of hours and the extension of patron numbers), where a permit is required under Clause 52.27, should include the following information as appropriate:

- Site and floor plans showing the:
  - Existing site and any proposed new floor areas.
  - Proposed use of all areas within the building and site including outdoor dining areas and areas adjacent to the boundaries of the site used in association with the licensed premises (i.e. outdoor seating, public spaces, kerbside dining, and car parking areas).
  - Location of the proposed site in relation to adjoining uses, sensitive uses, other licensed premises and their hours of operation.
  - Location of all external doors and windows.
  - Location of waste storage areas.
  - Identification of ‘active areas’ – queuing area, location of music performance areas or speakers.
  - Maximum number of patrons allocated in identified areas.

- A written submission including the following information:
  - A written description of the site context.
  - A description of the proposed use including type of uses, hours of operation, and type of music/entertainment.
  - An assessment by a registered building surveyor detailing the patron capacity of the licensed premises.
  - Details of proposed management of the premises including external areas allocated for smokers, seating ratios inside the licensed premises, waste management plan, security, noise and complaints procedure.
  - Any other measures to be undertaken to ensure minimal amenity impacts from the licensed premises (i.e. security, noise, complaints procedures).
  - For applications where there is a clustering of licensed premises, a cumulative impact assessment is required. The cumulative impact assessment considers the likely impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area. Applications to expand the licensed area or extend the trading hours of existing licensed premises should provide relevant information including:
    - any complaints and problems with the premises;
    - breach of planning or liquor license permit conditions;
    - the conditions of the existing liquor licence or planning permit controlling noise, security, patron numbers and hours of operation.

Decision Guidelines

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority will consider, as appropriate:

- The zoning of the land and the zoning of surrounding land.
- The location of the proposed licensed premises and the nature of its use.
- The nature of surrounding uses and their hours of operation.
The existing uses of the land.

The proximity of the proposed licensed premises to residential uses and accommodation.

If adjacent to a residential zone/use, the impact of the licensed premises after 11:00pm caused by the operation of the use including noise emissions, patrons leaving the premises and the availability and location of car parking.

Lighting within the boundaries of the site, security lighting outside the licensed premises and any overspill of lighting.

The impact of the proposed licensed premises on the mix of uses located within the activity centre and the vitality and viability of the activity centre during the day and at night.

The impact of the proposed licensed premises on the function, operation and economic viability of the activity centre.

The impact of the proposed licensed premises on the local traffic network and car parking availability in the area.

The proximity of the proposed premises to sensitive uses.

Any other relevant matter.

**Additional decision guidelines for applications to expand the licensed area or extend the trading hours of existing licensed premises**

- The adequacy of existing management of the licensed premises having regard to:
  - Relevant information available to the responsible authority including records of attendances, complaints and/or problems with the premises, and breaches of planning permit or liquor licence conditions.
  - The conditions of the existing liquor licence or planning permit controlling noise, security, patron numbers and hours of operation.
  - Any other relevant matter.

**Reference Documents**

Hume City Liquor Licensing Referral Policy, 2013
OPERATION OF THE LOCAL PLANNING POLICY FRAMEWORK (TRANSITIONAL)
RELATIONSHIP TO THE PLANNING POLICY FRAMEWORK

Clauses 21 and 22 of this planning scheme (the Local Planning Policy Framework) form part of the Planning Policy Framework. Where a provision of this planning scheme requires consideration of the Planning Policy Framework, that consideration must include Clauses 21 and 22.

A reference in this planning scheme, including any incorporated document, to the:

- State Planning Policy Framework or the Local Planning Policy Framework is to be taken to be a reference to the Planning Policy Framework.
- Planning Policy Framework is to be taken to include the Local Planning Policy Framework.
OPERATION OF THE MUNICIPAL STRATEGIC STATEMENT

The Municipal Strategic Statement (MSS) is a concise statement of the key strategic planning, land use and development objectives for the municipality and the strategies and actions for achieving the objectives. It furthers the objectives of planning in Victoria to the extent that the State Planning Policy Framework is applicable to the municipality and local issues. It provides the strategic basis for the application of the zones, overlays and particular provisions in the planning scheme and decision making by the responsible authority.

The MSS provides an opportunity for an integrated approach to planning across all areas of council and should clearly express links to the corporate plan. The MSS is dynamic and enables community involvement in its ongoing review. The MSS will be built upon as responsible authorities develop and refine their strategic directions in response to the changing needs of the community.

When preparing amendments to this planning scheme and before making decisions about permit applications, planning and responsible authorities must take the MSS into account.
OPERATION OF THE LOCAL PLANNING POLICIES

Local Planning Policies are tools used to implement the objectives and strategies of the Municipal Strategic Statement.

A Local Planning Policy is a policy statement of intent or expectation. It states what the responsible authority will do in specified circumstances or the responsible authority’s expectation of what should happen. A Local Planning Policy gives the responsible authority an opportunity to state its view of a planning issue and its intentions for an area. A Local Planning Policy provides guidance to decision making on a day to day basis. It can help the community to understand how the responsible authority will consider a proposal. The consistent application of policy over time should achieve a desired outcome.

When preparing amendments to this planning scheme and before making decisions about permit applications, planning and responsible authorities must take any relevant Local Planning Policy into account.
ZONES

This section sets out the zones which apply in this scheme.
31
31/07/2018
VC148
RESIDENTIAL ZONES
LOW DENSITY RESIDENTIAL ZONE

Shown on the planning scheme map as LDRZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence. 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. Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot. Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person’s unit and Dwelling)</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry and Racing dog husbandry)</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car park</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must result in no more than two dwellings on the lot.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>Adjoin, or have access to, a road in a Road Zone.</td>
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<tr>
<td></td>
<td>The site must not exceed either:</td>
</tr>
<tr>
<td></td>
<td>3000 square metres.</td>
</tr>
<tr>
<td></td>
<td>3600 square metres if it adjoins on two boundaries a road in a Road Zone.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Store</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 – Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Industry (other than Car wash)</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
</tr>
<tr>
<td>Retail premises (other than Convenience shop, Food and drink premises, Market and Plant nursery)</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Stone extraction</td>
</tr>
<tr>
<td>Transport terminal</td>
</tr>
<tr>
<td>Warehouse (other than Store)</td>
</tr>
</tbody>
</table>

**Use for one or two dwellings or a dependent person’s unit**

A lot may be used for one or two dwellings provided the following requirements are met:

- Each dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

- Each dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity, to the satisfaction of the responsible authority.

- Each dwelling must be connected to a reticulated electricity supply or have an alternative energy supply to the satisfaction of the responsible authority.

These requirements also apply to a dependent person’s unit.

**Subdivision**

**Permit requirement**

A permit is required to subdivide land.
Each lot must be at least the area specified for the land in a schedule to this zone. Any area specified must be at least:

- 0.4 hectare for each lot where reticulated sewerage is not connected. If no area is specified each lot must be at least 0.4 hectare.
- 0.2 hectare for each lot with connected reticulated sewerage. If no area is specified each lot must be at least 0.2 hectare.

A permit may be granted to create lots smaller than 0.4 hectare if the subdivision:

- Excises land which is required for a road or a utility installation.
- Provides for the re-subdivision of existing lots and the number of lots is not increased.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>

### Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 32.03-1.
- An outbuilding which has dimensions greater than those specified in a schedule to this zone.

This does not apply to structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
</tbody>
</table>
### Class of application

- A12 Daylight to existing windows.
- A13 North-facing windows.
- A14 Overshadowing open space.
- A15 Overlooking.

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

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#### Application requirements

**Subdivision**

An application must be accompanied by a site analysis, documenting the site in terms of land form, vegetation coverage and the relationship with surrounding land, and a report explaining how the proposed subdivision has responded to the site analysis. The report must:

- In the absence of reticulated sewerage, include a land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- Show for each lot:
  - A building envelope and driveway to the envelope.
  - Existing vegetation.
  - In the absence of reticulated sewerage, an effluent disposal area.
- Show how the proposed subdivision relates to the existing or likely use and development of adjoining and nearby land.
- If a staged subdivision, show how the balance of the land may be subdivided.

#### Decision guidelines

**General**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:


**Subdivision**

- The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- In the absence of reticulated sewerage:
- The capability of the lot to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.

- The benefits of restricting the size of lots to the minimum required to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria).

- The benefits of restricting the size of lots to generally no more than 2 hectares to enable lots to be efficiently maintained without the need for agricultural techniques and equipment.

- The relevant standards of Clauses 56.07-1 to 56.07-4.

## Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.
SCHEDULE TO CLAUSE 32.03 LOW DENSITY RESIDENTIAL ZONE

Shown on the planning scheme map as **LDRZ**.

1.0 Subdivision requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area (hectares)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>Rolling Meadows</td>
</tr>
</tbody>
</table>

2.0 Outbuilding permit requirements

Dimensions above which a permit is required to construct an outbuilding (square metres)

None specified
MIXED USE ZONE

Shown on the planning scheme map as MUZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.

To provide for housing at higher densities.

To encourage development that responds to the existing or preferred neighbourhood character of the area.

To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

Objectives

A schedule to this zone may contain objectives to be achieved for the area.

Table of uses

Section 1 – Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art gallery</td>
<td></td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>The leasable floor area must not exceed 150 square metres.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Museum</td>
<td></td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
<td>The leasable floor area must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop)</td>
<td>The leasable floor area must not exceed 150 square metres.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person's unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry and Racing dog husbandry)</td>
<td></td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>– if the Section 1 condition is not met</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Art gallery, Carnival, Circus, Museum and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Food and drink premises and Shop)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
</tbody>
</table>
Use

Materials recycling
Transfer station
Stone extraction

Use for industry, service station and warehouse

Amenity of the neighbourhood

The use of land for an industry, service station or warehouse must not adversely affect the amenity of the neighbourhood, including through:

- The transport of materials or goods to or from the land.
- The appearance of any stored materials or goods.
- Traffic generated by the use.
- Emissions from the land.

Subdivision

Permit requirement

A permit is required to subdivide land. An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td></td>
<td>The area of either lot is reduced by less than 15 percent.</td>
</tr>
<tr>
<td></td>
<td>The general direction of the common boundary does not change.</td>
</tr>
</tbody>
</table>
### Class of application

**Subdivide land into lots each containing an existing building or car parking space**

- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.
- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

**Subdivide land into 2 lots if:**

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

### Construction and extension of one dwelling on a lot

#### Permit requirement

A permit is required to construct or extend one dwelling on a lot of less than 300 square metres. A development must meet the requirements of Clause 54.

#### No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

#### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.
Class of application

Meets the requirements in the following standards of Clause 54:

- A10 Side and rear setbacks.
- A11 Walls on boundaries.
- A12 Daylight to existing windows.
- A13 North-facing windows.
- A14 Overshadowing open space.
- A15 Overlooking.

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

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:
HUME PLANNING SCHEME

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**Residential aged care facility**

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

**Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.04-2.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>Class of application</td>
<td>Information requirements and decision guidelines</td>
</tr>
<tr>
<td>----------------------------------------------------------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

32.04-10
26/10/2018
VC152

**Buildings on lots that abut another residential zone**

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone, or Township Zone must meet the requirements of Clauses 55.03-5, 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

This does not apply to a building or works for a residential aged care facility.

32.04-11
26/10/2018
VC152

**Maximum building height requirement**

A building must not be constructed that exceeds the maximum building height specified in a schedule to this zone.

A building may exceed the maximum building height specified in a schedule to this zone if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.
- It is a residential aged care facility and the maximum building height in the schedule to the zone is less than 16 metres.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in this zone or a schedule to this zone applies whether or not a planning permit is required for the construction of a building.
Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

Application requirements

General

Any application requirements specified in a schedule to this zone.

Use for industry and warehouse

Unless the circumstances do not require, an application to use land for an industry or warehouse must be accompanied by the following information:

- The purpose of the use and the types of activities to be carried out.
- The type and quantity of materials and goods to be stored, processed or produced.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- How land not required for immediate use is to be maintained.
- The likely effects, if any, on the neighbourhood, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation (including the hours of delivery and dispatch of materials and goods).

Buildings and works associated with a Section 2 use

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A site analysis and descriptive statement explaining how the proposal responds to the site and its context.
- Plans drawn to scale and dimensioned which show:
  - The layout of proposed buildings and works.
  - An elevation of the building design and height.
  - Setbacks to property boundaries.
  - All proposed access and pedestrian areas.
  - All proposed driveway, car parking and loading areas.
  - Existing vegetation and proposed landscape areas.
  - The location of easements and services.

Exemption from notice and review

Subdivision

An application for subdivision is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.
Other applications

A schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

General

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a Mixed Use Zone or Residential Growth Zone.

Use for industry, service station and warehouse

- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The design of buildings, including provision for solar access.
- The availability and provision of utility services.
- The effect of traffic to be generated by the use.
- The interim use of those parts of the land not required for the proposed use.
- Whether the use is compatible with adjoining and nearby land uses.
- For non-residential uses, the proposed hours of operation, noise and any other likely off-site amenity impacts.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Construction and extension of one dwelling on a lot

- The objectives, standards and decision guidelines of Clause 54.

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

- For two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.
SCHEDULE TO CLAUSE 32.04 MIXED USE ZONE

Shown on the planning scheme map as MUZ.

HUME MIXED USE AREAS

1.0

15/07/2013
VC100

Objectives

None specified.

2.0

15/07/2013
VC100

Clause 54 and Clause 55 requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0

15/07/2013
VC100

Maximum building height requirement

None specified.

4.0

15/07/2013
VC100

Exemption from notice and review

None specified.

5.0

15/07/2013
VC100

Application requirements

None specified.

6.0

15/07/2013
VC100

Decision guidelines

None specified.

7.0

27/05/2019
C238hume

Signs

None specified.
TOWNSHIP ZONE

Shown on the planning scheme map as TZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for residential development and a range of commercial, industrial and other uses in small towns.

To encourage development that respects the neighbourhood character of the area.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Neighbourhood character objectives

A schedule to this zone may contain the neighbourhood character objectives to be achieved for the area.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>Must be the only dependent person's unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 32.05-3.</td>
</tr>
<tr>
<td>Domestic animal husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must meet the requirements of Clause 32.05-3.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
</tbody>
</table>
## Section 2 – Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Accommodation (other than Community care accommodation, Dependent person's unit, Dwelling, Residential aged care facility and Rooming house)</strong></td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td><strong>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry and Racing dog husbandry)</strong></td>
<td>Must meet the requirements of Clause 32.05-3.</td>
</tr>
<tr>
<td><strong>Dependent person's unit - if the Section 1 condition is not met</strong></td>
<td>Must meet the requirements of Clause 32.05-3.</td>
</tr>
<tr>
<td><strong>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</strong></td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td><strong>Grazing animal production</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Industry (other than Transfer station and Refuse disposal)</strong></td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td><strong>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Office (other than Medical centre)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Place of assembly (other than Carnival, Circus and Place of worship)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Retail premises (other than Adult sex product shop)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Transfer station</strong></td>
<td>Must meet the threshold distance requirements in the Table to Clause 53.10.</td>
</tr>
<tr>
<td><strong>Utility installation (other than Minor utility installation and Telecommunications facility)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Warehouse</strong></td>
<td>Must not be a purpose listed in the table to Clause 53.10.</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>Adult sex product shop</strong></td>
</tr>
<tr>
<td><strong>Animal production (other than Grazing animal production)</strong></td>
</tr>
<tr>
<td><strong>Brothel</strong></td>
</tr>
<tr>
<td><strong>Dwelling – if the Section 1 condition is not met</strong></td>
</tr>
<tr>
<td><strong>Motor racing track</strong></td>
</tr>
</tbody>
</table>
**Use**

**Refuse disposal**

**Saleyard**

**Stone extraction**

**32.05-3**

27/03/2017

VC110

**Use for a dwelling or a dependent person’s unit**

A lot may be used for a dwelling provided the following requirements are met:

- Each dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.

- Each dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity, to the satisfaction of the responsible authority.

- Each dwelling must be connected to a reticulated electricity supply or have an alternative energy supply to the satisfaction of the responsible authority.

These requirements also apply to a dependent person’s unit.

**32.05-4**

27/03/2017

VC110

**Use for industry and warehouse**

**Amenity of the neighbourhood**

The use of land for an industry or warehouse must not adversely affect the amenity of the neighbourhood, including through:

- The transport of materials or goods to or from the land.

- The appearance of any stored materials or goods.

- Traffic generated by the use.

- Emissions from the land.

**32.05-5**

31/07/2018

VC148

**Subdivision**

**Permit requirement**

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.

- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>16 or more lots</td>
<td>Clauses 56.02-1, 56.03-5, 56.04-2 to 56.04-5, 56.05-1, 56.05-2, 56.06-2, 56.06-4, 56.06-5, 56.06-7, 56.06-8 and 56.07-1 to 56.09-4.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>Clauses 56.03-5, 56.04-2 to 56.04-5, 56.05-1, 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 to 56.09-4.</td>
</tr>
</tbody>
</table>
Class of subdivision | Objectives and standards to be met
--- | ---
2 lots | Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5 and 56.06-8 to 56.09-2.

Each lot must be provided with reticulated sewerage, if available. If reticulated sewerage is not available, the application must be accompanied by:

- A land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.

- A plan which shows a building envelope and effluent disposal area for each lot.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
</table>
| Subdivide land to realign the common boundary between 2 lots where:  
  - The area of either lot is reduced by less than 15 percent.  
  - The general direction of the common boundary does not change. | Clause 59.01 |

| Subdivide land into lots each containing an existing building or car parking space where:  
  - The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.  
  - An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision. | Clause 59.02 |

| Subdivide land into 2 lots if:  
  - The construction of a building or the construction or carrying out of works on the land:  
    - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.  
    - Has started lawfully.  
  - The subdivision does not create a vacant lot. | Clause 59.02 |

**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 permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
  - A lot of less than 300 square metres, or
  - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

**No permit required**

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development:</td>
<td>Clause 59.14</td>
</tr>
<tr>
<td>- Does not exceed a building height of 5 metres.</td>
<td></td>
</tr>
<tr>
<td>- Is not visible from the street (other than a lane) or a public park.</td>
<td></td>
</tr>
<tr>
<td>- Meets the requirements in the following standards of Clause 54:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

| Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling. | Clause 59.03 |
Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

Permit requirement

A permit is required to:
- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:
- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person’s unit on a lot.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

Transitional provisions

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:
- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:
- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Requirements of Clause 54 and Clause 55

A schedule to this zone may specify the requirements of:
- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.
If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

### 32.05-9

**Residential aged care facility**

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

### 32.05-10

**Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.05-2.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td></td>
</tr>
<tr>
<td>• The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>• The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>– A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>– A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>– A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>– A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>– A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>– A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

### 32.05-11

**Maximum building height requirement for a dwelling or residential building**

A building must not be constructed for use as a dwelling or a residential building that exceeds the maximum building height specified in a schedule to this zone.

If no maximum building height is specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 and Clause 55 applies.

A building may exceed the maximum building height specified in a schedule to this zone if:
• It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.

• There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.

• It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.

• It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in a schedule to this zone applies whether or not a planning permit is required for the construction of a building.

**Building height if land is subject to inundation**

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

### Application requirements

**Use for industry and warehouse**

Unless the circumstances do not require, an application to use land for an industry or warehouse must be accompanied by the following information:

• The purpose of the use and the types of activities to be carried out.

• The type and quantity of materials and goods to be stored, processed or produced.

• Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.

• Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.

• How land not required for immediate use is to be maintained.

• The likely effects, if any, on the neighbourhood, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation (including the hours of delivery and despatch of materials and goods).

• Any other application requirements specified in a schedule to this zone.

### Decision guidelines

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General**

• The Municipal Planning Strategy and the Planning Policy Framework.
The objectives set out in a schedule to this zone.

- The protection and enhancement of the character of the town and surrounding area including the retention of vegetation.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- In the absence of reticulated sewerage, the capability of the lot to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The design, height, setback and appearance of the proposed buildings and works including provision for solar access.
- The need for a verandah along the front or side of commercial buildings to provide shelter for pedestrians.
- Provision of car and bicycle parking and loading bay facilities and landscaping.
- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The scale and intensity of the use and development.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.
- The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.
- Any other decision guidelines specified in a schedule to this zone.

**Use for industry and warehouse**

Before deciding on an application to use land for an industry or warehouse, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The design of buildings, including provision for solar access.
- The availability and provision of utility services.
- The effect of traffic to be generated by the use.
- The interim use of those parts of the land not required for the proposed use.
- Any other decision guidelines specified in a schedule to this zone.

**Subdivision**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.
- Any other decision guidelines specified in a schedule to this zone.

**Construction and extension of one dwelling on a lot**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

The objectives, standards and decision guidelines of Clause 54.

Any other decision guidelines specified in a schedule to this zone.

**Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- For two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.
- Any other decision guidelines specified in a schedule to this zone.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 3.
SCHEDULE TO CLAUSE 32.05 TOWNSHIP ZONE

Shown on the planning scheme map as TZ.

HUME TOWNSHIPS

1.0

Neighbourhood character objectives

None specified.

2.0

Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?</td>
<td>No</td>
</tr>
<tr>
<td>Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?</td>
<td>No</td>
</tr>
</tbody>
</table>

3.0

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>

4.0

Maximum building height requirement for a dwelling or residential building

None specified.

5.0

Application requirements

None specified.

6.0

Decision guidelines

None specified.
RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as RGZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide housing at increased densities in buildings up to and including four storey buildings.
To encourage a diversity of housing types in locations offering good access to services and transport including activity centres and town centres.
To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas.
To ensure residential development achieves design objectives specified in a schedule to this zone.
To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Design objectives

A schedule to this zone must contain the design objectives to be achieved for the area.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>Must be the only dependent person's unit on the lot.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<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>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td></td>
</tr>
</tbody>
</table>

### Section 2 – Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person’s unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
<td>The land must be located within 100 metres of a commercial zone.</td>
</tr>
<tr>
<td></td>
<td>The land must have the same street frontage as the land in the commercial zone.</td>
</tr>
<tr>
<td></td>
<td>The leasable floor area must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>- Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>- Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not exceed either:</td>
</tr>
<tr>
<td></td>
<td>- 3000 square metres.</td>
</tr>
<tr>
<td></td>
<td>- 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Bottle shop and Convenience shop)</td>
<td>The land must be located within 100 metres of a commercial zone or Mixed Use Zone.</td>
</tr>
<tr>
<td></td>
<td>The land must have the same street frontage as the land in the commercial zone or Mixed Use Zone.</td>
</tr>
<tr>
<td>Store</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Take away food premises</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 – Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td></td>
</tr>
<tr>
<td>Amusement parlour</td>
<td></td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
<td></td>
</tr>
<tr>
<td>Animal training</td>
<td></td>
</tr>
<tr>
<td>Bottle shop</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Horse husbandry</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Car wash)</td>
<td></td>
</tr>
<tr>
<td>Motor racing track</td>
<td></td>
</tr>
<tr>
<td>Nightclub</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Food and drink premises, Market, Plant nursery and Shop)</td>
<td></td>
</tr>
<tr>
<td>Saleyard</td>
<td></td>
</tr>
<tr>
<td>Stone extraction</td>
<td></td>
</tr>
</tbody>
</table>
Subdivision

Permit requirement

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>

| Subdivide land into lots each containing an existing building or car parking space where: | Clause 59.02 |
| - The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. | |
| - An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision. | |

| Subdivide land into 2 lots if: | Clause 59.02 |
| - The construction of a building or the construction or carrying out of works on the land: | |
Information requirements and decision guidelines

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.

32.07-4
31/07/2018
VC148

Construction and extension of one dwelling on a lot

Permit requirement

A permit is required to construct or extend one dwelling on a lot less than 300 square metres.

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Class of application

Construct an outbuilding or extend a dwelling if the development: Clause 59.14

- 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 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.

### Transitional provisions

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**Residential aged care facility**

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

**Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.07-2.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>A15 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 goods and materials, hours of operation and light spill, solar access and glare.
- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

### Exemption from notice and review

**Subdivision**

An application to subdivide land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General**

- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a Mixed Use Zone or Residential Growth Zone.

**Subdivision**

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

**Dwellings and residential buildings**

- For the construction of one dwelling on a lot, whether the development is an under-utilisation of the lot.
- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.
Non-residential use and development

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.
SCHEDULE 1 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as RGZ1.

RESIDENTIAL GROWTH AREAS

1.0 Design objectives

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.
GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as GRZ, R1Z, R2Z or R3Z with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To encourage development that respects the neighbourhood character of the area.
To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Neighbourhood character objectives

A schedule to this zone may contain neighbourhood character objectives to be achieved for the area.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>Must not require a permit under Clause 52.06-3.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
</tbody>
</table>
### Condition

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person’s unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>• Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>• Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not exceed either:</td>
</tr>
</tbody>
</table>
Use | Condition
--- | ---
| **Store** | Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.
| **Take away food premises** | The site must adjoin, or have access to, a road in a Road Zone.
| Utility installation (other than Minor utility installation and Telecommunications facility) |  
| Any other use not in Section 1 or 3 |

**Section 3 – Prohibited**

**Use**

- Amusement parlour
- Animal production (other than Grazing animal production)
- Animal training
- Brothel
- Cinema based entertainment facility
- Domestic animal boarding
- Horse husbandry
- Industry (other than Car wash)
- Motor racing track
- Nightclub
- Office (other than Medical centre)
- Retail premises (other than Convenience shop, Food and drink premises, Market, and Plant nursery)
- Saleyard
- Stone extraction
- Transport terminal
- Warehouse (other than Store)

**Subdivision**

**Permit requirement**

A permit is required to subdivide land.

An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:
- An approved precinct structure plan or an equivalent strategic plan;
- An incorporated plan or approved development plan; or
- A permit for development.

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>
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</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>
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**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>

Subdivide land into lots each containing an existing building or car parking space where:

- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.
- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

Subdivide land into 2 lots if:

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.
Construction or extension of a dwelling or residential building

Minimum garden area requirement

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

<table>
<thead>
<tr>
<th>Lot size</th>
<th>Minimum percentage of a lot set aside as garden area</th>
</tr>
</thead>
<tbody>
<tr>
<td>400 - 500 sqm</td>
<td>25%</td>
</tr>
<tr>
<td>Above 500 - 650 sqm</td>
<td>30%</td>
</tr>
<tr>
<td>Above 650 sqm</td>
<td>35%</td>
</tr>
</tbody>
</table>

This does not apply to:

- An application to construct or extend a dwelling or residential building if specified in a schedule to this zone as exempt from the minimum garden area requirement;
- An application to construct or extend a dwelling or residential building on a lot if:
  - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
  - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.08-4 on the approval date of Amendment VC110.

Construction and extension of one dwelling on a lot

Permit requirement

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of between 300 square metres and 500 square metres if specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
  - A lot of less than 300 square metres, or
  - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.
VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development:</td>
<td>Clause 59.14</td>
</tr>
<tr>
<td>Meets the minimum garden area requirement of Clause 32.08-4.</td>
<td></td>
</tr>
<tr>
<td>• Does not exceed a building height of 5 metres.</td>
<td></td>
</tr>
<tr>
<td>• Is not visible from the street (other than a lane) or a public park.</td>
<td></td>
</tr>
<tr>
<td>• Meets the requirements in the following standards of Clause 54:</td>
<td></td>
</tr>
<tr>
<td>• A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>• A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>• A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>• A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>• A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>• A15 Overlooking.</td>
<td></td>
</tr>
<tr>
<td>For the purposes of this class of VicSmart application, the Clause 54 standards</td>
<td></td>
</tr>
<tr>
<td>specified above are mandatory.</td>
<td></td>
</tr>
<tr>
<td>If a schedule to the zone specifies a requirement of a standard different from a</td>
<td></td>
</tr>
<tr>
<td>requirement set out in the Clause 54 standard, the requirement in the schedule</td>
<td></td>
</tr>
<tr>
<td>to the zone applies and must be met.</td>
<td></td>
</tr>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is</td>
<td>Clause 59.03</td>
</tr>
<tr>
<td>associated with one dwelling.</td>
<td></td>
</tr>
</tbody>
</table>

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

Permit requirement

A permit is required to:

• Construct a dwelling if there is at least one dwelling existing on the lot.
• Construct two or more dwellings on a lot.
• Extend a dwelling if there are two or more dwellings on the lot.
• Construct or extend a dwelling if it is on common property.
• Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

• The fence is associated with 2 or more dwellings on a lot or a residential building, and
• The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.
An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person’s unit on a lot.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

**Transitional provisions**

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**Residential aged care facility**

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

**Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.
VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td></td>
</tr>
<tr>
<td>- The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

Maximum building height requirement for a dwelling or residential building

A building must not be constructed for use as a dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 11 metres; and
- the building must contain no more than 3 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.

- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

**Building height if land is subject to inundation**

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

### Application requirements

An application must be accompanied by the following information, as appropriate:

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.

- For an apartment development of five or more storeys, an urban context report and design response as required in Clause 58.01.

- For an application for subdivision, a site and context description and design response as required in Clause 56.

- Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
  - The siting and use of existing and proposed buildings.
  - Adjacent buildings and uses.
  - The building form and scale.
  - Setbacks to property boundaries.

- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.

- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.
Exemption from notice and review

Subdivision

An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Dwellings and residential buildings

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

Non-residential use and development

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.
Transitional provisions

The minimum garden area requirements of Clause 32.08-4 and the maximum building height and number of storeys requirements of Clause 32.08-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.

- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
  - A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
  - A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
  - A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.08-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.
SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as **GRZ1**.

HUME RESIDENTIAL AREAS

1.0 Neighbourhood character objectives

None specified.

2.0 Construction or extension of a dwelling or residential building - minimum garden area requirement

Is the construction or extension of a dwelling or residential building exempt from the minimum garden area requirement?

No

3.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?

No

Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?

No

4.0 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>

5.0 Maximum building height requirement for a dwelling or residential building

None specified.

6.0 Application requirements

None specified.
Decision guidelines

None specified.
NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as NRZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise areas of predominantly single and double storey residential development.
To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.
To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Neighbourhood character objectives

A schedule to this zone must contain the neighbourhood, heritage, environment or landscape character objectives to be achieved for the area.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person’s unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td>The leasable floor area must not exceed 80 square metres.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>- Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>- Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Store</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Take away food premises</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 – Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Animal training</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
</tr>
<tr>
<td>Horse husbandry</td>
</tr>
<tr>
<td>Industry (other than Car wash)</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
</tr>
<tr>
<td>Retail premises (other than, Convenience shop, Food and drink premises, Market and Plant nursery)</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Stone extraction</td>
</tr>
<tr>
<td>Transport terminal</td>
</tr>
<tr>
<td>Warehouse (other than Store)</td>
</tr>
</tbody>
</table>

**Subdivision**

**Permit requirement**

A permit is required to subdivide land.
An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:

- An approved precinct structure plan or an equivalent strategic plan;
- An incorporated plan or approved development plan; or
- A permit for development.

A schedule to this zone may specify a minimum lot size to subdivide land. Each lot must be at least the area specified for the land, except where an application to subdivide land is made to create lots each containing an existing dwelling or car parking space, where an application for the existing dwelling or car parking space was made or approved before the approval date of the planning scheme amendment that introduced this clause 32.09 into the planning scheme.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
</tbody>
</table>
Subdivide land into 2 lots if:

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

### Construction or extension of a dwelling or residential building

#### Minimum garden area requirement

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

<table>
<thead>
<tr>
<th>Lot size</th>
<th>Minimum percentage of a lot set aside as garden area</th>
</tr>
</thead>
<tbody>
<tr>
<td>400 - 500 sqm</td>
<td>25%</td>
</tr>
<tr>
<td>Above 500 - 650 sqm</td>
<td>30%</td>
</tr>
<tr>
<td>Above 650 sqm</td>
<td>35%</td>
</tr>
</tbody>
</table>

This does not apply to:

- An application to construct or extend a dwelling or residential building on a lot if:
  - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
  - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.09-4 on the approval date of Amendment VC110.

### Construction and extension of one dwelling on a lot

#### Permit requirement

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of less than the lot size specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
  - A lot of less than 300 square metres, or
  - A lot of less than the lot size specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.
A development must meet the requirements of Clause 54.

**No permit required**

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development:</td>
<td>Clause 59.14</td>
</tr>
<tr>
<td>- Meets the minimum garden area requirement of Clause 32.09-4.</td>
<td></td>
</tr>
<tr>
<td>- Does not exceed a building height of 5 metres.</td>
<td></td>
</tr>
<tr>
<td>- Is not visible from the street (other than a lane) or a public park.</td>
<td></td>
</tr>
<tr>
<td>- Meets the requirements in the following standards of Clause 54:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

| Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling. | Clause 59.03 |

**Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings**

**Permit requirement**

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:
- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55.

A permit is not required to construct one dependent person’s unit on a lot.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

**Transitional provisions**

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:
- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

### Requirements of Clause 54 and Clause 55

A schedule to this zone may specify the requirements of:
- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

### Residential aged care facility

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

### Buildings and works associated with a Section 2 use

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.09-2.
**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td></td>
</tr>
<tr>
<td>- The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

---

**32.09-10**

**Maximum building height requirement for a dwelling or residential building**

A building must not be constructed for use as a dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 9 metres; and
- the building must contain no more than 2 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.

- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

**Building height if land is subject to inundation**

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

**Application requirements**

An application must be accompanied by the following information, as appropriate:

- For a residential development, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.

- For an application for subdivision, a site and context description and design response as required in Clause 56.

- Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
  - The siting and use of existing and proposed buildings.
  - Adjacent buildings and uses, including siting and dimensioned setbacks.
  - The building form and scale.
  - Setbacks to property boundaries.

- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.

- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.
Exemption from notice and review

Subdivision

An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The purpose of this zone.
- The objectives set out in the schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Dwellings and residential buildings

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.

Non-residential use and development

In the local neighbourhood context:

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.
Transitional provisions

The minimum garden area requirements of Clause 32.09-4 and the maximum building height and number of storeys requirements of Clause 32.09-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.
- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
  - A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
  - A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
  - A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.09-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.
SCHEDULE 1 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as NRZ1.

ROLLING MEADOWS

1.0

Neighbourhood character objectives

To protect the existing subdivision pattern.

To ensure new development respects the open rural character.

To maintain the rural servicing infrastructure (including narrow road pavements, grassed verges and open swale or underground drainage systems) and recognise its role in creating the open rural character.

2.0

Minimum subdivision area

The minimum lot size for subdivision is 2700 square metres.

3.0

Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

<table>
<thead>
<tr>
<th>Permit requirement for the construction or extension of one dwelling on a lot</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permit requirement to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot</td>
<td>None specified</td>
</tr>
</tbody>
</table>

4.0

Requirements of Clause 54 and Clause 55

<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>

5.0

Maximum building height requirement for a dwelling or residential building

None specified.

6.0

Application requirements

None specified.

7.0

Decision guidelines

None specified.
INDUSTRIAL 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></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.</td>
<td></td>
</tr>
<tr>
<td>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>
<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. Must not adversely affect the amenity of the neighbourhood, including through the:</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>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Condition</strong></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><strong>Shipping container storage</strong></td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, 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>1. The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>2. 100 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Shipping containers must be setback at least 9 metres from a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The height of shipping container stacks must not exceed 6 containers or 16 metres, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td></td>
<td>1. Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td></td>
<td>2. Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td></td>
<td>3. 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><strong>Take away food premises</strong></td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td><strong>Tramway</strong></td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td><strong>Warehouse (other than Mail centre and Shipping container storage)</strong></td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, 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>1. The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>2. 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>1. Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td></td>
<td>2. Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td></td>
<td>3. 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><strong>Any use listed in Clause 62.01</strong></td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>
Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>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

<table>
<thead>
<tr>
<th>Hospital</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intensive animal production</td>
</tr>
<tr>
<td>Pig farm</td>
</tr>
<tr>
<td>Poultry farm</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Convenience shop and Restricted retail premises)</td>
</tr>
</tbody>
</table>

Use of land

Application requirements

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
Subdivision

Permit requirement

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where: The area of either lot is reduced by less than 15 percent. The general direction of the common boundary does not change.</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where: The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. 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>Clause 59.02</td>
</tr>
<tr>
<td>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.</td>
<td>Clause 59.02</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.
### Maximum leasable floor area requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area for Office (square metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>
INDUSTRIAL 3 ZONE

Shown on the planning scheme map as IN3Z.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for industries and associated uses in specific areas where special consideration of the nature and impacts of industrial uses is required or to avoid inter-industry conflict.

To provide a buffer between the Industrial 1 Zone or Industrial 2 Zone and local communities, which allows for industries and associated uses compatible with the nearby community.

To allow limited retail opportunities including convenience shops, small scale supermarkets and associated shops in appropriate locations.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive land uses.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convenience shop</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</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

**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.

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Take away food premises</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Tramway</strong></td>
<td></td>
</tr>
</tbody>
</table>
| Warehouse (other than Fuel depot, Mail centre or Shipping container storage) | Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.  
The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:  
- The threshold distance, for a purpose listed in the table to Clause 53.10.  
- 30 metres, for a purpose not listed in the table to Clause 53.10.  
Must not adversely affect the amenity of the neighbourhood, including through the:  
- Transport of materials, goods or commodities to or from the land.  
- Appearance of any stored goods or materials.  
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil |

| Any use listed in Clause 62.01 | Must meet the requirements of Clause 62.01. |

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
</tbody>
</table>

| Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm) |
| Caretaker's house                                                                                                                                 |
| Education centre                                      | Must not be a primary or secondary school.                                                                                                     |
| Industry (other than Service industry)               |                                                                                                                                 |
| Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track) |
### Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>The leasable floor area must not exceed the amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema based entertainment facility and Circus)</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Shop and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Caretaker's house)</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Intensive animal production</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Pig farm</td>
</tr>
<tr>
<td>Poultry farm</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Supermarket) – if the Section 1 conditions are not met</td>
</tr>
<tr>
<td>Supermarket – if the section 1 conditions are not met</td>
</tr>
</tbody>
</table>

### Use of land

#### Amenity of the neighbourhood

A use must not adversely affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

#### Application requirements

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.

Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.

The likely effects, if any, on the neighbourhood, including:
- Noise levels.
- Air-borne emissions.
- Emissions to land or water.
- Traffic, including the hours of delivery and despatch.
- Light spill or glare.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:
- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- The effect on nearby industries.

Subdivision
Permit requirement
A permit is required to subdivide land.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

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<tr>
<th>Class of application</th>
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<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

<table>
<thead>
<tr>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>• The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
</tr>
<tr>
<td>• An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
</tr>
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</table>

Subdivide land into 2 lots if: Clause 59.02

| • The construction of a building or the construction or carrying out of works on the land: |
| • Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. |
| • Has started lawfully. |
| • The subdivision does not create a vacant lot. |

Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

| • The Municipal Planning Strategy and the Planning Policy Framework. |
| • Any natural or cultural values on or near the land. |
| • Streetscape character. |
| • Landscape treatment. |
| • Interface with non-industrial areas. |

Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works. This does not apply to:

| • A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased. |
| • A building or works which are used for crop raising or informal outdoor recreation. |
| • A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met: |
| • The rainwater tank is not located within the building’s setback from a street (other than a lane). |
The rainwater tank is no higher than the existing building on the site.
The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.

- A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

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<tr>
<th>Class of application</th>
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<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.
## Maximum leasable floor area requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area for Office (square metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>
COMMERICAL 1 ZONE

Shown on the planning scheme map as B1Z, B2Z, B5Z or C1Z.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
To provide for residential uses at densities complementary to the role and scale of the commercial centre.

Operation

A schedule may apply under this zone to a planning scheme outside of metropolitan Melbourne. That schedule may:
- specify the maximum leasable floor area for office
- specify the maximum leasable floor area for shop (other than restricted retail premises).

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Accommodation (other than Community care accommodation, Corrective institution and Rooming house)</strong></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><strong>Art and craft centre</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Child care centre</strong></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><strong>Cinema</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Cinema based entertainment facility</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Community care accommodation</strong></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><strong>Education centre (other than Child care centre)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Exhibition centre</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Home based business</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Informal outdoor recreation</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Office</strong></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><strong>Place of worship</strong></td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td><strong>Railway</strong></td>
<td></td>
</tr>
</tbody>
</table>
### HUME PLANNING SCHEME

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail premises (other than Shop)</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 52.23-2.</td>
</tr>
<tr>
<td>Rooming house</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>Shop (other than Adult sex product shop)</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>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 façade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

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>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>

Transitional provisions

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

Neighbourhood and site description and design response

An application for any of the following must be accompanied by a neighbourhood and site description and a design response as described in Clause 54.01 or 55.01, as appropriate:

- Construction or extension of one dwelling on a lot of less than 300 square metres.
- Construction of a dwelling if there is at least one dwelling existing on the lot.
- Construction of two or more dwellings on a lot.
- Extension of a dwelling if there are two or more dwellings on the lot.
- Construction or extension of a dwelling on common property.
- Construction or extension of a residential building.

Clause 34.01-5 does not apply to an apartment development.
Satisfactory neighbourhood and site description before notice and decision

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 54.01 or 55.01 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

Application requirements

Use

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.
- The means of maintaining land not required for immediate use.
- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced.
  - Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
  - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
  - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

Buildings and works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

**Exemption from notice and review**

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General**
- The interface with adjoining zones, especially the relationship with residential areas.

**Use**
- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

**Subdivision**
- Provision for vehicles providing for supplies, waste removal and emergency services and public transport.
- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.

**Building and works**
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

The availability of and connection to services.

The design of buildings to provide for solar access.

The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to an apartment development.

For an apartment development, the objectives, standards and decision guidelines of Clause 58.

**Transitional provisions**

The objectives, standards and decision guidelines of Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 1.
## Maximum leasable floor area requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area for Office (square metres)</th>
<th>Maximum leasable floor area for Shop (other than Restricted retail premises) (square metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>
COMMERCIAL 2 ZONE

Shown on the planning scheme map as B3Z, B4Z or C2Z.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.
To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art and craft centre</td>
<td></td>
</tr>
<tr>
<td>Art gallery</td>
<td></td>
</tr>
<tr>
<td>Cinema</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>The leasable floor area must not exceed 100 square metres.</td>
</tr>
<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. The site must adjoin, or have access to, a road in a Road Zone. Must be on land within the City of Greater Geelong or within an urban growth boundary in metropolitan Melbourne.</td>
</tr>
<tr>
<td>Trade supplies</td>
<td></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. 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>
<tr>
<td>Section 2 - Permit required</td>
<td></td>
</tr>
<tr>
<td>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone, 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. 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>Accommodation (other than Caretaker’s house and Residential hotel)</td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
</tr>
<tr>
<td>Motor racing track</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.

Clause 59.02
Subdivide land into lots each containing an existing building or car parking space where:
- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.
- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

Clause 59.02
Subdivide land into 2 lots if:
- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

Buildings and works
A permit is required to construct a building or construct or carry out works. This does not apply to:
- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

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.
Information requirements and decision guidelines

Class of application
- Used for a Brothel or Adult sex product shop.

Maintenance
All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

Application requirements

Use
An application to use land must be accompanied by the following information, as appropriate:
- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods or materials, hours of operation and light spill, solar access and glare.
- The means of maintaining areas not required for immediate use.
- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced.
  - Whether a Works Approval, or Waste Discharge Licence is required from the Environment Protection Authority.
  - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1995 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
  - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

Building and works
An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:
- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

**Exemption from notice and review**

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

**Decision guidelines**

**General**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The interface with adjoining zones, especially the relationship with residential areas.

**Use**

- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- If an industry or warehouse, the effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.

**Subdivision**

- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.

**Building and works**

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of and connection to services.
• Any natural or cultural values on or nearby the land.
• Outdoor storage, lighting, and stormwater discharge.
• The design of buildings to provide for solar access.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 1.
RURAL LIVING ZONE

Shown on the planning scheme map as RLZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for residential use in a rural environment.
To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.
To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.
To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>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. Must meet the requirements of Clause 35.03-2.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>The lot must be at least the area specified in a schedule to this zone. If no area is specified, the lot must be at least 2 hectares. Must be the only dwelling on the lot. Must meet the requirements of Clause 35.03-2.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Must be no more than 100 poultry (not including emus or ostriches). Must be no more than 10 emus and ostriches.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>
### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person's unit and Dwelling)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Apiculture, Broiler farm, Domestic animal husbandry, Intensive animal production, Racing dog husbandry and Timber production)</td>
<td></td>
</tr>
<tr>
<td>Bar</td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td>Broiler farm - if the Section 1 condition to Poultry farm is not met</td>
<td>Must be no more than 10,000 chickens.</td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td>The leasable floor area must not exceed 80 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td>Dependent person's unit - if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 35.03-2.</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast) - if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 35.03-2.</td>
</tr>
<tr>
<td>Freeway service centre</td>
<td>Must meet the requirements of Clause 53.05.</td>
</tr>
<tr>
<td>Hotel</td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Postal agency</td>
<td></td>
</tr>
<tr>
<td>Primary produce sales</td>
<td></td>
</tr>
<tr>
<td>Racing dog husbandry – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
</tbody>
</table>
### Condition

### Rural industry (other than Abattoir and Sawmill)

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td>- Adjoin a commercial zone or industrial zone.</td>
<td></td>
</tr>
<tr>
<td>- Adjoin, or have access to, a road in a Road Zone.</td>
<td></td>
</tr>
<tr>
<td>The site must not exceed either:</td>
<td></td>
</tr>
<tr>
<td>- 3000 square metres.</td>
<td></td>
</tr>
<tr>
<td>- 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</td>
<td></td>
</tr>
<tr>
<td>The site must not have direct access to a rural freeway.</td>
<td></td>
</tr>
<tr>
<td>Store</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Timber production</td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
<td></td>
</tr>
<tr>
<td>Amusement parlour</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Rural Industry)</td>
<td></td>
</tr>
<tr>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td>Motor racing track</td>
<td></td>
</tr>
<tr>
<td>Nightclub</td>
<td></td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Bar, Convenience shop, Hotel, Market, Plant nursery, Postal agency, Primary produce sales and Restaurant)</td>
<td></td>
</tr>
<tr>
<td>Saleyard</td>
<td></td>
</tr>
<tr>
<td>Sawmill</td>
<td></td>
</tr>
<tr>
<td>Transport terminal</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Store)</td>
<td></td>
</tr>
</tbody>
</table>
**Use of land for a dwelling**

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

**Subdivision**

A permit is required to subdivide land. Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 2 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The number of lots is no more than the number the land could be subdivided into in accordance with a schedule to this zone.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

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<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
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<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>Each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td></td>
</tr>
<tr>
<td>The area of either lot is reduced by less than 15 percent.</td>
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<tr>
<td>The general direction of the common boundary does not change.</td>
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<tr>
<td>Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td>Clause 59.12</td>
</tr>
</tbody>
</table>

**Buildings and works**

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.03-1. This does not apply to:
An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

An out-building associated with an existing dwelling provided the floor area of the out-building is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is not more than the area specified in the schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres. The building must not be used to keep, board, breed or train animals.

- A rainwater tank.

- Earthworks specified in a schedule to this zone, if on land specified in a schedule.

- A building which is within any of the following setbacks:
  - The setback from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1 specified in the schedule to this zone or, if no setback is specified, 30 metres.
  - The setback from any other road or boundary specified in the schedule to this zone.
  - The distance from a dwelling not in the same ownership specified in the schedule to this zone.
  - 100 metres from a waterway, wetlands or designated flood plain.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

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<td>Construct a building or construct or carry out works with an estimated cost of up to $250,000 where the land is not:</td>
<td>Clause 59.13</td>
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<tr>
<td>- Used for Domestic animal husbandry, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry.</td>
<td></td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td>Any works must not be earthworks specified in the schedule to the zone.</td>
</tr>
</tbody>
</table>

Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General issues

- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development.
Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.

**Agricultural issues**
- The capacity of the site to sustain the agricultural use.
- Any integrated land management plan prepared for the site.
- The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agricultural and other land uses.

**Environmental issues**
- The impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emission of noise, dust and odours.
- The impact of the use or development on the flora, fauna and landscape features of the locality.
- The need to protect and enhance the biodiversity of the area, including the need to retain vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

**Design and siting issues**
- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use or development will require traffic management measures.

**Signs**
Sign requirements are at Clause 52.05. This zone is in Category 3.
## SCHEDULE TO CLAUSE 35.03 RURAL LIVING ZONE

Shown on the planning scheme map as **RLZ**.

### Subdivision and other requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Land Identification</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>Land identified on Map 1 attached to this schedule as: Area A</td>
<td>1ha</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to use land for a dwelling (hectares).</td>
<td>Land identified on Map 1 attached to this schedule as: Area A</td>
<td>1ha</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a road (metres).</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a boundary (metres).</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a dwelling not in the same ownership (metres).</td>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
<td>None specified</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>None specified</td>
</tr>
</tbody>
</table>
Map 1 to the Schedule to Clause 35.03
GREEN WEDGE ZONE

Shown on the planning scheme map as GWZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for the use of land for agriculture.

To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.

To encourage use and development that is consistent with sustainable land management practices.

To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.

To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.

To protect and conserve the biodiversity of the area.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Must be no more than 100 poultry (not including emus or ostriches).</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>Must not be within 100 metres of a dwelling in separate ownership. The area used for the display and sale of primary produce must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Rural store</td>
<td>Must be used in conjunction with Agriculture.</td>
</tr>
<tr>
<td></td>
<td>Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres.</td>
</tr>
<tr>
<td></td>
<td>Must be the only Rural store on the lot.</td>
</tr>
<tr>
<td>Tramway</td>
<td></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>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>Animal production (other than Broiler farm, Cattle feedlot and Grazing animal production)</td>
<td></td>
</tr>
<tr>
<td>Broiler farm - if the Section 1 condition to Poultry farm is not met</td>
<td>Must meet the requirements of Clause 53.09.</td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Cattle feedlot</td>
<td>Must meet the requirements of Clause 53.08.</td>
</tr>
<tr>
<td></td>
<td>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.04-2.</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.04-2.</td>
</tr>
<tr>
<td>Exhibition centre</td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td>The goods stored must be agricultural produce, or products used in agriculture.</td>
</tr>
<tr>
<td>Function centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td></td>
<td>The number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Group accommodation</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry, or Winery.                                                                                      The number of dwellings must not exceed the number specified in a schedule to the zone or 40 dwellings, whichever is the lesser. The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>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. The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Residential hotel</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. The number of bedrooms must not exceed the number specified in a schedule to the zone or 80 bedrooms, whichever is the lesser. The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. The number of patrons present must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser. If used in conjunction with Function centre, the total number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser. The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td>Must not be used for more than 30 days in a calendar year.</td>
</tr>
<tr>
<td>Rice growing</td>
<td></td>
</tr>
<tr>
<td>Rural industry</td>
<td></td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td>Solid fuel depot</td>
<td></td>
</tr>
<tr>
<td>Timber production</td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
<tr>
<td>Transfer station</td>
<td>Must not include the collecting, storing or processing of used or scrap construction and demolition materials.</td>
</tr>
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<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Vehicle store</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
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</table>
Section 3 - Prohibited

Use

Accommodation (other than Camping and caravan park, Dependent person’s unit, Dwelling, Group accommodation, Host farm and Residential building)
Brothel
Cinema based entertainment facility
Display home centre
Education centre (other than Primary school and Secondary school)
Freeway service centre
Funeral parlour
Hospital
Industry (other than Materials recycling, Refuse disposal, Transfer station, Research and development centre and Rural industry)
Motor racing track
Office
Nightclub
Retail premises (other than Manufacturing sales, Market, Plant nursery, Primary produce sales and Restaurant)
Service station
Warehouse (other than Freezing and cool storage, Milk depot, Rural store, Solid fuel depot and Vehicle store)

Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

Subdivision

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.
The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

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**Long term lease or licence for accommodation**

A permit is required to lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation.

Each portion of a lot leased or licensed for the purpose of Accommodation must be at least the minimum subdivision area specified for the land in a schedule to this zone. If no area is specified, each portion of a lot leased or licensed for the purpose of Accommodation must be at least 40 hectares.

**Buildings and works**

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.04-1. This does not apply to:
  - An alteration or extension to an existing dwelling with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 50 square metres.
  - An alteration or extension to an existing building used for agriculture with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. The building must not be used to keep, board, breed or train animals.
  - A rainwater tank.

- Earthworks specified in a schedule to this zone, if on land specified in a schedule.

- A building which is within any of the following setbacks:
  - 100 metres from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1.
  - 40 metres from a Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2.
  - 20 metres from any other road.
  - 5 metres from any other boundary.
100 metres from a dwelling not in the same ownership.
100 metres from a waterway, wetlands or designated flood plain.

- Permanent or fixed feeding infrastructure for season or supplementary feeding for grazing animal production constructed within 100 metres of:
  - A waterway, wetland or designated floor plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

VicSmart applications

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<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
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<tr>
<td>Any works must not be earthworks specified in the schedule to the zone.</td>
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Decision guidelines

Before deciding on an application to use or subdivide land, lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General issues

- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development.
- How the use or development relates to rural land use, rural diversification, natural resource management, natural or cultural heritage management, recreation or tourism.
- Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.
- Whether the use or development is essential to the health, safety or well-being of the State or area but is not appropriate to locate in an urban area because of the effect it may have on existing or proposed urban areas or the effect that existing or proposed urban areas may have on the proposed use or development.
- The need to minimise adverse impacts on the character and appearance of the area or features of architectural, scientific or cultural heritage significance, or of natural scenic beauty.
Rural issues

- The maintenance of agricultural production and the impact on the rural economy.
- The environmental capacity of the site to sustain the rural enterprise.
- The need to prepare an integrated land management plan.
- The impact on the existing and proposed rural infrastructure.
- The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agriculture and other land uses.
- The protection and retention of land for future sustainable agricultural activities.

Environmental issues

- The impact of the use or development on the flora and fauna on the site and its surrounds.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- How the use or development relates to sustainable land management and the need to prepare an integrated land management plan.
- The location of on site effluent disposal areas to minimise impact of nutrient loads on waterways and native vegetation.

Design and siting issues

- The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.
- The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.
- The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.

Primary school or secondary school issues

- Access being provided via an all-weather road with dimensions adequate to accommodate emergency vehicles and not rely on local residential streets for access.
- Access by public transport, or if public transport is not available or adequate, transport may be provided by the school. Where transport is provided by the school the parking of buses should be accommodated on site.
- Connection to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- Connection to a reticulated potable water supply or an alternative potable water supply with adequate storage for school use as well as for fire fighting purposes.
- Connection to a reticulated electricity supply or an alternative energy source.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.
SCHEDULE TO CLAUSE 35.04 GREEN WEDGE ZONE

Shown on the planning scheme map as GWZ.

### Subdivision and other requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>Land identified on the map attached to this schedule as:</td>
</tr>
<tr>
<td></td>
<td>- Area A 80 hectares</td>
</tr>
<tr>
<td></td>
<td>- Area B 12 hectares</td>
</tr>
<tr>
<td></td>
<td>- Area C 8 hectares</td>
</tr>
<tr>
<td></td>
<td>- Area D 6 hectares</td>
</tr>
<tr>
<td>Function centre (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Group accommodation (number of dwellings).</td>
<td>None specified</td>
</tr>
<tr>
<td>Residential hotel (number of bedrooms).</td>
<td>None specified</td>
</tr>
<tr>
<td>Restaurant (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
<th>Permit requirement for earthworks</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
</tr>
<tr>
<td>None specified</td>
<td>Earthworks which increase the discharge of saline groundwater.</td>
</tr>
<tr>
<td>All land</td>
<td>Earthworks which involve the receipt, importation, stockpiling or placement of more than 100 cubic metres of fill.</td>
</tr>
</tbody>
</table>
Map 1 to the Schedule to Clause 35.04

Green Wedge Zoned land not identified by this map as within Area A, B, C or D is not subject to the minimum subdivision controls specified in this schedule.
GREEN WEDGE A ZONE

Shown on the planning scheme map as GWAZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for the use of land for agriculture.

To protect, conserve and enhance the biodiversity, natural resources, scenic landscapes and heritage values of the area.

To ensure that use and development promotes sustainable land management practices and infrastructure provision.

To protect, conserve and enhance the cultural heritage significance and the character of rural and scenic non-urban landscapes.

To recognise and protect the amenity of existing rural living areas.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</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>Bed and breakfast</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Must be no more than 100 poultry (not including emus or ostriches).</td>
</tr>
<tr>
<td></td>
<td>Must be no more than 10 emus and ostriches.</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>Must not be within 100 metres of a dwelling in separate ownership.</td>
</tr>
<tr>
<td></td>
<td>The area used for the display and sale of primary produce must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Rural store</td>
<td>Must be used in conjunction with Agriculture.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>---------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Tramway</td>
<td>Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres. Must be the only Rural store on the lot.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td><strong>Section 2 - Permit required</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Use</strong></td>
<td><strong>Condition</strong></td>
</tr>
<tr>
<td>Animal production (other than Broiler farm and Intensive animal production)</td>
<td></td>
</tr>
<tr>
<td>Broiler farm - if the Section 1 condition to Poultry farm is not met</td>
<td>Must be no more than 10,000 chickens.</td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot. Must meet the requirements of Clause 35.05-2.</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling. Must meet the requirements of Clause 35.05-2.</td>
</tr>
<tr>
<td>Exhibition centre</td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td>The goods stored must be agricultural produce, or products used in agriculture. Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Function centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. The number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser. The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.</td>
</tr>
<tr>
<td>Group accommodation</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry, or Winery.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Hall</td>
<td>The number of dwellings must not exceed the number specified in a schedule to the zone or 40 dwellings, whichever is the lesser. The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.</td>
</tr>
<tr>
<td>Host farm</td>
<td></td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>Must be for equestrian based leisure, recreation or sport.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Indoor recreation facility, Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>Must be for outdoor leisure, recreation or sport.</td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of worship</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Primary school</td>
<td></td>
</tr>
<tr>
<td>Racing dog husbandry - if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td>Research centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.</td>
</tr>
<tr>
<td>Residential building (other than Residential hotel)</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. Must be used to provide accommodation for persons away from their normal place of residence. The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. The number of patrons present must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser. If used in conjunction with Function centre, the total number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</td>
</tr>
</tbody>
</table>
### Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>The lot on which the use is conducted must be at least the minimum</td>
<td></td>
</tr>
<tr>
<td>subdivision area specified in a schedule to this zone. If no area</td>
<td></td>
</tr>
<tr>
<td>is specified, the lot must be at least 8 hectares.</td>
<td></td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td>Must not be used for more than 30 days in a calendar year.</td>
</tr>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
<td></td>
</tr>
<tr>
<td>Rice growing</td>
<td></td>
</tr>
<tr>
<td>Rural store – if the Section 1 condition is not met</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods,</td>
</tr>
<tr>
<td></td>
<td>or motor vehicles used in conjunction with the occupation of a resident of a</td>
</tr>
<tr>
<td></td>
<td>dwelling on the lot.</td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td>Timber production</td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Vehicle store</td>
<td>Must be in a building not a dwelling and used to store motor vehicles used</td>
</tr>
<tr>
<td></td>
<td>in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
</tr>
<tr>
<td>Accommodation (other than Camping and caravan park, Dependent person’s unit, Dwelling, Group accommodation, Host farm and Residential building)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Display home centre</td>
</tr>
<tr>
<td>Education centre (other than Primary school and Secondary school)</td>
</tr>
<tr>
<td>Freeway service centre</td>
</tr>
<tr>
<td>Funeral parlour</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Industry (other than Rural industry)</td>
</tr>
<tr>
<td>Intensive animal production</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Office</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Circus, Exhibition centre, Function centre, Hall, Place of worship and Restricted place of assembly)</td>
</tr>
<tr>
<td>Retail premises (other than Market, Plant nursery, Primary produce sales and Restaurant)</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
</tbody>
</table>
Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

Subdivision

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 8 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- Each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td></td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>
### Long term lease or licence for accommodation

A permit is required to lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation.

Each portion of a lot leased or licensed for the purpose of Accommodation must be at least the minimum subdivision area specified for the land in a schedule to this zone. If no area is specified, each portion of a lot leased or licensed for the purpose of Accommodation must be at least 8 hectares.

### Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.05-1. This does not apply to:
  - An alteration or extension to an existing dwelling with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 50 square metres.
  - A rainwater tank.
- Earthworks specified in a schedule to this zone, if on land specified in a schedule.
- A building which is within any of the following setbacks:
  - 30 metres from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1.
  - 20 metres from a Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2.
  - 10 metres from any other road.
  - 5 metres from any other boundary.
  - 30 metres from a dwelling not in the same ownership.
  - 100 metres from a waterway, wetlands or designated flood plain.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.
Class of application

- Within 30 metres of land (not a road) which is in a residential zone.

Information requirements and decision guidelines

Any works must not be earthworks specified in the schedule to the zone.

Decision guidelines

Before deciding on an application to use or subdivide land, lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General issues

- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development, addressing site quality attributes including soil type, soil fertility, soil structure, soil permeability, aspect, contour and drainage patterns.
- How the use or development relates to agricultural land use, rural diversification and natural resource management.
- Whether the site is suitable for the use or development and whether the proposal will have an adverse impact on surrounding land uses.
- The need to protect the amenity of existing residents.
- The need to minimise adverse impacts on the character and appearance of the area or features of architectural, scientific or cultural heritage significance, or of natural scenic beauty or importance.

Rural issues

- The maintenance of agricultural production and the impact on the local rural economy.
- The need to prepare an integrated land management plan.
- The impact on the existing and proposed rural infrastructure.
- The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agricultural and other land uses.
- Protection and retention of land for future sustainable agricultural activities.

Environmental issues

- The impact of the use or development on the flora and fauna on the site and its surrounds.
- An assessment of the likely environmental impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emission of effluent, noise, dust and odours.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and fauna habitat and the revegetation of land including riparian buffers along waterways, gullies, ridge lines, property boundaries and saline recharge and discharge areas.
How the use or development relates to sustainable land management and the need to prepare a sustainable land management plan.

The location of on site effluent disposal areas to minimise impact of nutrient loads on waterways and native vegetation.

**Design and siting issues**

- The need to minimise adverse impacts of the siting, design, height, bulk, colours and materials to be used on major roads, landscape features and vistas.
- The location and design of existing and proposed infrastructure services including gas, water, drainage, telecommunications and sewerage facilities which minimise the visual impact on the landscape.
- The location and design of existing and proposed roads and their impact on the landscape and whether the use or development will require traffic management programs.

**Primary school or secondary school issues**

- Access being provided via an all-weather road with dimensions adequate to accommodate emergency vehicles and not rely on local residential streets for access.
- Access by public transport, or if public transport is not available or adequate, transport may be provided by the school. Where transport is provided by the school the parking of buses should be accommodated on site.
- Connection to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- Connection to a reticulated potable water supply or an alternative potable water supply with adequate storage for school use as well as for fire fighting purposes.
- Connection to a reticulated electricity supply or an alternative energy source.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 3.
SCHEDULE TO CLAUSE 35.05 GREEN WEDGE A ZONE

Shown on the planning scheme map as **GWAZ**.

### Subdivision and other requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>Land identified on Map 1, Map 2 and Map 3 attached to this schedule as:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Area A</td>
<td>8 ha</td>
</tr>
<tr>
<td></td>
<td>Area B</td>
<td>6 ha</td>
</tr>
<tr>
<td></td>
<td>Area C</td>
<td>1 ha</td>
</tr>
<tr>
<td>Function centre (number of patrons).</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Group accommodation (number of dwellings).</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Residential building (number of bedrooms).</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Restaurant (number of patrons).</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
<td>None specified</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>None specified</td>
</tr>
<tr>
<td>Earthworks which involve the receipt, importation, stockpiling or placement of more than 100 cubic metres of fill.</td>
<td>All land</td>
</tr>
</tbody>
</table>
Map 1 to the Schedule to Clause 35.05
Map 3 to the Schedule to Clause 35.05
RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ** with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To conserve the values specified in a schedule to this zone.

To protect and enhance the natural environment and natural processes for their historic, archaeological and scientific interest, landscape, faunal habitat and cultural values.

To protect and enhance natural resources and the biodiversity of the area.

To encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.

To provide for agricultural use consistent with the conservation of environmental and landscape values of the area.

To conserve and enhance the cultural significance and character of open rural and scenic non urban landscapes.

**Table of uses**

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Bed and breakfast</strong></td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td><strong>Domestic animal husbandry (other than Domestic animal boarding)</strong></td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td><strong>Home based business</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Informal outdoor recreation</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Poultry farm</strong></td>
<td>Must be no more than 100 poultry (not including emus or ostriches).</td>
</tr>
<tr>
<td></td>
<td>Must be no more than 10 emus and ostriches.</td>
</tr>
<tr>
<td><strong>Racing dog husbandry</strong></td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td><strong>Railway</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Tramway</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Any use listed in Clause 62.01</strong></td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>
Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Apiculture, Broiler farm, Domestic animal husbandry, Intensive animal production, Racing dog husbandry, Rice growing and Timber production)</td>
<td>Must be no more than 10,000 chickens.</td>
</tr>
<tr>
<td>Broiler farm - if the Section 1 condition to Poultry farm is not met</td>
<td>Must be no more than 10,000 chickens.</td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>Must be the only dependent person's unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.06-2.</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling. Must meet the requirements of Clause 35.06-2.</td>
</tr>
<tr>
<td>Emergency services facility</td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td></td>
</tr>
<tr>
<td>Group accommodation</td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td></td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Primary produce sales</td>
<td></td>
</tr>
<tr>
<td>Primary school</td>
<td></td>
</tr>
<tr>
<td>Racing dog husbandry - if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td>Recreational boat facility</td>
<td></td>
</tr>
<tr>
<td>Renewable energy facility (other than Wind energy facility)</td>
<td>Must meet the requirements of Clause 53.13.</td>
</tr>
<tr>
<td>Residential hotel</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td></td>
</tr>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
<td></td>
</tr>
<tr>
<td>Rural store</td>
<td></td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td>Timber production</td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
</tbody>
</table>
### Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Must meet the requirements of Clause 52.32.</td>
</tr>
<tr>
<td>Winery</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

#### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
</tr>
<tr>
<td>Accommodation (other than Bed and breakfast, Dependent person’s unit, Dwelling, Group accommodation, Host farm and Residential hotel)</td>
</tr>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Education centre (other than Primary school and Secondary school)</td>
</tr>
<tr>
<td>Industry (other than Rural industry)</td>
</tr>
<tr>
<td>Intensive animal production</td>
</tr>
<tr>
<td>Office</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival and Circus)</td>
</tr>
<tr>
<td>Retail premises (other than Landscape gardening supplies, Market, Primary produce sales and Restaurant)</td>
</tr>
<tr>
<td>Rice growing</td>
</tr>
<tr>
<td>Sawmill</td>
</tr>
<tr>
<td>Transport terminal</td>
</tr>
<tr>
<td>Warehouse (other than Freezing and cool storage and Rural store)</td>
</tr>
</tbody>
</table>

#### Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.
**Subdivision**

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- Each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td></td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td>Clause 59.12</td>
</tr>
</tbody>
</table>

**Long term lease or licence for accommodation**

A permit is required to lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation.

Each portion of a lot leased or licensed for the purpose of Accommodation must be at least the area specified as the minimum subdivision area for the land in a schedule to this zone. If no area is specified, each portion of a lot leased or licensed for the purpose of Accommodation must be at least 40 hectares.

This provision only applies to land in Metropolitan Melbourne.

**Buildings and works**

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.06-1. This does not apply to:
  - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension does not exceed the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.
- An out-building associated with an existing dwelling provided the floor area of the out-building does not exceed the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

- An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension does not exceed the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres. The building must not be used to keep, board, breed or train animals.

- A rainwater tank.

- Earthworks specified in a schedule to this zone, if on land specified in a schedule.

- A building which is within any of the following setbacks:
  - 100 metres from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1.
  - 40 metres from a Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2.
  - 20 metres from any other road.
  - 5 metres from any other boundary.
  - 100 metres from a dwelling not in the same ownership.
  - 100 metres from a waterway, wetlands or designated flood plain.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $250,000 where the land is not:</td>
<td>Clause 59.13</td>
</tr>
<tr>
<td>- Used for Domestic animal husbandry, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry.</td>
<td></td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>Any works must not be earthworks specified in the schedule to the zone.</td>
<td></td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application to use or subdivide land, lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General issues**


- Any Regional Catchment Strategy and associated plan applying to the land.

- The capability of the land to accommodate the proposed use or development.

- How the use or development conserves the values identified for the land in a schedule.
Whether use or development protects and enhances the environmental, agricultural and landscape qualities of the site and its surrounds.

Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.

Rural issues

- The environmental capacity of the site to sustain the rural enterprise.
- The need to prepare an integrated land management plan.
- The impact on the existing and proposed infrastructure.
- Whether the use or development will have an adverse impact on surrounding land uses.

Environmental issues

- An assessment of the likely environmental impact on the biodiversity and in particular the flora and fauna of the area.
- The protection and enhancement of the natural environment of the area, including the retention of vegetation and faunal habitats and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
- How the use and development relates to sustainable land management and the need to prepare an integrated land management plan which addresses the protection and enhancement of native vegetation and waterways, stabilisation of soil and pest plant and animal control.
- The location of on site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

Dwelling issues

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.

Design and siting issues

- The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.
- The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.
- The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of roads and existing and proposed infrastructure services to minimise the visual impact on the landscape.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4.
SCHEDULE 1 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ1**.

CONSERVATION VALUES

The land is within or proximate to the Mount Ridley Grassland and Woodland Reserve. The land is within the Victorian Volcanic Plain bio-region and supports remnant patches of Plains Grassy Woodland (EVC 55_61) which is listed as having national environmental significance under the *Environmental Protection and Biodiversity Conservation Act* (EPBC Act). Many of the patches are of Very High Conservation Significance and contain scattered large old trees, predominantly River Red Gum (*Eucalyptus camaldulensis*).

These areas provide habitat for a wide range of flora and fauna species including:

- Golden Sun Moth (Critically Endangered – EPBC Act and Endangered in Victoria and listed as threatened under the FFG Act),
- Grey Headed Flying Fox is considered a transient visitor to the Woodlands (Vulnerable - EPBC Act and Endangered in Victoria and listed as threatened under the FFG Act),
- Yellow-bellied Sheathtail Bat was recorded at the site although considered to be a vagrant to Victoria (Listed as threatened under the FFG Act),
- Matted Flax Lilly was recorded amongst exposed rock in slight depressions (Endangered – EPBC Act and Endangered in Victoria and listed as threatened under the FFG Act).

1.0

Subdivision and other requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

**Permit requirement for earthworks**

<table>
<thead>
<tr>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
</tr>
</tbody>
</table>
SCHEDULE 2 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as RCZ2.

CONSERVATION VALUES

The land is within the Victorian Volcanic Plain bio-region and supports remnant patches of Plains Grassy Woodland, Creekline Grassy Woodland and Plains Grassland – all classified as Endangered. Scattered large old trees remain in a number of these patches, predominantly River Red Gum (Eucalyptus camaldulensis) and less frequently Swamp Gum (Eucalyptus ovata), Yellow Box (Eucalyptus meliodora) and Grey Box (Eucalyptus Microcarpa).

These areas provide habitat for a wide range of fauna species including the:

- Golden Sun Moth (Critically Endangered – EPBC Act and Endangered in Victoria and listed as threatened under the FFG Act), Growling Grass Frog (Vulnerable EPBC Act, Endangered in Victoria and listed as threatened under the FFG Act), Fat-tailed Dunnart (Near Threatened in Victoria) and Eastern Three-lined Skink Acrotoscinclus duperreyi.
- Bird species which utilise the large trees include Purple-crowned Lorikeet Glossopsitta porphyrocephala, White-fronted Chat Ep终身ura albifrons, Wedge-tailed Eagle Aquila audax and
- Species of Microbats including White-striped Freetail Bat Tadarida australis, Gould’s Wattled Bat Chalinolobus gouldii, Lesser Long-eared Bat Vespadelus darlingtoni and Little Forest Bat Vespadelus vulturnus were detected in hollows within large remnant eucalypts

Subdivision and other requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land None specified.</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>All land Zero</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres).</td>
<td>All land Zero</td>
</tr>
<tr>
<td>Maximum area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>All land Zero</td>
</tr>
</tbody>
</table>

Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
</tr>
</tbody>
</table>
SCHEDULE TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ3**.

**CONSERVATION VALUES**

Land in the drainage catchment of the Greenvale Reservoir is to be protected from a range of potential contaminants. Land use intensity and increased run-off must not lead to a decline in water quality and contamination through storm water run-off. The protection of storm-water run-off in the Reservoir is essential to the health of all communities that rely on it for drinking water.

### Subdivision and other requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td></td>
<td>40 hectares</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

**Permit requirement for earthworks**

<table>
<thead>
<tr>
<th>Land</th>
<th>Permit requirement for earthworks</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land</td>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
</tr>
<tr>
<td>All land</td>
<td>Earthworks which increase the discharge of saline groundwater.</td>
</tr>
</tbody>
</table>
SCHEDULE 4 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ4**.

**CONSERVATION VALUES**

The Merri Creek and its immediate surrounds host habitat and suitable potential habitat for the threatened Growling Grass Frog, a matter of national environmental significance. The creek has a unique role to play in the survival of the Growling Grass Frog and the vegetation and aquatic communities it inhabits that in other places have almost been totally destroyed. The creek environs also provide as safe environment for the movement of non-threatened birds and other wildlife.

Merri Creek is a major tributary of the Yarra River with a catchment of 396 square kilometres and a waterway length of some 60 kilometres. Revegetation works and parkland development including path and construction works have created a linear park of outstanding quality and landscape character – one which plays an important role in the park system of the metropolitan area.

The creek and its environs are a recreational open space linking the inner suburbs of Melbourne to rural areas in its upper reaches and connecting to the metropolitan wide open space and trail network. The recreation function provides valuable exposure to conservation environments.

Land in this zone includes: existing conservation reserves; areas of significant remnant native vegetation in the form of grasslands, woodlands, waterways and riparian environments; areas to be developed for conservation and a number of areas that provide habitat for threatened flora and fauna.

### 1.0 Subdivision and other requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>All land</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres).</td>
<td>All land</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>All land</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Permit requirement for earthworks</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
</tr>
<tr>
<td>None specified</td>
<td>Earthworks which increase the discharge of saline groundwater.</td>
</tr>
</tbody>
</table>
FARMING ZONE

Shown on the planning scheme map as **FZ** with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for the use of land for agriculture.

To encourage the retention of productive agricultural land.

To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.

To encourage the retention of employment and population to support rural communities.

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

### Table of uses

**Section 1 – Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>Must meet the requirements of Clause 53.08.</td>
</tr>
<tr>
<td></td>
<td>The total number of cattle to be housed in the cattle feedlot must be 1000 or less.</td>
</tr>
<tr>
<td></td>
<td>The site must be located outside a special water supply catchment under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td></td>
<td>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.</td>
</tr>
<tr>
<td>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 5 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot.</td>
</tr>
<tr>
<td></td>
<td>The lot must be at least the area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Must be no more than 100 poultry (not including emus or ostriches).</td>
</tr>
<tr>
<td></td>
<td>Must be no more than 10 emus and ostriches.</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>Must not be within 100 metres of a dwelling in separate ownership.  The area used for the display and sale of primary produce must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
<td>Must not have a gross floor area more than 200 square metres.  Must not be within 100 metres of a dwelling in separate ownership. Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.  The land must be at least the following distances from land (not a road) which is in a residential zone or Rural Living Zone:  - The threshold distance, for a purpose listed in the table to Clause 53.10.  - 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Rural store</td>
<td>Must be used in conjunction with Agriculture.</td>
</tr>
<tr>
<td></td>
<td>Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres.</td>
</tr>
<tr>
<td></td>
<td>Must be the only Rural store on the lot.</td>
</tr>
<tr>
<td>Timber production</td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
<tr>
<td></td>
<td>The plantation area must not exceed any area specified in a schedule to this zone. Any area specified must be at least 40 hectares.</td>
</tr>
<tr>
<td></td>
<td>The total plantation area (existing and proposed) on contiguous land which was in the same ownership on or after 28 October 1993 must not exceed any scheduled area.  The plantation must not be within 100 metres of:  - Any dwelling in separate ownership.  - Any land zoned for residential, commercial or industrial use.  - Any site specified on a permit which is in force which permits a dwelling to be constructed.  The plantation must not be within 20 metres of a powerline whether on private or public land, except with the consent of the relevant electricity supply or distribution authority.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Tramway</td>
<td>Must meet requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td></td>
</tr>
<tr>
<td>Section 2 – Permit required</td>
<td></td>
</tr>
<tr>
<td>Abattoir</td>
<td></td>
</tr>
<tr>
<td>Animal production (other than Broiler farm, Cattle feedlot and Grazing animal production)</td>
<td></td>
</tr>
<tr>
<td>Broiler farm - if the Section 1 condition to Poultry farm is not met</td>
<td>Must meet the requirements of Clause 53.09.</td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Cattle feedlot – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.08.</td>
</tr>
<tr>
<td></td>
<td>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.</td>
</tr>
<tr>
<td>Cemetery</td>
<td></td>
</tr>
<tr>
<td>Crematorium</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td>Emergency services facility</td>
<td></td>
</tr>
<tr>
<td>Freeway service centre</td>
<td>Must meet the requirements of Clause 53.05.</td>
</tr>
<tr>
<td>Group accommodation</td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Rural industry)</td>
<td></td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
</tbody>
</table>
## Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:
- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.

- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.

- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.

- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

### Subdivision

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.

- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.

- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- Each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td></td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td>Clause 59.12</td>
</tr>
</tbody>
</table>

### Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.07-1. This does not apply to:
  - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.
- An out-building associated with an existing dwelling provided the floor area of the out-building is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

- An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 200 square metres. Any area specified must be more than 200 square metres. The building must not be used to keep, board, breed or train animals.

- A rainwater tank.

- Earthworks specified in a schedule to this zone, if on land specified in a schedule.

- A building which is within any of the following setbacks:
  - The setback from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1 specified in a schedule to this zone or, if no setback is specified, 50 metres.
  - The setback from any other road or boundary specified in a schedule to this zone.
  - The setback from a dwelling not in the same ownership specified in a schedule to this zone.
  - 100 metres from a waterway, wetlands or designated flood plain.

- Permanent or fixed feeding infrastructure for seasonal or supplementary feeding for grazing animal production constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works associated with a Section 1 use in the Table of uses of the zone with an estimated cost of up to $500,000.</td>
<td>Clause 59.13</td>
</tr>
</tbody>
</table>

Any works must not be earthworks specified in the schedule to the zone.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works associated with a Section 2 use in the Table of uses of the zone with an estimated cost of up to $500,000 where the land is not:</td>
<td>Clause 59.13</td>
</tr>
</tbody>
</table>

  - Used for Domestic animal husbandry, Intensive animal production, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry.

  - Within 30 metres of land (not a road) which is in a residential zone.

Any works must not be earthworks specified in the schedule to the zone.

**Application requirements for dwellings**

An application to use a lot for a dwelling must be accompanied by a written statement which explains how the proposed dwelling responds to the decision guidelines for dwellings in the zone.
Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General issues

- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development relates to sustainable land management.
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.
- How the use and development makes use of existing infrastructure and services.

Agricultural issues and the impacts from non-agricultural uses

- Whether the use or development will support and enhance agricultural production.
- Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.
- The capacity of the site to sustain the agricultural use.
- The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.
- Any integrated land management plan prepared for the site.

Dwelling issues

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

Environmental issues

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.
- The impact of the use or development on the flora and fauna on the site and its surrounds.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.
Design and siting issues

- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.

- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.

- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.

- Whether the use and development will require traffic management measures.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4.
**SCHEDULE 1 TO CLAUSE 35.07 FARMING ZONE**

Shown on the planning scheme map as **FZ1**.

### Subdivision and other requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>700 Hume Highway, Craigieburn (Lot 1 on Plan of Subdivision 518233P) 18.05 hectares for the purpose of a conservation area</td>
</tr>
<tr>
<td>All other land</td>
<td>80 hectares</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to use land for a dwelling (hectares).</td>
<td>None specified None specified</td>
</tr>
<tr>
<td>Maximum area for which no permit is required to use land for timber production (hectares).</td>
<td>None specified None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)</td>
<td>None specified None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified None specified</td>
</tr>
<tr>
<td>Minimum setback from a road (metres).</td>
<td>A Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1 100 metres</td>
</tr>
<tr>
<td></td>
<td>A Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2 40 metres</td>
</tr>
<tr>
<td></td>
<td>Any other road 20 metres</td>
</tr>
<tr>
<td>Minimum setback from a boundary (metres).</td>
<td>Any other boundary 5 metres</td>
</tr>
<tr>
<td>Minimum setback from a dwelling not in the same ownership (metres).</td>
<td>Any dwelling not in the same ownership 100 metres</td>
</tr>
</tbody>
</table>

### Permit requirement for earthworks

<p>| Land | Earthworks which change the rate of flow or the discharge point of water across a property boundary. None specified |</p>
<table>
<thead>
<tr>
<th>Permit requirement for earthworks</th>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>None specified</td>
</tr>
<tr>
<td>Earthworks which involve the receipt, importation, stockpiling or placement of more than 100 cubic metres of fill.</td>
<td>All land</td>
</tr>
</tbody>
</table>
HUME PLANNING SCHEME

SCHEDULE 3 TO CLAUSE 35.07 FARMING ZONE

Shown on the planning scheme map as FZ3.

Subdivision and other requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to use land for a dwelling (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Maximum area for which no permit is required to use land for timber production (hectares).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a road (metres).</td>
<td>A Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1</td>
</tr>
<tr>
<td></td>
<td>A Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2</td>
</tr>
<tr>
<td></td>
<td>Any other road</td>
</tr>
<tr>
<td>Minimum setback from a boundary (metres).</td>
<td>Any other boundary</td>
</tr>
<tr>
<td>Minimum setback from a dwelling not in the same ownership (metres).</td>
<td>Any dwelling not in the same ownership</td>
</tr>
</tbody>
</table>

Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
</tr>
<tr>
<td>Earthworks which involve the receipt, importation, stockpiling or placement of more than 100 cubic metres of fill.</td>
</tr>
</tbody>
</table>
PUBLIC USE ZONE

Shown on the planning scheme map as PUZ with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise public land use for public utility and community services and facilities.
To provide for associated uses that are consistent with the intent of the public land reservation or purpose.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Railway station</td>
<td>The total leasable floor area for the selling of food, drink and other</td>
</tr>
<tr>
<td></td>
<td>convenience goods and services must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Any other use</td>
<td>The use must be for the purpose described in the table to Clause 36.01-6 which corresponds to the notation on the planning scheme map.</td>
</tr>
<tr>
<td></td>
<td>The use must be carried out by or on behalf of the public land manager.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
</tr>
</tbody>
</table>

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works for any use in Section 2 of Clause 36.01-1. This does not apply to navigational beacons and aids.
- Subdivide land.

Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
To the application for permit being made and to the proposed use or development.

### Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The comments of any Minister or public land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

### Permit not required

A permit is not required to use land, or to construct a building or construct or carry out works on land, listed in a schedule to this zone, provided any condition in the schedule is complied with.

### Table of public land use

<table>
<thead>
<tr>
<th>Shown on the planning scheme map</th>
<th>Purpose of public land use</th>
</tr>
</thead>
<tbody>
<tr>
<td>PUZ1</td>
<td>Service &amp; Utility</td>
</tr>
<tr>
<td>PUZ2</td>
<td>Education</td>
</tr>
<tr>
<td>PUZ3</td>
<td>Health &amp; Community</td>
</tr>
<tr>
<td>PUZ4</td>
<td>Transport</td>
</tr>
<tr>
<td>PUZ5</td>
<td>Cemetery/Crematorium</td>
</tr>
<tr>
<td>PUZ6</td>
<td>Local Government</td>
</tr>
<tr>
<td>PUZ7</td>
<td>Other public use</td>
</tr>
</tbody>
</table>

### Signs

Sign requirements are at Clause 52.05. This zone, except for the PUZ4 (Transport), is in Category 4 unless a different requirement is specified in the schedule to this zone.

For land within the PUZ4 (Transport), the sign category which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

Where the Road Zone is the nearest adjoining zone, a permit is required to display a sign.
# SCHEDULE TO CLAUSE 36.01 PUBLIC USE ZONE

## Permit exemptions and conditions

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>

## Sign requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>
PUBLIC PARK AND RECREATION ZONE

Shown on the planning scheme map as PPRZ.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise areas for public recreation and open space.
To protect and conserve areas of significance where appropriate.
To provide for commercial uses where appropriate.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Informal outdoor recreation</td>
<td>Must be conducted by or on behalf of the public land manager.</td>
</tr>
<tr>
<td></td>
<td>Must not be on coastal Crown land under the Coastal Management Act 1995.</td>
</tr>
<tr>
<td></td>
<td>Must not be costeaming or bulk sampling.</td>
</tr>
<tr>
<td>Open sports ground</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Contractor's depot</td>
<td>Must be either of the following:</td>
</tr>
<tr>
<td>Heliport</td>
<td>A use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958, or the Crown Land (Reserves) Act 1978.</td>
</tr>
<tr>
<td>Office</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Retail premises</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Store</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Any other use not in Section 3</td>
<td>A use specified in an Incorporated plan in a schedule to this zone.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractor's depot - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Heliport - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Office - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Retail premises - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Store - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
</tbody>
</table>
Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Corrective institution</td>
</tr>
<tr>
<td>Display home centre</td>
</tr>
<tr>
<td>Funeral parlour</td>
</tr>
<tr>
<td>Industry</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Transport terminal (other than Heliport)</td>
</tr>
<tr>
<td>Veterinary centre</td>
</tr>
<tr>
<td>Warehouse (other than Store)</td>
</tr>
</tbody>
</table>

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply to:
  - Pathways, trails, seating, picnic tables, drinking taps, shelters, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure.
  - Playground equipment or sporting equipment, provided these facilities do not occupy more than 10 square metres of parkland.
  - Navigational beacons and aids.
  - Planting or landscaping.
  - Fencing that is 1 metre or less in height above ground level.
  - A building or works shown in an Incorporated plan which applies to the land.
  - A building or works carried out by or on behalf of a public land manager or Parks Victoria under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978.

- Subdivide land.

Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.

- To the application for permit being made and to the proposed use or development.
**Exemption from notice and review**

An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

**Decision guidelines**

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

**Incorporated plan**

An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of any proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses or a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.
- The location of existing native and other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.

**Use and development of land identified in a schedule**

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.
SCHEDULE TO CLAUSE 36.02 PUBLIC PARK AND RECREATION ZONE

1.0
Permit exemptions and conditions

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>

2.0
Sign requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0
Use and development of land specified in an Incorporated Plan

None specified.
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><strong>Boat launching facility</strong></td>
<td>Must be either of the following:</td>
</tr>
<tr>
<td><strong>Caretaker’s house</strong></td>
<td>• Specified in an Incorporated plan in a schedule to this zone.</td>
</tr>
<tr>
<td><strong>Car park</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Informal outdoor recreation</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Interpretation centre</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Jetty</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Kiosk</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Marine dredging</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Mooring pole</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Open sports ground</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Pier</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Pontoon</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Road</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Utility installation (other than</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Telecommunications facility)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Any use listed in Clause 62.01</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Any other use not in Section 2 or 3</strong></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 <em>Local Government Act 1989</em>, the <em>Reference Areas Act 1978</em>, the <em>National Parks Act 1975</em>, the <em>Fisheries Act 1995</em>, the <em>Wildlife Act 1975</em>, the <em>Forests Act 1958</em>, the <em>Water Industry Act 1994</em>, the <em>Water Act 1989</em>, the <em>Marine Act 1988</em>, the <em>Port of Melbourne Authority Act 1958</em> or the <em>Crown Land (Reserves) Act 1978</em>.</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. Must meet the requirements of Clause 52.32.</td>
</tr>
</tbody>
</table>

## Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The use in Section 1 described as ‘Any other use not in Section 2 or 3’ – if the Section 1 condition is not met</td>
<td></td>
</tr>
</tbody>
</table>

### Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply to:
  - A building or works shown in an Incorporated plan which applies to the land.
  - A building or works specified in Clause 62.02-1 or 62.02-2 carried out by or on behalf of a public authority or municipal council, if the public authority or municipal council is carrying out functions, powers or duties conferred by or under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forests Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978.
  - A building or works carried out by or on behalf of a public land manager or Parks Victoria under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forests Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958, the Crown Land (Reserves) Act 1978, or the Road Management Act 2004.
- Subdivide land.

### Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.
Where there is no public land manager, an application for a permit must be accompanied by the written consent of the Secretary to the Department of Environment, Land, Water and Planning.

**Exemption from notice and review**

An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of section 52(1)(a), (b), and (d), the decision requirements of sections 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Referral of applications**

An application to use or develop land for the purpose of an emergency services facility must be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

**Decision guidelines**

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

**Incorporated plan**

An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses and a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.
- The location of existing native or other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural, heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.
Use and development of land identified in a schedule

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.
## SCHEDULE TO CLAUSE 36.03 PUBLIC CONSERVATION AND RESOURCE ZONE

### 1.0 Permit exemptions and conditions

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### 2.0 Sign requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### 3.0 Use and development of land specified in an Incorporated Plan

None specified.
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>
</tr>
</thead>
<tbody>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
</tr>
</tbody>
</table>

**Permit requirement**

A permit is required to:
- Construct a building or construct or carry out works for a use in Section 2 of Clause 36.04-1.
- Subdivide land.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:
- The views of the relevant road authority.
- The effect of the proposal on the operation of the road and on public safety.
Signs

Sign requirements are at Clause 52.05. A permit is required to display a sign over the road formation or over land within 600 millimetres of the road formation. For other land in this zone, the category of advertising control which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

Where the Public Use Zone 4 is the nearest adjoining zone, a permit is required to display a sign.
SPECIAL USE ZONE

Shown on the planning scheme map as SUZ with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To recognise or provide for the use and development of land for specific purposes as identified in a schedule to this zone.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 1 of the schedule to this zone</td>
<td>Must comply with any condition in Section 1 of the schedule to this zone</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 2 of the schedule to this zone</td>
<td>Must comply with any condition in Section 2 of the schedule to this zone</td>
</tr>
</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 where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Application requirements

An application to subdivide land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any guidelines in the schedule to this zone.
Buildings and works

Permit requirement
A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.
Any requirement in the schedule to this zone must be met.
An apartment development must meet the requirements of Clause 58.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 and the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>▪ Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>▪ Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
</tbody>
</table>

Transitional provisions
Clause 58 does not apply to:

▪ An application for a planning permit lodged before the approval date of Amendment VC136.
▪ An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Application requirements
An application to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.
An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

Exemption from notice and review
The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

▪ For an apartment development, the objectives, standards and decision guidelines of Clause 58.
▪ Any guidelines in the schedule to this zone.
Signs

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.
SCHEDULE 1 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ1.

EARTH AND ENERGY RESOURCES INDUSTRY

Purpose
To recognise or provide for the use and development of land for earth and energy resources industry.
To encourage interim use of the land compatible with the use and development of nearby land.
To encourage land management practice and rehabilitation that minimises adverse impact on the use and development of nearby land.

1.0  

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extensive animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal keeping, Animal training, Apiculture, Extensive animal husbandry, Horse stables, and Intensive animal husbandry)</td>
<td></td>
</tr>
<tr>
<td>Animal keeping (other than Animal boarding)</td>
<td>Must be no more than four animals.</td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Materials recycling, Refuse disposal, and Transfer station)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Circus and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Refuse disposal</td>
<td></td>
</tr>
<tr>
<td>Transfer station</td>
<td></td>
</tr>
</tbody>
</table>
Use of land
None specified.

Subdivision
None specified.

Buildings and works
Permit requirement
The requirement for a permit does not apply to the construction of a building or the construction or carrying out of works which are a modification necessary to comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.

Signs
None specified.
SCHEDULE 2 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ2.

GOONAWARRA GOLF COURSE

Purpose
To provide for areas in private ownership to be used as private sportsgrounds.
To encourage the orderly planning and development of these facilities in a manner which does not adversely affect the amenity of the neighbourhood.

1.0

Table of uses

Section 1 - Permit not 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>Mineral exploration</td>
<td></td>
</tr>
<tr>
<td>Mining</td>
<td>Must meet the requirements of Clause 52.08-2.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Search for Stone</td>
<td>Must not be costeaming or bulk sampling.</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>Car park</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td>Minor sports and recreation facility (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Circus and Carnival)</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use not in Section 1 or 2</td>
<td></td>
</tr>
</tbody>
</table>

2.0

Use of land

Amenity of the neighbourhood
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 from any building, works or materials.
- Emission of noise, artificial light, vibration, dust, waste water, or waste products.

**Application requirements**
An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the type of activities which will be carried out.
- The likely effects, if any, on adjoining land including noise levels, traffic, hours of operation, light spill, solar access and glare.
- The means of maintaining areas not required for the proposed use.

**Decision guidelines**
The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The effect that 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

**Decision guidelines**
The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The interface with adjoining zones, especially the relationship with residential areas.
- The effect the subdivision will have on the potential of the land to accommodate existing and potential future uses in accordance with the purpose of this zone.

### Buildings and works

**Permit Requirement**
A permit is not required to construct a building or construct or carry out any works which:

- Alter electrical or gas services or telephone lines.
- Alter plumbing services which do not affect the drainage of the land.
- Install a temporary shed or temporary structure for construction purposes.
- Provide for fire protection under the relevant legislation.

**Application Requirements**
An application to construct a building or construct and 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.
- Driveways, vehicle parking and loading areas.
- Proposed landscape areas.
- Areas not required for immediate use.

- Elevations 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.

**Decision Guidelines**

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The effect of the proposed buildings and works on the amenity of the neighbouring properties.
- The provision of landscaping.
- The provision of access and car parking, including pick up and drop off areas where appropriate.
- The interface with adjoining zones, especially the relationship with residential areas.
- The streetscape, including access from the street front, the treatment of fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces, and 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.
- The availability of and connection to services.
- The design of buildings to provide solar access.

**Signs**

None specified.
SCHEDULE 4 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ4.

CORINELLA CRESCENT EDUCATIONAL ESTABLISHMENT

Purpose

To provide for land in Corinella Crescent, Dallas occupied by the Australian Islamic Association, to be used primarily as an education centre and for a limited time as a place of worship and a place of assembly.

To ensure that the use and development of these facilities takes place in an orderly and proper manner, does not cause loss of amenity to the surrounding neighbourhood and recognises that the site is within the 20 ANEF and partly within the 25 ANEF aircraft noise affected area in the environs of Melbourne Airport.

Table of uses

1.0 Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Education 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 sports and recreation facility (other than Indoor recreation facility, Open sports ground, Outdoor recreation facility, and Restricted recreation facility)</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>Provided the floor area does not exceed 80m²</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Search for stone</td>
<td>Must not be costeaming or bulk sampling</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>Car park</td>
<td></td>
</tr>
<tr>
<td>Mineral, stone or soil extraction (other than Extractive industry, Mineral exploration, Mining and Search for stone)</td>
<td></td>
</tr>
<tr>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Circus and Carnival)</td>
<td></td>
</tr>
<tr>
<td>Shop</td>
<td></td>
</tr>
</tbody>
</table>
Section 3 - Prohibited

Use

Extractive industry
Indoor recreation facility
Open sports ground
Restricted recreation facility
Any use not in Section 1 or 2

Any use in Section 1 or 2, which is conducted other than between the hours of 7.00am and 11.00 p.m. or other hours to the satisfaction of the responsible authority.

Use of land
Referral
An application for a permit under Clause 1.0 of this Schedule must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause.

Effect on other controls
Section 1 and Section 2 uses in this Schedule are, subject to any relevant consent under Section 3, allowed by the scheme to be carried on in accordance with the provisions of this Schedule notwithstanding the provisions of Clause 45.02 of this scheme.

Expiry of uses
The land shall not continue to be used for a public Place of Worship or a public Place of Assembly after 1 July 2002, or such other later date as may be agreed to the satisfaction of the responsible authority.

Subdivision
An application must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause.

Buildings and works
An application must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause.

Decision Guidelines
The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The provision of land for landscaping and beautification.
- The effect of the proposed buildings and works on the amenity of the neighbourhood.
- The effect of the use on the amenity of the neighbourhood, including such matters as the hours of use and provision of car parking.
- Whether the design of the building incorporates appropriate noise attenuation measures.
- The views of Australia Pacific Airports (Melbourne) Pty Ltd.
Exemption from notice and appeal

An application for Office, Place of Assembly, Place of Worship and Shop 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.

Signs

None specified.
SCHEDULE 5 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ5.

MELBOURNE GREYHOUND RACING ASSOCIATION COMPLEX

Purpose

To provide for areas in private ownership to be used as regional sporting establishments.
To encourage the orderly planning and development of these facilities in a manner which does not adversely affect the amenity of the neighbourhood.

1.0

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Camping ground, Corrective institution, Dwelling (other than Caretakers house), Host farm and Residential village)</td>
<td>The land must be used in accordance with a Master Plan approved by the responsible authority.</td>
</tr>
<tr>
<td>Animal keeping</td>
<td></td>
</tr>
<tr>
<td>Animal training</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises</td>
<td></td>
</tr>
<tr>
<td>Gambling premises</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>The land must be used in accordance with a Master Plan approved by the responsible authority.</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 (other than Outdoor recreation facility)</td>
<td>The land must be used in accordance with a Master Plan approved by the Responsible Authority.</td>
</tr>
<tr>
<td>Office</td>
<td>The land must be used in accordance with a Master Plan approved by the Responsible Authority.</td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Circus, Drive-in theatre and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Search for stone</td>
<td>Must not be costeanning or bulk sampling</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>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
<td></td>
</tr>
<tr>
<td>Carnival</td>
<td></td>
</tr>
<tr>
<td>Circus</td>
<td></td>
</tr>
<tr>
<td>Drive-in theatre</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Nightclub</td>
<td></td>
</tr>
<tr>
<td>Outdoor recreation 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>Brothel</td>
</tr>
<tr>
<td>Camping ground</td>
</tr>
<tr>
<td>Cemetery</td>
</tr>
<tr>
<td>Crematorium</td>
</tr>
<tr>
<td>Dwelling (other than Caretakers house)</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Host farm</td>
</tr>
<tr>
<td>Industry</td>
</tr>
<tr>
<td>Mineral, stone or soil extraction</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Residential village</td>
</tr>
<tr>
<td>Retail premises</td>
</tr>
<tr>
<td>Service station</td>
</tr>
<tr>
<td>Transport terminal</td>
</tr>
<tr>
<td>Utility installation</td>
</tr>
<tr>
<td>Warehouse</td>
</tr>
</tbody>
</table>

Use of land

Prior to the commencement of any use or development, a Master Plan, drawn to scale, must be submitted for assessment and approval by the responsible authority.

The Master Plan must show:

- The boundaries and dimensions of the site.
- The location of roads and accessways.
- Relevant ground levels and the extent of any earthmoving works.
- The layout of existing and proposed buildings and works including signs.
- The location, height and purpose of all buildings and works.
- Floor plans and elevations of all buildings.
- The layout and provision of all car parking areas showing the number and arrangement of spaces, the dimensions of these spaces and associated access aisles.
- Areas set aside for bus loading and unloading.
- Areas set aside for the delivery of goods by service vehicles.
- Details of vehicle and pedestrian access and management of movements to and from and within the site.
- Details of landscaping including furniture, lighting, paving and a schedule of planting, and method of preparing, draining, watering and maintaining the landscape area.
- Details of all external finishes.
- Details of all signage.
- All external storage and waste treatment areas.
- Construction details of all drainage works.
- Details of all fencing.

The responsible authority may approve a part or parts of the Master Plan subsequent to the commencement of the use and development. The Master Plan may be modified on request provided that the modification is approved by the responsible authority.

In assessing the Master Plan, or any part or parts of the Master Plan, the responsible authority must consider:

- Whether the location, bulk and appearance of proposed buildings and works will be in keeping with the character and appearance of the area.
- The adequacy of car parking supply and layout.
- The appropriateness of landscaping.
- The appropriateness of signage and the effect of signage on the amenity of the area.
- The impact of any development on the amenity of the area.

### 3.0 Subdivision

None specified.

### 4.0 Buildings and works

#### Permit requirement

A planning permit is not required for buildings and works associated with a Section 1 (Clause 1.0 of this Schedule) use provided the development is generally in accordance with any relevant Master Plan approved by the responsible authority.

### 5.0 Signs

None specified.
SCHEDULE 6 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ6.

FORMER GREENVALE HOSPITAL

Purpose
To enable the development of the land contained in Crown Allotment 7G, Section 1, County of Bourke, Parish of Yuroke in Providence Road, Greenvale (‘the land’) to be used for a place of assembly (such as a conference centre or function centre) or accommodation (such as a residential hotel or group accommodation).

To develop facilities in a manner that respects the high-quality environment of the land and its surrounds.

To ensure that development does not adversely affect the heritage significance of the buildings on the land.

1.0

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal keeping and Intensive animal husbandry)</td>
<td>The land must be used in accordance with a Concept Plan approved by the responsible authority.</td>
</tr>
<tr>
<td>Car park</td>
<td>The land must be used in accordance with a Concept Plan approved by the responsible authority.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td>The leasable floor area must not exceed 240 square metres in total. The land must be used in accordance with a Concept Plan approved by the responsible authority.</td>
</tr>
<tr>
<td>Education centre</td>
<td>The land must be used in accordance with a Concept Plan approved by the responsible authority. Must be used in conjunction with Agriculture. No more than 20 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Hospital</td>
<td>The land must be used in accordance with a Concept Plan approved by the responsible authority.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Major sports and recreation facility and Motor racing track)</td>
<td>The land must be used in accordance with a Concept Plan approved by the responsible authority.</td>
</tr>
<tr>
<td>Mineral exploration</td>
<td>Must meet the requirements of Clause 52.08-2</td>
</tr>
<tr>
<td>Mining</td>
<td>Must meet the requirements of Clause 52.08-2</td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Cinema, Drive-in theatre or Nightclub)</td>
<td>The land must be used in accordance with a Concept Plan approved by the responsible authority.</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>Search for stone</td>
<td>Must not be costeaming or bulk sampling.</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>Group accommodation</td>
<td>Must be used in conjunction with Agriculture.</td>
</tr>
<tr>
<td></td>
<td>No more than 20 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Industry (other than Materials recycling)</td>
<td>Must not be for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Residential hotel</td>
<td>Must be used in conjunction with Agriculture.</td>
</tr>
<tr>
<td></td>
<td>No more than 20 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Store</td>
<td></td>
</tr>
<tr>
<td>Any use not in Sections 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 residential hotel or group accommodation)</td>
</tr>
<tr>
<td>Adult sex product shop</td>
</tr>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Animal keeping</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Fuel depot</td>
</tr>
<tr>
<td>Intensive animal husbandry</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
</tr>
<tr>
<td>Materials recycling</td>
</tr>
<tr>
<td>Mineral, stone or soil extraction (other than Mineral exploration, Mining and Search for stone)</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Office (Other than Electoral office or Medical centre)</td>
</tr>
<tr>
<td>Service station</td>
</tr>
</tbody>
</table>
Concept plan

A Concept Plan and report, must be prepared and include a plan drawn to scale, showing the overall, integrated use and development of the land and must be approved to the satisfaction of the responsible authority.

The Concept Plan must show:

- The boundaries and dimensions of the site.
- The overall concept for the development and use of the land.
- The uses on all parts of the land.
- Any proposed subdivision of the land.
- Identification of roads and accessways, including an assessment of developer contributions necessary for improvement works required by the development, and in particular any contribution which may be made through a Development Contribution Plan, Section 173 Agreement, or otherwise with respect to Providence Road.
- Any linkages or connections to adjoining land.
- All heritage buildings including proposed alterations, additions and demolition.
- The general location and purpose of existing and proposed buildings and works.
- The location and extent of all existing and proposed car parking areas.
- Vehicle and pedestrian access to and from the site.
- An overall scheme for landscape.
- Environmental considerations including proposed vegetation retention, enhancement and removal.
- That the land can be adequately serviced.
- Indicative staging of the development.
- How the proposal is compatible with and complements the adjoining Woodlands Historic Park.
- Any proposed access from the site to the adjoining Woodlands Historic Park.

The responsible authority may approve a part or parts of the Concept Plan subsequent to the commencement of the use and development. The Concept Plan may be modified on request provided that the modification is approved to the satisfaction of the responsible authority.

In assessing the Concept Plan, or any part or parts of the Concept Plan, the responsible authority must consider:

- The nature and location of uses within the site relative to the surrounding context and environment.
- Whether the proposed use will be compatible with the Woodlands Historic Park particularly with respect to landscaping.
- Whether any proposed buildings and works will be in keeping with the character of the area.
- Whether the location, bulk, form or appearance of the proposed building will adversely impact on the adjoining Woodlands Historic Park.
The impact of any proposed use and development on the amenity of the area.

The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.

Any applicable heritage study and any applicable conservation policy.

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 or consolidation will adversely affect the significance of the heritage place.

Whether the proposed subdivision or consolidation 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.

Any comments of the operator of Melbourne Airport.

### Potentially contaminated land

Before a sensitive use (such as a 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.

### Section 173 Agreement

Prior to the approval of the concept plan, the owner must enter into and execute an agreement (in a form satisfactory to the Responsible Authority) with the Responsible Authority and the Department of Natural Resources and Environment pursuant to Section 173 of the Planning and Environment Act 1987. This agreement must provide for:

- The protection of the River Red Gums (*Eucalyptus camaldulensis*) on the site.
- The implementation of fire protection and pest plant and pest animal control plans for the site which are coordinated with those same activities on the adjoining Woodlands Historic Park.
- Management of the site to ensure that no environmental weeds as identified by the Department of Natural Resources and Environment are planted on the site or allowed to invade the site.

### Use of land

#### Application requirements

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the type of activities which will be carried out.
The likely effects, if any, on adjoining land including noise levels, traffic, hours of operation, light spill, solar access and glare.

The means of maintaining areas not required for the proposed use.

**Exemption**

An application for a use in the table to Clause 1.0 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 appeal rights of Section 82(1) of the Act, provided the use is consistent with an approved Concept Plan.

**Subdivision**

No subdivision may take place before the land to be subdivided is included in a Concept Plan prepared to the satisfaction of the responsible authority.

**Exemption**

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 appeal rights of Section 82(1) of the Act, provided the proposed subdivision is consistent with an approved Concept Plan.

**Buildings and works**

No buildings and works may take place before the land to be developed is included in a Concept Plan prepared to the satisfaction of the responsible authority.

**Exemption**

An application to construct a building or to construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act, provided the buildings and works are consistent with an approved Concept Plan.

**Referral of Applications**

The Concept Plan or any amendments to the plan must be referred to the Department of Natural Resources and Environment including Aboriginal Affairs Victoria 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 Department of Natural Resources and Environment and Aboriginal Affairs Victoria.

**Decision Guidelines**

Before deciding on an application to use or subdivide the land, construct a building or carry out works, the responsible authority must consider as appropriate:

- The Concept Plan referred to in Clause 2.0 of this Schedule.
- The effect that existing uses may have on any proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The impact of any proposed development on the amenity of the area.
- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable heritage study and any applicable conservation policy.
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 or consolidation will adversely affect the significance of the heritage place.

Whether the proposed subdivision or consolidation may result in development which will adversely affect the significance, character or appearance of the heritage place.

Whether the proposed use will be compatible with the Woodlands Historic Park particularly with respect to landscaping.

Whether the location, bulk, form or appearance of the proposed building will adversely impact on the adjoining Woodlands Historic Park.

Any comments of the operator of Melbourne Airport.

Signs

None specified.
SCHEDULE 7 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ7.

AITKEN COLLEGE, MICKLEHAM ROAD, GREENVALE

Purpose
To provide for the continued use and development of the land for an education centre.
To provide for the use and development of the land in accordance with the Aitken College Master Plan, July 2014.
To ensure that the use and development of the land as an education centre takes place in an orderly and proper manner, and does not cause loss of amenity to the surrounding neighbourhood.

1.0

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caretaker’s house</td>
<td>Must be associated with an Education centre.</td>
</tr>
<tr>
<td>Car park</td>
<td>Must be associated with an Education centre.</td>
</tr>
</tbody>
</table>
| Education centre      | Must be generally in accordance with the Aitken College Master Plan, July 2014.  
                         | The number of enrolments on site at any time must not exceed 1,350.        |

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>Child care centre</td>
<td>Must be associated with an Education centre.</td>
</tr>
<tr>
<td>Place of worship</td>
<td></td>
</tr>
<tr>
<td>Any use not in Sections 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 Residential college and Caretaker’s house)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Retail premises (other than Market and Primary produce sales)</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Service station</td>
</tr>
<tr>
<td>Warehouse</td>
</tr>
</tbody>
</table>
Use of Land

Application Requirements

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and types of activities that will be carried out.
- The extent to which the use is consistent with the *Aitken College Master Plan, July 2014*.
- An assessment of the impact of the proposed use, including the likely effects on adjoining land.

Subdivision

None specified.

Buildings and works

Permit Requirement

A planning permit is not required for buildings and works associated with a Section 1 (Clause 1.0 of this Schedule) use provided the development is generally in accordance with the *Aitken College Master Plan, July 2014*.

Application Requirements

Where a permit is required for buildings and works, an application must be accompanied by the following information, as appropriate:

- A Design Plan drawn to scale showing:
  - The boundaries and dimensions of the site.
  - Relevant natural and finished ground levels.
  - The layout of existing and proposed buildings and works.
  - The location, height and purpose of the proposed buildings and works.
  - Elevations, showing the dimensions, colours and material of all proposed buildings and works.
  - Details of existing and proposed landscaped areas in the vicinity of the proposed building and works.

Decision Guidelines

Before deciding on an application to use land, construct a building or construct or carry out any works, the responsible authority must consider, as appropriate:

- The purpose and use of the proposed buildings and works and its relationship to the core function of the education centre.
- The interface with adjoining land, especially the relationship with residential areas.
- The location and type of access to the site, including movement of pedestrians and vehicles.
- The drainage of the land and how stormwater runoff from new buildings or works will be managed.
- The provision and location of car parking.
- The location, height, appearance and bulk of buildings having regard to the adjoining land.
- The effect of the proposed buildings and works on the amenity of the neighbourhood, including the effects of noise, lighting, overshadowing, and privacy.
- The type and colour of building materials to be used and the proposed landscape treatment.
- The appropriateness of signage and the effect of signage on the amenity of the area.

**Signs**

None specified.
SCHEDULE 8 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ8.

CRAIGIEBURN NORTH EMPLOYMENT AREA PRECINCT STRUCTURE PLAN, JUNE 2016 – ELECTRICITY EASEMENT

Purpose

To manage the transition of non-urban land into urban land in accordance with a precinct structure plan.

To provide for a range of uses and the development of land generally in accordance with the incorporated Craigieburn North Employment Area Precinct Structure Plan, June 2016.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crop raising</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Extensive animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>The land must be at least the following distances from land (not a road) 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></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• The threshold distance, for a purpose listed in the table to Clause 53.10</td>
</tr>
<tr>
<td></td>
<td>• 30 metres, for a purpose not listed in the table to Clause 53.10</td>
</tr>
<tr>
<td></td>
<td>• Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td></td>
<td>• Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td></td>
<td>• Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td></td>
<td>• Emission of noise, artificial light, vibration, odour fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products grit 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>Shipping container storage</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Tramway</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
</tbody>
</table>
| Warehouse (other than Mail centre and Shipping container storage) | The land must be at least the following distances 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:  
  - 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. |
| 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, 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, Extensive animal husbandry and Intensive animal husbandry)</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>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>Place of assembly (other than Carnival and Circus)</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Shop)</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, 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 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>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 base entertainment facility</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Intensive animal husbandry</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Convenience shop and Restricted retail premises)</td>
</tr>
</tbody>
</table>
2.0
27/05/2019
C238hume

Use of land
None specified.

3.0
27/05/2019
C238hume

Subdivision
A permit granted must be generally in accordance with the incorporated Craigieburn North Employment Area Precinct Structure Plan, June 2016.

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.

4.0
27/05/2019
C238hume

Buildings and works
A permit is not required to construct a building or construct or carry out works for:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising, extensive animal husbandry or informal outdoor recreation.
- A rainwater tank with a capacity of more than 4500 litres if the following requirements are met:
  - The rainwater tank is not located within the building’s setback from a street (other than a lane).
  - The rainwater tank is no higher than the existing building on the site.
  - The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.

A permit granted must be generally in accordance with the Craigieburn North Employment Area Precinct Structure Plan, June 2016.

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.

5.0
27/05/2019
C238hume

Signs
Sign requirements are at Clause 52.05. This zone is in Category 1.
SCHEDULE 9 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ9.

SUNBURY SOUTH – ELECTRICITY EASEMENTS

Purpose
To manage the transition of non-urban land into urban land in accordance with a precinct structure plan.
To provide for a range of uses and the development of land generally in accordance with a precinct structure plan.

Table of uses
Any requirement in the Table of uses and any requirement specified in this schedule or the precinct structure plan applying to the land must be met. A permit granted must be generally in accordance with the precinct structure plan applying to the land.

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td>Extensive animal husbandry</td>
<td></td>
</tr>
<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>
</table>
| Agriculture (other than Apiculture, Crop raising, Extensive animal husbandry and Intensive animal husbandry) | 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) 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:  
  - 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. |
<p>| Industry (other than Materials recycling)                            | Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10. |</p>
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</td>
<td>Emission of noise, artificial light, vibration, odour fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products grit oil.</td>
</tr>
<tr>
<td>Materials recycling</td>
<td></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 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>
</tbody>
</table>

Any other use not in Section 1 or 3

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Intensive animal husbandry</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
</tr>
<tr>
<td>Shop</td>
</tr>
</tbody>
</table>

Use of Land

An application for use which is generally in accordance with the precinct structure plan applying to the 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.

Subdivision

A permit granted must:

- Be generally in accordance with the precinct structure plan applying to the land.
- Include any condition or requirement specified in the precinct structure plan.

An application for subdivision which is generally in accordance with the precinct structure plan applying to the land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Buildings and works

A permit is not required to construct a building or construct or carry out works:

- A building or works that rearrange, alter or renew plant if the area or height of the plant is not increased.
- that are used for crop raising, extensive animal husbandry or informal outdoor recreation.
- for a rainwater tank with a capacity of more than 4500 litres if the following requirements are met:
  - The rainwater tank is not located within the building’s setback from a street (other than a lane).
  - The rainwater tank is no higher than the existing building on the site.
  - The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.

A permit granted must:
  - Be generally in accordance with the precinct structure plan applying to the land.
  - Include any conditions or requirements specified in the precinct structure plan.

An application to construct a building or construct or carry out works which is generally in accordance with the precinct structure plan applying to the 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.

5.0

Signs

Sign requirements are at Clause 52.05. This zone is in Category 1.
SCHEDULE 10 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ10.

CRAIGLEE AND BEN EADIE PROPERTIES

Purpose
To provide for the continued use and development of the land for a vineyard and a winery and to allow for complementary and compatible activities to be undertaken in conjunction with these uses.

To provide for the use and development of land for tourism purposes and to provide for the use and development of the land in accordance with the Craiglee and Ben Eadie Concept Plan, June 2018.

To ensure land uses are compatible with the adjoining residential areas and the Jacksons Creek environs.

To protect and enhance the landscape value of the Jacksons Creek environs and to protect and conserve areas of environmental and heritage significance.

To provide for use, development and management of land that is compatible with the conservation outcomes identified in the Biodiversity Conservation Strategy (Department of Environment and Primary Industries, 2013) for Conservation Area 21.

1.0 Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture</td>
<td>Must be located within the ‘Potential Development Area’ in the Craiglee and Ben Eadie Concept Plan, June 2018</td>
</tr>
<tr>
<td>Art gallery</td>
<td>Must be located within the ‘Potential Development Area’ in the Craiglee and Ben Eadie Concept Plan, June 2018</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></td>
<td>Must be located within the ‘Potential Development Area’ in the Craiglee and Ben Eadie Concept Plan, June 2018.</td>
</tr>
<tr>
<td>Dwelling (other than bed and breakfast)</td>
<td>Must not increase the existing number of dwellings on the property</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td></td>
</tr>
<tr>
<td>Winery</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>Conference centre</td>
<td>Must be located within the ‘Potential Development Area’ in the Craiglee and Ben Eadie Concept Plan, June 2018</td>
</tr>
<tr>
<td>Group accommodation</td>
<td></td>
</tr>
</tbody>
</table>
HUME PLANNING SCHEME

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Host farm</td>
<td></td>
</tr>
<tr>
<td>Hotel</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Museum</td>
<td></td>
</tr>
<tr>
<td>Reception centre</td>
<td></td>
</tr>
<tr>
<td>Residential hotel</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
</tr>
<tr>
<td>Accommodation (other than Bed and breakfast, Dwelling, Group accommodation and Residential hotel)</td>
</tr>
<tr>
<td>Display home</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Industry (other than Rural industry)</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Office</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>Retail premises (other than Manufacturing sales, Market, Plant nursery, Primary produce sales and Restaurant)</td>
</tr>
<tr>
<td>Service station</td>
</tr>
<tr>
<td>Transport terminal</td>
</tr>
<tr>
<td>Warehouse (other than Freezing and cool storage, Milk depot, Rural store, Solid fuel depot and Vehicle store)</td>
</tr>
</tbody>
</table>

Use of land

None specified.

Subdivision

A permit is required to subdivide land.

Each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.
Buildings and works

A permit is required to construct a building or construct and carry out works.

This does not apply to:

An alteration or extension to an existing building used for agriculture or winery, or modifications to existing dwellings provided the floor area of the alteration or extension does not exceed 100 square metres.

An application to construct or carry out works must demonstrate consistency with the purpose of this zone and the Craiglee and Ben Eadie Concept Plan, June 2018, and provide the following information, as appropriate:

- Site plans showing:
  - The boundaries and dimensions of the site.
  - The layout of existing and proposed buildings and works.
  - The proposed use(s) and development of each part of the site.
  - The existing and proposed accessways, car parking and loading areas.
  - The setbacks of the proposed buildings and works from the site boundaries, Sunbury Road, and any adjoining development.
  - Locations, dimensions, materials, colour and lettering for existing and proposed signage.
  - Elevations of proposed built form, including details of setbacks, building heights, scale and massing, architectural treatments and interface treatments to residential development and Jacksons Creek. Materials and finishes of proposed buildings and works should be sympathetic to the heritage character of buildings on the site, and to the landscape character and environmental values of Jacksons Creek environs.
  - Details of any days and hours of operation of any proposed land uses.
  - A Landscape Concept Plan detailing any existing and proposed landscaping.
  - A Traffic Impact Assessment that addresses car parking, loading and anticipated traffic volumes and impacts on the surrounding road network. The site design must provide for the safe and efficient movement of vehicles, cycles and pedestrians within the site. Car parking must be associated with other land uses within the site and be located away from site boundaries so that it does not dominate the residential or Jacksons Creek interface.
  - A Stormwater Management Plan that addresses the stormwater runoff impacts, including potential impacts on Jacksons Creek.

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 consistency of the permit application with the Craiglee and Ben Eadie Concept Plan, June 2018.

Whether the use or development protects and enhances the environmental, agricultural and landscape qualities of the site.

The layout of any proposed buildings and their relationship to the existing buildings.

The impacts of siting, design, colours and materials to be used for buildings and/or signage on landscape features, major roads and vistas.

The extent to which the development maintains important views into the site, whilst capturing views out of the site.

The impact of the use or development on the amenity of the area.
How the use or development conserves the values of Jacksons Creek.
Any applicable statement of significance, heritage study and any applicable conservation policy.
Whether the location, bulk, form or appearance of the proposed building and works respects the heritage character and significance of heritage place(s) on the site.
Whether the development is of a scale and nature that does not detract from the visual and landscape character of the site, and is sensitive to the adjoining residential properties and Jacksons Creek environs.
Whether the use or development affects, in the long term, the values of Conservation Area 21 identified the Biodiversity Conservation Strategy (Department of Environment and Primary Industries, 2013) for matters of national environmental significance listed under the Environmental Protection and Biodiversity Conservation Act 1999.

### Conditions

Any permit for development associated with a Section 2 use or a subdivision must contain the following conditions of permit:

Before the commencement of works, the owner of the land must:

- Enter into an agreement with the Secretary to the Department of Environment, Land, Water and Planning under section 69 of the Conservation Forests and Lands Act 1987, which must:
  - provide for the conservation and management of that part of the land shown as Conservation Area 21 in the Biodiversity Conservation Strategy for Melbourne’s Growth Corridors (Department of Environment and Primary Industries, June 2013); and
  - may include any matter that such an agreement may contain under the Conservation Forests and Lands Act 1987.

- Make application to the Registrar of Titles to register the agreement on the title to the land.

- Pay the reasonable costs of the Secretary to the Department of Environment, Land, Water and Planning in the preparation, execution and registration of the agreement.

The requirement for a Land Management Co-operative Agreement under section 69 of the Conservation Forests and Lands Act 1987 in this clause does not apply to land of any lot or part of a lot within the conservation area shown as Conservation Area 21 in the Biodiversity Conservation Strategy for Melbourne’s Growth Corridors (Department of Environment and Primary Industries, June 2013) that:

- is the subject of an agreement with the Secretary to the Department of Environment, Land, Water and Planning to transfer or gift that land to:
  - the Secretary to the Department of Environment, Land, Water and Planning;
  - the Minister for Environment and Climate Change; or
  - another statutory authority.

is to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

### Signs

Sign requirements are at Clause 52.05. The site is in Category 3.
Map 1 to the Schedule to Clause 37.01: Craiglee and Ben Eadie Concept Plan, June 2018
SCHEDULE 11 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ11.

LINDUM VALE PRECINCT STRUCTURE PLAN - ELECTRICITY EASEMENT

Purpose

To manage the transition of non-urban land into urban land in accordance with a precinct structure plan.

To provide for a range of uses and the development of land generally in accordance with a precinct structure plan.

1.0 Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td>Extensive animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
</table>
| Agriculture (other than Apiculture, Crop raising, Extensive animal husbandry and Intensive animal husbandry) | 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) 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:  
  - 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 oil. |
| Industry (other than Materials recycling)   | 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) 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:  
  - 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 oil. |
| Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track) |                                               |
| Materials recycling                         |                                               |
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 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.

Any other use not in Section 1 or 3

Section 3 - Prohibited

Use

Accommodation
Hospital
Intensive animal husbandry
Major sports and recreation facility
Shop

Use of land

An application for use which is generally in accordance with the precinct structure plan applying to the 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.

Subdivision

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:

- Be generally in accordance with the precinct structure plan applying to the land.
- Include any conditions or requirements specified in the precinct structure plan.

An application for the subdivision of land which is generally in accordance with the precinct structure plan applying to the land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Buildings and works

No permit is required to construct a building or construct or carry out works for the following:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising, extensive animal husbandry or informal outdoor recreation.
- A rainwater tank with a capacity of more than 4500 litres if the following requirements are met:
  - The rainwater tank is not located within the building’s setback from a street (other than a lane).
  - The rainwater tank is no higher than the existing building on the site.
  - The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.
A permit granted must:

- Be generally in accordance with the precinct structure plan applying to the land.
- Include any conditions or requirements specified in the precinct structure plan.

An application to construct a building or construct or carry out works which is generally in accordance with the precinct structure plan applying to the 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.

**5.0**

**Signs**

Sign requirements are at Clause 52.05. All land located within the SUZ11 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>
**Objective and standards to be met**

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>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>

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 CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as CDZ1.

CRAIGIEBURN COMPREHENSIVE DEVELOPMENT PLAN- G ADAMS CORPORATION-SILVERTON LTD, MAY 2001

JACKSON HILL COMPREHENSIVE DEVELOPMENT PLAN

Land

Comprehensive Development Zone 1 and the relevant Comprehensive Development Plan apply to land in the City of Hume in two general areas: land to the south, west and north of Craigieburn and land in the southeast part of Sunbury.

Purpose

To designate land suitable for urban development.
To provide for development of land generally in accordance with any relevant comprehensive development plan.
To facilitate a range of housing and lot types in sizes to meet a diversity of lifestyle choices.
To ensure that non-residential users do not cause loss of amenity to people in areas set aside and used for housing.
To provide for a range of commercial and community facilities of appropriate sizes to serve needs of existing and future residents of the area.
To ensure that development is consistent with planning policy as expressed in general and strategy plans in force from time to time.
To protect and conserve indigenous flora and fauna.
To conserve water quality and watercourse capacity.

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>The site is identified for the use or is within an activity centre, in a local structure plan.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>No more than 6 persons may be accommodated away from their normal place of residence. At least two car parking spaces must be provided.</td>
</tr>
<tr>
<td>Betting agency</td>
<td>The site is identified for the use or is within an activity centre, in a local structure plan.</td>
</tr>
<tr>
<td>Car park</td>
<td>The site is identified for the use or is within an activity centre, in a local structure plan.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site is identified for the use or is within an activity centre, in a local structure plan.</td>
</tr>
<tr>
<td>Child care centre</td>
<td>The site is identified for the use or is within an activity centre, in a local structure plan.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td>The site is identified for the use or is within an activity centre, in a local structure plan.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Display home</td>
<td>The site is identified for the use or is within an activity centre, in a local structure plan.</td>
</tr>
<tr>
<td>Dwelling (other than bed and breakfast)</td>
<td>The site is identified for the use or is within an activity centre, in a local structure plan.</td>
</tr>
<tr>
<td>Education centre</td>
<td>The site is identified for the use or is within an activity centre, in a local structure plan.</td>
</tr>
<tr>
<td>Food and drink premises (other than Hotel and Tavern)</td>
<td>The site is identified for the use or is within an activity centre, in a local structure plan.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>The site is identified for the use or is within an activity centre, in a local structure plan.</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The site is identified for the use or is within an activity centre, in a local structure plan.</td>
</tr>
<tr>
<td></td>
<td>Must be consistent with the provision of any relevant local structure plan.</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>Office (other than Medical centre)</td>
<td>The site is within an activity centre in a local structure plan.</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Circus, Nightclub and Place of worship)</td>
<td>The site is identified for the use or is within an activity centre, in a local structure plan.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The site is identified for the use or is within an activity centre, in a local structure plan.</td>
</tr>
<tr>
<td>Postal agency</td>
<td>The site is identified for the use or is within an activity centre, in a local structure plan.</td>
</tr>
<tr>
<td>Search for stone</td>
<td>Must not be costeaming or bulk sampling.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop)</td>
<td>The site is identified for the use or is within an activity centre, in a local structure plan.</td>
</tr>
<tr>
<td></td>
<td>Must be consistent with the provisions of any relevant local structure plan.</td>
</tr>
<tr>
<td>Store</td>
<td>The site is identified for the use or is within an activity centre, in a local structure plan.</td>
</tr>
<tr>
<td>Trade supplies</td>
<td>The site is identified for the use or is within an activity centre, in a local structure plan.</td>
</tr>
</tbody>
</table>
### Use | Condition
--- | ---
**Veterinary centre** | The site is identified for the use or is within an activity centre, in a local structure plan.

**Any use listed in Clause 62.01** | Must meet the requirements of Clause 62.01

### Section 2 - Permit required

#### Use | Condition
--- | ---
**Accommodation (other than Dependent person’s unit, Dwelling and Corrective institution)** | The site is within an activity centre in a local structure plan.

**Adult sex product shop** | Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or Commercial 1 Zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

**Agriculture (other than Animal boarding, Animal keeping, Animal training, Apiculture, Horse stables and Intensive animal husbandry)** | Must be no more than four animals.

**Animal keeping (other than Animal boarding)** | The site is identified for the use or is within an activity centre, in a local structure plan.

**Circus - if the Section 1 Condition is not met** | The site is identified for the use or is within an activity centre, in a local structure plan.

**Hotel** | The site is identified for the use or is within an activity centre, in a local structure plan.

**Industry (other than Car wash)** | The site is identified for the use or is within an activity centre, in a local structure plan.

**Major sports and recreation facility** | The site is identified for the use or is within an activity centre, in a local structure plan.

**Mineral, stone or soil extraction (other than Extractive industry, Mineral exploration, Mining and Search for stone)** | Must be consistent with the provisions of any relevant local structure plan.

**Nightclub** | The site is identified for the use or is within an activity centre, in a local structure plan.
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
</table>
| **Retail premises (other than Adult sex product shop, Betting agency, Food and drink premises, Hotel, Postal agency, Shop, Tavern and Trade supplies)** | The site is identified for the use or is within an activity centre, in a local structure plan.  
Must be consistent with the provisions of any relevant local structure plan. |
| **Service station**                                                                         | The site is identified for the use or is within an activity centre, in a local structure plan.  
Must be consistent with the provisions of any relevant local structure plan. |
| **Store - if the Section 1 condition is not met**                                            | 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. |
| **Tavern**                                                                                  | The site is identified for the use or is within an activity centre, in a local structure plan.  
Must be consistent with the provisions of any relevant local structure plan. |
| **Transport terminal**                                                                      | The site is identified for the use or is within an activity centre, in a local structure plan. |
| **Utility installation (other than Minor utility installation and Telecommunications facility)** | **Veterinary centre - if the Section 1 condition is not met**              | Must be consistent with the provisions of any relevant local structure plan. |
| **Warehouse (other than Store)**                                                            | The site is identified for the use or is within an activity centre, in a local structure plan.  
Must not be a purpose listed in the table to Clause 53.10.  
Must be consistent with the provisions of any relevant local structure plan. |
| **Any other use not in Section 1 or 3**                                                      |                                                                           |

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal boarding</td>
</tr>
<tr>
<td>Animal training</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Corrective institution</td>
</tr>
<tr>
<td>Extractive industry</td>
</tr>
<tr>
<td>Horse stables</td>
</tr>
<tr>
<td>Intensive animal husbandry</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
</tbody>
</table>
Use

Saleyard

2.0

Use of land

Comprehensive Development Plan

A comprehensive development plan is a generalised plan showing the main land use intentions for the area. More detailed intentions and development and use proposals may be prepared and shown in a local structure plan.

Local structure plan

No subdivision, buildings or works may take place before the land to be subdivided or developed is included in a local structure plan prepared to the satisfaction of the responsible authority.

Where a local structure plan has not been approved, the responsible authority may grant a permit to construct a building or to construct or carry out works, provided it is satisfied that the buildings or works will not prejudice the preparation of a local structure plan for the general use. An application for a permit must be referred to relevant referral authorities.

The local structure plan must be generally consistent with the relevant comprehensive development plan, to the satisfaction of the responsible authority. With the agreement of the responsible authority, the local structure plan may be implemented in stages and may be composed of one or more separate plans.

Upon application by the owner of the land concerned a local structure plan may be amended to the satisfaction of the responsible authority.

Content of the local structure plan

The local structure plan may include detailed plans of sub areas within the plan as well as supporting documentation that assists to clarify the nature of development proposed.

The local structure plan must show, where appropriate:

- the proposed development and use of each part of the land;
- a proposed major road layout pattern;
- population targets;
- open space, recreation and leisure facilities including where relevant proposed waling and cycling links;
- proposed retarding basins, lakes, watercourses and drainage lines and the means by which these will be managed and water quality maintained;
- physical and community infrastructure, including the arrangement for the provision and funding of development contributions;
- proposed public transport facilities;
- proposed commercial and community centres and facilities in a sustainable hierarchy;
- overall landscape proposals;
- sites of conservation, heritage and archaeological significance and the means by which they will be managed;
- any other matters which relate to the development of the land.
Use of the Land

The use of the land must be consistent with the provisions of any relevant local structure plan. A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- transport or 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.

Application requirements

An application to use land must be accompanied by the following information, as appropriate:

- the purpose of the use and the type of activities which will be carried out;
- the likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation and light spill, solar access and glare;
- the means of maintaining land not required for immediate use.
- 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 Environmental Protection Authority;
- whether a licence under the Dangerous Goods Act 1985 is required;
- the likely effects on adjoining land including air-borne emissions and emissions to land and water.

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 Municipal Planning Strategy and Planning Policy Framework, and local planning policies;
- any relevant local structure plan affecting the land;
- the effect that existing uses may have on the proposed use;
- the drainage of the land;
- the availability of and connection of 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.

Exemption from notice and appeal

An application for a Section 2 Use:

- on a site that is identified for the use under a local structure plan; or
- within an activity centre in a local structure 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 appeal rights of Section 82(1) of the Act.
Subdivision
A permit may be granted to subdivide land where the responsible authority is satisfied that the proposed subdivision is generally consistent with the relevant local structure plan and where services can be provided to meet the requirements of authorities specified as referral authorities.

Where a local structure plan has not been approved, the responsible authority may grant a permit for subdivision provided that not more than 300 lots are created in any twelve months period. An application for a permit must be referred to relevant referral authorities.

Exemption from notice and appeal
An application for subdivision which is generally consistent with the relevant local structure 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 appeal rights of Section 82 (1) of the Act.

Decision guidelines
Before deciding an application for a permit to subdivide land or whether a proposed subdivision is satisfactory in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- the Municipal Planning Strategy and Planning Policy Framework, and local planning policies;
- any relevant comprehensive development plan;
- the provisions and requirements of any relevant local structure plan;
- the provisions of Clause 56;
- the requirements of authorities specified as referral authorities in Clause 66.04;
- the need for financial or other contributions towards the provision of reticulated service infrastructure, community facilities and transport systems as set out in the local structure plan and appropriate agreements, conditions or other arrangements to guarantee those contributions;
- the relationship of the proposed subdivision to the existing and proposed subdivision and use of adjoining land.

Buildings and works

Construction and extension of single dwellings on lots of a least 300 square metres
A permit is not required to construct or extend one dwelling on a lot of at least 300 square metres.

Construction and extension of medium-density housing and residential buildings

Application requirement
An application:

- To construct or extend one dwelling on a lot of less than 300 square metres;
- To construct a dwelling if there is at least one dwelling on the lot;
- To construct two or more dwellings on a lot;
- To extend a dwelling if there are two or more dwellings on the lot;
- To construct or extend a residential building.

must be accompanied by a neighbourhood and site description and design response as described in Clause 55.01.

This does not apply to the construction of one dependent person’s unit on a lot.
Satisfactory neighbourhood and site description

The responsible authority:

- must inform the applicant in writing:
  - before notice of an application is given; or
  - if notice of an application is not required to be given, before deciding the application;
  - that the neighbourhood and site description meets the requirements of Clause 55.01-1 and is satisfactory or does not meet the requirements of Clause 55.01-1 and is not satisfactory.
  - If the responsible authority decides that the site analysis is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

- 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.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and Planning Policy Framework, and local planning policies;
- The provisions of Clause 54 and Clause 55.

Application requirements generally

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.
4.4
Exemption from notice and appeal
An application to construct a building or to construct or carry out works for a use in Section 1 or Section 2 of this Schedule:
  • on a site that is identified for the use under a local structure plan: or
  • within an activity centre in a local structure 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 appeal rights of Section 82(1) of the Act.

5.0
Signs
Sign requirements are at Clause 52.05. This zone is in Category 3 except for activity centres on a relevant local structure plan, that are in Category 1.
SCHEDULE 2 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as CDZ2.

MERRIFIELD EMPLOYMENT PRECINCT

Land

This Schedule applies to land generally bounded by the Hume Highway to the east, the Merrifield Major Town Centre to the west, the Kalkallo Retarding Basin to the north and Donnybrook Road to the south.

Purpose

To provide for the development of the site as an integrated, contemporary employment node.

To encourage the development of an intensive employment node.

To provide for the comprehensively planned development of land, in a way that has efficient linkages with nearby existing and planned urban land.

To provide for the orderly planning and development of new roads and other physical infrastructure, to complement existing and proposed road networks, and to provide ease of access into and out of the area.

To provide for the use and development of land generally in accordance with the Merrifield Comprehensive Development Plan, Development Co-ordination Plan and relevant Precinct Concept Plans.

To protect and conserve areas of environmental and heritage significance.

To encourage the development of a high amenity business park with high standards of building design in attractively landscaped streetscapes.

1.0

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industry (other than Abattoir, Materials recycling, Refuse disposal 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. 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 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>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Postal agency</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
</tbody>
</table>
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, Commercial 1 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.

Tramway

Warehouse (other than Liquid fuel depot 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, Commercial 1 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.

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>Agriculture (other than Apiculture, Animal keeping, and Intensive animal husbandry)</td>
<td></td>
</tr>
<tr>
<td>Caretakers house</td>
<td></td>
</tr>
<tr>
<td>Child care centre</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Gambling premises</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than, Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>-----------</td>
</tr>
<tr>
<td>Place of assembly (other than Circus and Carnival)</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Residential Hotel</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Adult sex product shop, Restricted retail premises, and Shop)</td>
<td></td>
</tr>
<tr>
<td>Service Station</td>
<td></td>
</tr>
<tr>
<td>Utility Installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Veterinary centre</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
</tr>
<tr>
<td>Accommodation (other than Caretaker's house and Residential Hotel)</td>
</tr>
<tr>
<td>Adult sex product shop</td>
</tr>
<tr>
<td>Animal keeping</td>
</tr>
<tr>
<td>Airport</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cemetery</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Crematorium</td>
</tr>
<tr>
<td>Display home</td>
</tr>
<tr>
<td>Home based business</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Intensive animal husbandry</td>
</tr>
<tr>
<td>Liquid fuel depot</td>
</tr>
<tr>
<td>Materials recycling</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Refuse disposal</td>
</tr>
<tr>
<td>Shop (other than Restricted retail premises)</td>
</tr>
<tr>
<td>Transfer station</td>
</tr>
</tbody>
</table>
Development Co-ordination Plan

Prior to the approval of any Precinct Concept Plan/s for the site, a Development Co-ordination Plan for the entire site must be prepared and endorsed by the responsible authority, who must have regard to the views and requirements of the Department of Sustainability and Environment, Department of Transport, Public Transport Victoria, VicRoads, the Growth Areas Authority and the Merri Creek Management Committee. The endorsed plan must be generally in accordance with any structure plan approved by the responsible authority or planning authority and the Merrifield Comprehensive Development Plan. The Development Co-ordination Plan may be amended to the satisfaction of the Responsible Authority. This plan must show and include to the satisfaction of the responsible authority:

- The proposed access points into the land from Donnybrook Road and other existing or proposed transport infrastructure taking into account Federal and State Government transport objectives;
- The proposed internal street network including proposed linking points to surrounding land;
- Arrangements for the provision of reticulated infrastructure;
- Arrangements for the provision of water sensitive urban design;
- Indicative staging for development of the site;
- The precinct areas that are to be developed;
- Open space networks to be provided;
- Biolink/habitat corridors to be provided;
- Community infrastructure to be provided;
- Remnant indigenous trees to be removed or retained and, where possible, included in public open space;
- Measures proposed to respond to State Government biodiversity objectives to protect the Kalkallo Creek corridor, in particular, to address the proposed vehicular creek crossing;
- Identify areas of moderate or high salinity risk, where management measures will be required;
- An Integrated Transport Plan (ITP) which must consider and report on the following to the satisfaction of the responsible authority:
  - The proposed street and pedestrian movement network;
  - The needs for non-motorised travel, including access by walking and cycling and links to the Principle Bicycle Network (PBN) and Metropolitan Trail Network (MTN), facilities for cyclists and internal circulation of cyclists and pedestrians;
  - How the proposal makes better use of existing transport assets including arterial roads, public transport or new pedestrian links or cycle paths;
  - The integration of land use with transport provision;
  - How the proposal will promote and facilitate the use of public transport;
  - Linkages between key destinations and trip generating activities for vehicles, pedestrians and cyclists;
  - The requirements of freight and commercial vehicles;
  - How the plan responds to State government transport objectives; and
  - The details relating to the upgrading of Donnybrook Road.
**Precinct Concept Plan/s**

Prior to any use, or other development commencing, other than works required for physical infrastructure to service the land, Precinct Concept Plan/s must be prepared for the site which are generally in accordance with the Merrifield Comprehensive Development Plan and the Development Co-ordination Plan.

A Precinct Concept Plan may be endorsed for a part or whole of the land within the Merrifield Comprehensive Development Plan to the satisfaction of the responsible authority. Before deciding whether to approve a Precinct Concept Plan/s, the responsible authority may consider the views of any relevant authority or agency as appropriate.

Upon application by the owner of the land the precinct concept plan/s may be amended to the satisfaction of the responsible authority.

**Content of the Precinct Concept Plan/s**

The precinct concept plan/s must show and demonstrate to the satisfaction of the responsible authority the following, where applicable:

- Consistency with any relevant approved Merrifield City Centre Development Co-Ordination Plan for the site;
- The land to which the precinct concept plan applies;
- The proposed development and use of each part of the land;
- Road layout and design, including road reserve widths;
- The proposed arterial and neighbourhood connector street network including proposed linking points to surrounding land;
- Pedestrian and cycle paths;
- The relationship of the precinct to existing public transport facilities and how provision will be made for access to existing or proposed public transport facilities;
- The location of vegetation to be retained;
- General landscape concepts for the development of the land;
- Any sites of environmental, cultural or heritage significance and the means by which they will be managed;
- Open space and recreation facilities/functions;
- Proposed retarding basins, lakes, water features, water courses and drainage lines and the means by which these will be managed and water quality maintained including design and management of the Growling Grass Frog habitat requirements;
- The relationship of the development of the land to the existing and proposed land uses on adjoining land;
- The indicative development sequence for the land;
- Proposed commercial and retail centres and facilities in a sustainable hierarchy having regard to existing and proposed centres in nearby Merrifield Major Town Centre, employment and residential areas; and
- An Environmental Management Plan for the land within 100 metres of the centreline of the Kalkallo Creek, providing for:
  - protection of the waterway corridor contained within the area of the 1:100 year floodplain, from development, except for the purpose of a creek crossing, riparian revegetation and management and creek rehabilitation works;
  - conceptual design of the creek crossing and measures to ensure State biodiversity objectives are met;
- measures to assist in managing salinity risk;
- the development of habitat for the Growling Grass Frog;
- landscaping of the land within 50 metres of the centreline of the creek, including a shared path for pedestrians and bicycles; and
- management for noxious weed removal, building and subdivision setbacks and revegetation within the Environmental Management Plan area;

- Any other matters that relate to the development of the land.

### Use of land

A use must meet the objectives of the Comprehensive Development Zone and be generally in accordance with any relevant Precinct Concept Plan and the Merrifield Comprehensive Development Plan to the satisfaction of the responsible authority.

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 building, works, stored goods or materials;
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil.

### Application requirements

An application to use land must be accompanied by the following information, 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 the neighbourhood, including noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation and light spill, solar access and glare;
- The means of maintaining land not required for immediate use;
- 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 Environmental Protection Authority;
  - Whether a 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; and
  - The likely effects on adjoining land including air-borne emissions and emissions to land and water.

### 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

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 extent to which the proposal complies with the Merrifield Comprehensive Development Plan and any relevant Precinct Concept Plan;
- The effect that existing uses may have on the proposed use;
- The drainage of the land;
- The availability of and connection to services;
- The strategic importance of the Hume Freeway;
- The provision of adequate connection and road infrastructure to provide for future growth and public transport provision;
- The interim use and management 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 or proposed residential areas or other uses which are sensitive to industrial off-site effects.

Subdivision

Subdivision of the land must be generally in accordance with the Development Co-ordination Plan and any relevant Precinct Concept Plan to the satisfaction of the responsible authority. Subdivision of lots may occur in stages.

Application requirements

An application for subdivision must be accompanied by the following information to the satisfaction of the responsible authority:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site;
  - Adjoining roads;
  - Relevant ground levels;
  - Areas of subdivision, including any areas of common property;
  - Construction details of all drainage works and cross over points to all lots;
  - The constructed level of any road to provide all weather safe access and egress to all allotments at all times;
  - The location and staging of road works to be undertaken either by dates or stages;
  - The stages by which development of the land is proposed to proceed;
  - The proposed internal road layout pattern and traffic management measures including the provision of traffic control works in existing or proposed roads;
  - The provision of all necessary infrastructure including access to surrounding roads; and
  - The location of all footpaths and pedestrian links within the site and how they link with surrounding areas.

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 for subdivision, the responsible authority must consider:

- The suitability of all the proposed lots for the uses that are preferred in the precincts described in the Merrifield Comprehensive Development Plan and any relevant Precinct Concept Plan;
- The extent to which the proposal is consistent with the Development Co-ordination Plan;
- The effect the subdivision will have on the potential area to accommodate the uses which will maintain or enhance its competitive strengths;
- The effect of the proposed subdivision on any areas of environmental, cultural or heritage significance identified in any relevant Precinct Concept Plan;
- The appropriateness of the road layout and integration with the existing road network;
- The strategic importance of the Hume Freeway;
- The provision of adequate connection and road infrastructure to provide for future growth and public transport provision;
- Streetscape character;
- Landscape character;
- The interface with surrounding zones; and
- The comments and requirements of authorities specified as referral authorities in Clause 66.

Buildings and works

Buildings and works must generally be in accordance with the Merrifield Comprehensive Development Plan, Development Co-ordination Plan and any relevant Precinct Concept Plan to the satisfaction of the responsible authority.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site;
  - Adjoining roads;
  - The location, height and purpose of buildings and works;
  - 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; and
  - 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; and
- 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 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 for buildings and works, the responsible authority must consider:

- The consistency of the proposed works with the objectives of the Merrifield Comprehensive Development Zone, the Development Co-ordination Plan and any relevant Precinct Concept Plan;
- The effect of the proposed buildings and works on any areas of environmental, cultural or heritage significance identified in any relevant Precinct Concept Plan;
- The appropriateness of the proposed building form and its effect on adjoining properties and the streetscape;
- The appropriateness of the materials and finishes of the proposed buildings and works;
- The strategic importance of the Hume Freeway;
- The provision of adequate connection and road infrastructure to provide for future growth and public transport provision;
- The appropriateness of the proposed landscaping treatment;
- The appearance of the buildings and works from main roads including Donnybrook Road and the Hume Highway.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 2.

Exemptions

No permit is required for works undertaken by or on behalf of VicRoads associated with the proposed Hume Freeway as shown on Drawing No. VR2 included in the Schedule to Clause 81.01.
SCHEDULE 3 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as CDZ3.

GREENVALE LAKES EAST

Land

The land is known as Greenvale Lakes East. The land is bounded by the Greenvale Rise development to the north, the Roxburgh Park residential development to the east and the Greenvale Reservoir to the south and west. The site comprises approximately 80 ha of land that was previously used by the Royal Australian Navy.

Purpose

To designate land suitable for urban development.

To provide for development of land generally in accordance with the Greenvale Lakes East Comprehensive Development Plan.

To facilitate a mix and range of housing and lot types in sizes to meet a diversity of lifestyle choices.

To ensure that non-residential uses do not cause loss of amenity to residents in areas set aside and used for housing.

To encourage residential development which fosters social interaction and walkable neighbourhoods and creates a sense of place and identity.

To provide for a range of commercial, open space and community facilities of appropriate sizes to serve needs of existing and future residents of the area.

To facilitate the construction of Aitken Blvd (E14) through the site.

To encourage energy efficiency in housing and subdivision design.

To protect and conserve indigenous flora and fauna.

To conserve water quality and watercourse capacity.

Protect Greenvale Reservoir from urban development, particularly storm water runoff from urban development.

Ensure that Melbourne Water has provided written approval of the bund required for protection of Greenvale Reservoir and construction of the Aitken Boulevard (E14) roadway before any development commences in the catchment that falls west of the current (June 2007) natural ridge line, towards the Greenvale Reservoir, within the Greenvale Lakes East site.

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 6 persons may be accommodated away from their normal place of residence. At least two car parking spaces must be provided.</td>
</tr>
<tr>
<td>Dependant person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</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>
</tbody>
</table>
### Section 2 – Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mineral exploration</td>
<td>Must meet the requirements of Clause 52.08-2.</td>
</tr>
<tr>
<td>Mining</td>
<td>Must not be costeining, sampling or bulk sampling.</td>
</tr>
<tr>
<td>Railway</td>
<td>No more than 5,000m² of retail floorspace.</td>
</tr>
<tr>
<td>Search for stone</td>
<td></td>
</tr>
<tr>
<td>Shop</td>
<td>No more than 5,000m² of retail floorspace.</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>

### Accommodation (other than Dependant person’s unit, Dwelling and Corrective institution and Bed and breakfast)

### Agriculture (other than Animal keeping, animal training, apiculture, horse stables, and Intensive animal husbandry)

### Animal keeping (other than Animal boarding) – if the Section 1 condition is not met

### Car park

### Car wash

### Child care centre

### Convenience shop

### Display home

### Education centre

### Food and drink premises (other than Convenience restaurant and Take away food premises)

### Leisure and recreation (other than Informal outdoor recreation and Motor racing track, Outdoor recreation facility)

### Hotel

### Market

### Medical centre
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mineral, Stone or Soil extraction (other than Extractive industry,</td>
<td>The site must not exceed either:</td>
</tr>
<tr>
<td>Mineral exploration, Mining and Search for stone)</td>
<td>- 3000 square meters</td>
</tr>
<tr>
<td>Office</td>
<td>3600 square meters if it adjoins on two boundaries of a road in a road zone.</td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Circus</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</td>
</tr>
<tr>
<td>and Nightclub)</td>
<td>resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Place of worship</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Postal agency</td>
<td></td>
</tr>
<tr>
<td>Retail premises</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>Buildings and works must meet the requirements of Clause 52.19</td>
</tr>
<tr>
<td>Store</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility</td>
<td></td>
</tr>
<tr>
<td>Veterinary centre</td>
<td></td>
</tr>
<tr>
<td>Utility Installation (other than Minor utility installation and</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
<tr>
<td><strong>Section 3 – Prohibited</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Use</strong></td>
<td></td>
</tr>
<tr>
<td>Amusement parlour</td>
<td></td>
</tr>
<tr>
<td>Animal boarding</td>
<td></td>
</tr>
<tr>
<td>Animal training</td>
<td></td>
</tr>
<tr>
<td>Betting agency</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Cemetery</td>
<td></td>
</tr>
<tr>
<td>Corrective institution</td>
<td></td>
</tr>
<tr>
<td>Crematorium</td>
<td></td>
</tr>
<tr>
<td>Department store</td>
<td></td>
</tr>
<tr>
<td>Extractive industry</td>
<td></td>
</tr>
<tr>
<td>Horse stables</td>
<td></td>
</tr>
</tbody>
</table>
Use

Industry (other than Car wash)
Intensive animal husbandry
Motor racing track
Nightclub
Saleyard
Shop if section 1 condition is not met.
Transport terminal
Warehouse (other than store)

Use of land

Comprehensive Development Plan
A comprehensive development plan is a generalised plan showing the main land use intentions for the area. More detailed intentions and development and use proposals will be prepared and shown in the Greenvale Lakes East Development Plan.

Use of Land
The use of the land must be consistent with the provisions of the Greenvale Lakes East Comprehensive Development Plan.
A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport or materials, goods or commodities to or from the land;
- Appearance of any building, works or materials; and
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Application Requirements
An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the type of activities which will be carried out;
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation and light spill, solar access and glare;
- For land within the Greenvale Reservoir catchment that falls west of the current (June 2007) natural ridgeline, toward Greenvale Reservoir, written approval from Melbourne Water for the construction of a protective bund for Greenvale Reservoir and construction of Aitken Boulevard (E14) roadway including plans as required. The written approval and plans for the roadway must also be to the satisfaction of the Responsible Authority, and VicRoads.

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 Municipal Planning Strategy and Planning Policy Framework and local planning policies;
- Any relevant comprehensive development plan or policy affecting the land;
- The effect that existing uses may have on the proposed use;
- The drainage of the land;
- The availability and connection of services; and
- The effect on traffic to be generated on roads.
- Melbourne Water’s written approval and approved plans for:

The bund required for protection of Greenvale Reservoir and construction of the Aitken Boulevard/(E14) roadway before any development commences in the catchment that falls west of the current (June 2007) natural ridge line, toward the Greenvale Reservoir, within the Greenvale Lakes East site.

2.5
24/07/2014
C188

Exemption from notice and appeal

An application for a Section 2 Use 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:
- On a site that is identified for the use in a development plan approved by the responsible authority under Clause 43.04-1; and
- Within an activity centre in a development plan approved by the responsible authority under Clause 43.04-1.

3.0
27/05/2019
C238hume

Subdivision

The subdivision of the land must be consistent with the provisions of the Greenvale Lakes East Comprehensive Development Plan.

3.1
02/10/2008
C75

Application Requirements

An application to subdivide land must be accompanied by the following information, as appropriate:
- For land within the Greenvale Reservoir catchment that falls west of the current (June 2007) natural ridgeline, toward Greenvale Reservoir, and east of Aitken Boulevard (E14), written approval from Melbourne Water for the construction of a protective bund for Greenvale Reservoir and construction of Aitken Boulevard (E14) roadway including plans as required. The written approval and plans for the roadway must also be to the satisfaction of the Responsible Authority, and VicRoads.
- Prior to the certification of a plan of subdivision, the Owner of the land shall, at its own cost and expense and to the satisfaction of Yarra Valley Water:
  - Ensure the provision and funding of a sewerage flow control facility or alternative works, together with associated pipes to the existing sewerage network to serve the development created by the subdivision of the land, and
  - Grant or cause to be granted any associated easements required by Yarra Valley Water to give effect to the sewerage flow control facility or alternative works.

3.2
27/05/2019
C238hume

Decision Guidelines

Before deciding on an application for a permit to subdivide land or whether a proposed subdivision is satisfactory in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:
- the Municipal Planning Strategy and Planning Policy Framework, and local planning policies;
- any relevant comprehensive development plan or policy affecting the land;
- the provisions and requirements of any relevant development plan approved by the responsible authority under Clause 43.04-1;
- the provisions of clause 56;
the requirements of authorities specified as referral authorities in Clause 66;
the drainage of the land;
the availability and connection of services; and
the effect on traffic to be generated on roads.
the need for financial and other contributions towards the provision of reticulated service infrastructure, community facilities and transport systems as set out in appropriate agreements, conditions or other arrangements to guarantee those contributions; and
the relationship of the proposed subdivision to the existing and proposed subdivision and use of adjoining land.
Melbourne Water’s written approval and approved plans for:
The bund required for protection of Greenvale Reservoir and construction of the Aitken Boulevard/(E14) roadway before any development commences in the catchment that falls west of the current (June 2007) natural ridge line, towards the Greenvale Reservoir, within the Greenvale Lakes East site.

**3.3 Exemption for notice and appeal**
An application for subdivision which is generally consistent with the relevant development plan approved by the responsible authority under Clause 43.04-1, 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 review rights of Section 82(1) of the Act.

**4.0 Buildings and works**

**4.1 Construction and extension of one dwelling on lots at least 300 square metres**
A permit is not required to construct or extend one dwelling on a lot of 300 square metres and greater.

**4.2 Construction and extension of medium-density housing and residential buildings**

**Application Requirements**
An application:
- To construct a dwelling if there is at least one dwelling on the lot;
- To extend a dwelling if there are two or more dwellings on the lot;
- To construct two or more dwellings on a lot; and
- To construct or extend a residential building.

Must be accompanied by a neighbourhood and site description and design response as described in Clause 55.01.

This does not apply to the construction of one dependant person’s unit on a lot.

**Satisfactory Neighbourhood and Site Description**
The responsible authority:
- Must inform the applicant in writing:
  - Before notice of an application is given; or
  - If notice of an application is not required to be given, before deciding on the application;
- That the neighbourhood and site description meets the requirements of Clause 55.01-1 and is satisfactory or does not meet the requirements of Clause 55.01-1 and is not satisfactory; and

- If the responsible authority decides that the site analysis is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

- 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.

**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 State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies; and

- The provisions of Clause 54 and Clause 55.

**Application requirements generally**

An application to construct a building or carry out works must be accompanied by the following information as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site;
  - Adjoining roads;
  - The location, height and purpose of buildings and works on adjoining land;
  - Relevant ground levels;
  - The layout if existing and proposed buildings and works;
  - All driveway, car parking and loading areas;
  - Proposed landscape areas;
  - All external storage and waste treatment areas; and
  - 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 appeal**

An application to construct a building or carry out works for a use in Section 1 or Section 2 of this Schedule:

- On a site that is identified for the use in a development plan approved by the responsible authority under Clause 43.04-1;
- Within an activity centre in a development plan approved by the responsible authority under Clause 43.04-1.

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 review rights of Section 82(1) of the Act.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 3 except for activity centres on a relevant development plan that are in Category 1.
SCHEDULE 4 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as CDZ4.

MERRIFIELD MAJOR TOWN CENTRE

Land

This Schedule applies to land generally bounded Donnybrook Road to the south, Merrifield Employment Node to the east, Merrifield West Precinct Structure Plan area to the west and Kalkallo Retarding Basin to the north.

Purpose

To provide for the development of the land as an integrated, contemporary Major Town Centre.

To provide for the development of the land for a range of uses including retail, residential, commercial, employment, community and recreation purposes.

To provide for the comprehensively planned development of land, in a way that has efficient linkages with nearby existing and planned urban land.

To provide for the orderly planning and development of new roads and other physical infrastructure, to complement existing and proposed road networks, and to provide ease of access into and out of the area.

To provide for the use and development of land generally in accordance with the Merrifield Comprehensive Development Plan, Merrifield Town Centre Development Co-ordination Plan and relevant Precinct Concept Plans.

To protect and conserve areas of environmental and heritage significance.

To encourage the development of a high amenity town centre, mixed commercial environment and residential area with high standards of building design in attractively landscaped streetscapes.

To encourage community facilities to support the resident and business population.

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 Residential building)</td>
<td>Must be consistent with an approved Precinct Concept Plan.</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td>The site must be identified for the use within an activity centre in a precinct concept plan. Must be consistent with any relevant precinct concept plan.</td>
</tr>
<tr>
<td>Cinema</td>
<td>The site must be identified for the use within an activity centre in a precinct concept plan. Must be consistent with any relevant precinct concept plan.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td>Must be consistent with any relevant precinct concept plan.</td>
</tr>
<tr>
<td>Electoral office</td>
<td>Must be used for only 4 months before an election and 2 weeks after an election. The site must be identified for the use within an activity centre in a precinct concept plan. Must be consistent with any relevant precinct concept plan.</td>
</tr>
</tbody>
</table>
### HUME PLANNING SCHEME

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Office (other than Electoral office)</td>
<td>The site must be identified for the use within an activity centre in a precinct concept plan. Must be consistent with any relevant precinct concept plan.</td>
</tr>
<tr>
<td>Postal agency</td>
<td></td>
</tr>
<tr>
<td>Railway station</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td></td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop and Convenience Shop)</td>
<td>The site must be identified for the use within an activity centre in a precinct concept plan. Must be consistent with any relevant precinct concept plan.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any uses listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01</td>
</tr>
</tbody>
</table>

#### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Apiculture, Animal keeping, and Intensive animal husbandry)</td>
<td></td>
</tr>
<tr>
<td>Child care centre</td>
<td></td>
</tr>
<tr>
<td>Display home</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Hospital</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td></td>
</tr>
<tr>
<td>Motor vehicle, boat or caravan sales</td>
<td>Must not be in an area identified for predominantly residential use in the relevant precinct concept plan</td>
</tr>
<tr>
<td>Place of assembly (other than Circus and Carnival and Cinema)</td>
<td></td>
</tr>
<tr>
<td>Residential building</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Motor vehicle, boat or caravan sales, Postal agency, Restaurant, Shop)</td>
<td></td>
</tr>
<tr>
<td>Service Station</td>
<td></td>
</tr>
<tr>
<td>Utility Installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Veterinary centre</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>
### Section 3 - Prohibited Use

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
</tr>
<tr>
<td>Adult sex product shop</td>
</tr>
<tr>
<td>Animal keeping</td>
</tr>
<tr>
<td>Airport</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cemetery</td>
</tr>
<tr>
<td>Crematorium</td>
</tr>
<tr>
<td>Extractive industry</td>
</tr>
<tr>
<td>Intensive animal husbandry</td>
</tr>
<tr>
<td>Liquid fuel depot</td>
</tr>
<tr>
<td>Materials recycling</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Refuse disposal</td>
</tr>
<tr>
<td>Transfer station</td>
</tr>
</tbody>
</table>

---

### Merrifield Major Town Centre Development Co-ordination Plan

Prior to the approval of any Precinct Concept Plan/s for the site, a Development Co-ordination Plan for the entire site must be prepared and endorsed by the responsible authority, who must have regard to the views and requirements of the Department of Sustainability and Environment, Department of Transport, Public Transport Victoria, VicRoads and the Growth Areas Authority. The endorsed development co-ordination plan must be generally in accordance with the Merrifield Comprehensive Development Plan.

The Development Co-Ordination Plan may be amended to the satisfaction of the Responsible Authority.

This plan must show and include to the satisfaction of the responsible authority:

- The proposed access points into the land from Donnybrook Road and other existing or proposed transport infrastructure taking into account Federal and State Government transport objectives;
- The proposed internal connector street network including proposed linking points to surrounding land;
- The articulation of urban design principles that support and deliver activation of buildings within the street network;
- Identify the town centre core and provide for a mix and intensity of uses and housing within a walkable distance, ;
- Identify the general form and function of the town centre including the proposed use and development of each part of the town centre;
- Arrangements for the provision of reticulated infrastructure;
- Arrangements for the provision of water sensitive urban design;
- Indicative staging for development of the site;
- The precinct areas that are to be developed;
- The location and size of the retail, commercial, residential and other land use areas proposed;
- Open space networks to be provided;
- Community infrastructure to be provided;
- Remnant indigenous trees to be removed or retained and, where possible, included in public open space;
- Identify areas of moderate or high salinity risk, where management measures will be required;
- Identify how public transport will be integrated within the town centre including the provision of suitable bus access, routes and stops in accordance with the Public Transport Guidelines for Land Use and Development;
- An Integrated Transport Plan (ITP) which must consider and report on the following to the satisfaction of the responsible authority:
  - The proposed street and pedestrian movement network;
  - The needs for non-motorised travel, including access by walking and cycling and links to the Principle Bicycle Network (PBN) and Metropolitan Trail Network (MTN), facilities for cyclists and internal circulation of cyclists and pedestrians;
  - How the proposal makes better use of existing transport assets including arterial roads, public transport or new pedestrian links or cycle paths;
  - The integration of land use with transport provision;
  - How the proposal will promote and facilitate the use of public transport;
  - Linkages between key destinations and trip generating activities for vehicles, pedestrians and cyclists;
  - The requirements of commercial vehicles;
  - How the plan responds to State government transport objectives; and
  - The details relating to the upgrading of Donnybrook Road.

3.0
02/05/2013
C167

Precinct Concept Plan/s

Prior to any use or development commencing, other than works required for physical infrastructure to service the land, Precinct Concept Plan/s must be prepared for the site which are generally in accordance with the Merrifield Comprehensive Development Plan and the Merrifield Town Centre Development Co-ordination Plan.

A Precinct Concept Plan may be endorsed for a part or whole of the land within the Merrifield Comprehensive Development Plan to the satisfaction of the responsible authority. Before deciding whether to approve a Precinct Concept Plan/s, the responsible authority may consider the views of any relevant authority or agency as appropriate.

Upon application by the owner of the land the precinct concept plan/s may be amended to the satisfaction of the responsible authority.

A permit must be generally in accordance with an approved Precinct Concept Plan.

Content of the Precinct Concept Plan/s

The precinct concept plan/s must show and demonstrate to the satisfaction of the responsible authority the following, where applicable:

- Consistency with any relevant approved Merrifield Town Centre Development Co-ordination Plan for the site;
- The land to which the precinct concept plan applies;
• The proposed uses of each part of the land;
• Identify how the Precinct Concept Plan responds to activity centre, safer design or other relevant
design guidelines incorporated or referenced in the Hume Planning Scheme;
• Identify and respond to surrounding land use context and show the relationship and interface
arrangements to existing and proposed development surrounding the site;
• Road layout and design, including road reserve widths;
• The proposed arterial and neighbourhood connector street network including proposed linking
points to surrounding land;
• Pedestrian and cycle paths;
• How provision will be made for access to existing or proposed public transport facilities;
• The location of any vegetation required to be retained;
• Any sites of environmental, cultural or heritage significance and the means by which they will
be managed;
• Open space, community facilities and recreation facilities/functions;
• Proposed retarding basins, lakes, water features, water courses and drainage lines and the means
by which these will be managed and water quality maintained;
• The indicative development sequence for the land;

An Urban Design Framework for the proposed commercial and retail areas precinct. The Urban
Design Framework must be generally in accordance with the Merrifield Comprehensive
Development Plan and the Merrifield Major Town Centre Development Co-ordination Plan and
include, as relevant;

• an overall landscape concept;
• principles for the provision for car parking including the location and design of car parking
areas and car parking rates for proposed uses;
• principles for the provision of service areas for deliveries and waste disposal including access
for larger vehicles and measures to minimise the impact on the amenity of the activity centre
and adjoining neighbourhoods;
• a highly permeable street block structure;
• preferred building heights;
• an ability to accommodate and promote vertically mixed land uses where appropriate;
• incorporate, as appropriate, design requirements from infrastructure agencies;
• building design guidelines;

Use of land

A use must meet the objectives of the Comprehensive Development Zone and be generally in
accordance with the Merrifield Town Centre Development Co-ordination Plan and any relevant
Precinct Concept Plan, to the satisfaction of the responsible authority.

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 building, works, stored goods or materials;
• Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash,
dust, wastewater, waste products, grit or oil.
4.1 Application requirements
An application to use land must be accompanied by the following information, 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 the neighbourhood, including noise levels, traffic, the hours of delivery and dispatch of goods and materials, hours of operation and light spill, solar access and glare;
- The means of maintaining land not required for immediate use;

4.2 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.

4.3 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 Municipal Planning Strategy and Planning Policy Framework
- The extent to which the proposal complies with the Merrifield Comprehensive Development Plan, the Merrifield Town Centre Development Co-ordination Plan and any relevant Precinct Concept Plan;
- 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 by the proposed use;
- The provision of adequate connection and road infrastructure to provide for future growth and public transport provision;
- The interim use and management 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 or proposed residential areas or other uses which are sensitive to industrial off-site effects;

5.0 Subdivision
A permit is required to subdivide land.

Subdivision of the land must be generally in accordance with the Development Co-ordination Plan and any relevant Precinct Concept Plan to the satisfaction of the responsible authority. Subdivision of lots may occur in stages.

Where no Development Co-ordination Plan or Precinct Concept Plan has been approved, the responsible authority may grant a permit to subdivide land, provided it is satisfied that the subdivision will not prejudice the preparation of the Development Co-ordination Plan or Precinct Concept Plan.

Any application for subdivision that intends to apply the Small Lot Housing Code and allows the creation of a lot less than 300 square metres must ensure that:
Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Hume Planning Scheme; and

The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the responsible authority.

Application requirements
An application for subdivision must be accompanied by the following information to the satisfaction of the responsible authority:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site;
  - Adjoining roads;
  - Relevant ground levels;
  - Areas of subdivision, including any areas of common property;
  - Construction details of all drainage works and cross over points to all lots;
  - The constructed level of any road to provide all weather safe access and egress to all allotments at all times;
  - The location and staging of road works to be undertaken either by dates or stages;
  - The stages by which development of the land is proposed to proceed;
  - The proposed internal road layout pattern and traffic management measures including the provision of traffic control works in existing or proposed roads;
  - The provision of all necessary infrastructure including access to surrounding roads; and
  - The location of all footpaths and pedestrian links within the site and how they link with surrounding areas.

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
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 suitability of all the proposed lots for the uses that are preferred in the precincts described in the Merrifield Comprehensive Development Plan, the Merrifield Town Centre Development Co-ordination Plan and any relevant Precinct Concept Plan;
- The extent to which the proposal is consistent with the Development Co-ordination Plan;
- The effect the subdivision will have on the potential area to accommodate the uses which will maintain or enhance its competitive strengths;
- The effect of the proposed subdivision on any areas of environmental, cultural or heritage significance identified in any relevant Precinct Concept Plan;
- The appropriateness of the road layout and integration with the existing road network;
- The provision of adequate connection and road infrastructure to provide for future growth and public transport provision;
- Streetscape character;
- Landscape character;
- The interface with surrounding zones; and
- The comments and requirements of authorities specified as referral authorities in Clause 66.

### Buildings and works

Buildings and works must generally be in accordance with the Merrifield Comprehensive Development Plan, Development Co-ordination Plan and any relevant Precinct Concept Plan to the satisfaction of the responsible authority.

A permit is not required to construct or extend one dwelling on a lot of 300 square metres or more. A permit is required to construct or extend one dwelling on a lot of less than 300 square metres except where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title and it meets all of the standards of the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Hume Planning Scheme.

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.

### Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site;
  - Adjoining roads;
  - The location, height and purpose of buildings and works;
  - 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; and
  - Areas not required for immediate use.

- Elevation drawings to scale showing the colour and materials of all buildings and works;
- Layout plans of all drainage works, driveways, vehicle parking and loading areas; and
- 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 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 for buildings and works, the responsible authority must consider:

- The consistency of the proposed works with the objectives of the Merrifield Comprehensive Development Zone, the Development Co-ordination Plan and any relevant Precinct Concept Plan;
- The effect of the proposed buildings and works on any areas of environmental, cultural or heritage significance identified in any relevant Precinct Concept Plan;
- The appropriateness of the proposed building form and its effect on adjoining properties and the streetscape;
- The appropriateness of the materials and finishes of the proposed buildings and works;
- The provision of adequate connection and road infrastructure to provide for future growth and public transport provision;
- The appropriateness of the proposed landscaping treatment;
- The appearance of the buildings and works from main roads including Donnybrook Road.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 1 for land shown on the Merrifield Town Centre Development Co-ordination Plan for commercial and Category 3 for land shown as Residential.
SCHEDULE 5 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as CDZ5.

GREENVALE NORTH NEIGHBOURHOOD ACTIVITY CENTRE COMPREHENSIVE DEVELOPMENT PLAN

Land

This Schedule applies to the land in the Greenvale North Neighbourhood Activity Centre being the land shown on Map 1 to this schedule which identifies the Greenvale North Neighbourhood Activity Centre Comprehensive Development Plan.

Purpose

To provide for the use and development of the land generally in accordance with the Greenvale North Neighbourhood Activity Centre Comprehensive Development Plan.

To complement the residential development provided as part of the Development Plan for 1090 Mickleham Road, Greenvale, the Greenvale West (R3) Precinct Structure Plan and surrounding area by providing for retail and community activities.

To provide for the integrated planning, development and subdivision of the Greenvale North Neighbourhood Activity Centre.

1.0

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Betting agency</td>
<td>Must not be located in the area identified as Higher Density Residential in Map 1 to this schedule.</td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
</tbody>
</table>
| Dwelling                                     | Must be in the Higher Density Residential Areas as shown in Map 1 to this schedule.  
|                                              | or                                                                        |
|                                              | If within the area identified as Retail in Map 1 to this schedule, the frontage at ground floor level must not exceed 2 metres. |
| Electoral office                             | Must not be located in the area identified as Higher Density Residential in Map 1 to this schedule.  
|                                              | May be used for only 4 months before an election and 2 weeks after an election. |
| Food and drink premises (other than Convenience restaurant, Hotel, Restaurant and Tavern) | Must not be located in the area identified as Higher Density Residential in Map 1 to this schedule. |
| Home based business                          |                                                                           |
| Informal outdoor recreation                  |                                                                           |
| Office (other than Electoral office)         | Must not be located in the area identified as Higher Density Residential in Map 1 to this schedule.  
|                                              | and                                                                      |
### Use | Condition
--- | ---
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), unless the office is a bank, real estate agency, medical centre, or any other office where the floor space adjoining the frontage is a customer service area accessible to the public.  
Postal agency | Must not be located in the area identified as Higher Density Residential in Map 1 to this schedule.  
Restaurant | Railway  
Shop (other than Adult sex product shop) | Must not be located in the area identified as Higher Density Residential in Map 1 to this schedule.  
The combined leasable floor areas of shop must not exceed 5,300 sqm  
Take away food premises | Must not be located in the area identified as Higher Density Residential in Map 1 to this schedule.  
Tramway | Any use listed in Clause 62.01 | Must meet the requirements of Clause 62.01  

### Section 2 - Permit required

| Use | Condition |
--- | ---|
Accommodation  
Agriculture (other than Apiculture, Intensive animal husbandry)  
Bed and breakfast  
Child care centre  
Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)  
Place of assembly (other than Circus and Carnival)  
Retail premises (other than Betting agency, Food and drink premises, Postal agency, and Shop) | Must not be located in the area identified as Higher Density Residential in Map 1 to this schedule.  
The site must not exceed 3,000 square metres. |
Service station | 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.
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tavern</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor</td>
<td></td>
</tr>
<tr>
<td>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>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
</tr>
<tr>
<td>Animal boarding</td>
</tr>
<tr>
<td>Animal training</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Corrective institution</td>
</tr>
<tr>
<td>Extractive industry</td>
</tr>
<tr>
<td>Horse stables</td>
</tr>
<tr>
<td>Industry (other than Car wash)</td>
</tr>
<tr>
<td>Intensive animal husbandry</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Transport terminal</td>
</tr>
<tr>
<td>Warehouse (other than Store)</td>
</tr>
</tbody>
</table>

**Urban Design Framework**

A permit must not be granted to use or subdivide land, or to construct a building or construct and carry out works until an Urban Design Framework for the whole of the land subject to this Schedule has been prepared to the satisfaction of the responsible authority.

A permit must be generally in accordance with the approved Urban Design Framework.

The Urban Design Framework must not be prepared in stages.

The Urban Design Framework may be amended with the approval of the responsible authority.

The responsible authority may grant a permit to use, subdivide land, or to construct a building or construct or carry out works prior to the approval of an Urban Design Framework if it is satisfied that the proposal will not affect the outcomes for the land sought by the *Greenvale North Neighbourhood Activity Centre Comprehensive Development Plan*.

The Urban Design Framework must be generally in accordance with the *Greenvale North Neighbourhood Activity Centre Comprehensive Development Plan*.

The Urban Design Framework must include the following information, as appropriate:

- Set out the form and function of the activity centre including the proposed use and development of each part of the activity centre in the short and longer term.
Include a traffic impact assessment report to the satisfaction of the responsible authority and VicRoads.

Include a compact urban core which maximises the developable area, mix and intensity of activity and housing within walkable distance of the activity centre heart.

Set out how the design responds to any activity centre, safer design or other relevant design guidelines incorporated or referenced in the planning scheme.

Show arrangements for access to the activity centre from adjoining arterial roads to the satisfaction of the relevant roads authority.

Set out the location of community facilities and public spaces.

Include an overall landscape concept for the activity centre.

Set out provisions for car parking including the location and design of car parking areas and car parking rates for proposed uses within the activity centre.

Set out guidelines for the provision of signs.

Set out arrangements for the provision of service areas for deliveries and waste disposal including access for larger vehicles and measures to minimise the impact on the amenity of the activity centre and adjoining neighbourhoods.

The Urban Design Framework must respond to the following design objectives, as appropriate:

- A street based activity centre.
- A main street within the activity centre.
- A highly permeable street block structure.
- Minimum heights of buildings.
- A mixture of uses both vertically and horizontally to facilitate a wide range of uses.
- Multi-purpose, mixed-use buildings in the main street.
- How any future subdivision of buildings may be achieved.
- Show the relationship to existing and proposed development surrounding the activity centre.
- Set out building design guidelines to ensure appropriate interface with streets and other public spaces.
- Set out the design of streets including street design and widths, pedestrian access and areas, car parking, paving materials and street furniture.
- Include guidelines to improve environmental sustainability including integrated water management and energy conservation.
- Set out how public transport will be integrated with the activity centre including the provision of suitable bus access, routes and stops in accordance with the Public Transport Guidelines for Land Use and Development to the satisfaction of Public Transport Victoria.
- Show how opportunities for housing are incorporated as an important component of the activity centre.

The Urban Design Framework must address the Neighbourhood Activity Centre role of the centre as defined in Clause 21.07 of the Hume Planning Scheme.

The Urban Design Framework must set out how the design responds to feedback received from consultation with infrastructure agencies, where applicable.
Use of land

Amenity of the neighbourhood
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.

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 activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, the hours of delivery and dispatch of goods and materials, hours of operation and light spill, solar access and glare.
- The means of maintaining land not required for immediate use.

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 requirements of this Schedule, the Greenvale North Neighbourhood Activity Centre Comprehensive Development Plan and the approved Urban Design Framework.
- The effect that existing uses may have on the proposed use.
- 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 requirements
A permit is required to subdivide land.

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 requirements of this Schedule, the Greenvale North Neighbourhood Activity Centre Comprehensive Development Plan and the approved Urban Design Framework.
- Provision for vehicles providing for supplies, waste removal and emergency services and public transport.
- The interface with adjoining zones, especially the relationship with residential areas.
- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.

Buildings and works

Permit requirements
A permit is required to construct a building or construct or carry out works.
This does not apply to:

- The internal rearrangement of a building if the floor area is not increased.
- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground floor 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.

**Application requirements**

An application 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.

- Identification of proposed bus routes and bus stop locations to the satisfaction of the Public Transport Victoria.

- Elevation drawings to scale showing the colour and materials of all buildings and works.

- Construction details of 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.

- A traffic impact assessment.

**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 requirements of this Schedule, the *Greenvale North Neighbourhood Activity Centre Comprehensive Development Plan* and the approved Urban Design Framework.

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.

- The provision of car parking.

- The interface with adjoining zones, especially the relationship with residential areas.
The streetscape, including the design of verandahs, access from street frontage, protecting active frontages to pedestrian areas, the treatment of the front 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.

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 development of five or more storeys, excluding a basement.

**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:

- 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.

**Satisfactory neighbourhood and site description and design response before notice and decision**

The responsible authority must inform the applicant in writing:

- Before notice of an application is given, or
- If notice of an application is not required to be given, before deciding the application, that the neighbourhood and site description meets the requirements of Clause 54.01 and is satisfactory or does not meet the requirements of Clause 54.01 and is not satisfactory.

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 decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 54.01 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the *Planning and Environment Act 1987* (the Act).

**Conditions and requirements for permits**

A planning permit for the use, development or subdivision of 1090 Mickleham Road, Lot P PS643204W Vol 11320 Fol 009, must include a permit condition which provides for:

- Upgrade works to be carried out along Garibaldi Road to the satisfaction of the Responsible Authority;
- Upgrade works to be carried out at the intersection of Garibaldi Road and Mickleham Road if required, to the satisfaction of the Responsible Authority; and
- Any road widening required to be carried out to upgrade Garibaldi Road is to be undertaken within 1090 Mickleham Road, Greenvale.

7.0
27/05/2019
C238hume

Signs
Sign requirements are at Clause 52.05. All land is in Category 1.

8.0
14/05/2015
C150

Exemption from notice and review
An application under any provision of this scheme which is generally in accordance with the Greenvale North Neighbourhood Activity Centre Comprehensive Development 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.

9.0
14/05/2015
C150

Map 1 to Schedule 5 to Clause 37.02
Greenvale North Neighbourhood Activity Centre Comprehensive Development Plan
**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>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal production (other than Grazing animal production)</td>
<td></td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td></td>
</tr>
<tr>
<td>Motor racing track</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 2</td>
<td></td>
</tr>
</tbody>
</table>

**Buildings and works**

A permit is required to construct a building or construct or carry out works, including:

- A fence.
- Roadworks, if the water flowpath is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.

This does not apply to:
- Flood mitigation works carried out by the responsible authority or floodplain management authority.
- The following works in accordance with plans prepared to the satisfaction of the responsible authority:
  - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
  - The erection of telephone or power lines provided they do not involve the construction of towers or poles.
- Post and wire and post and rail fencing.

**Subdivision**
A permit is required to subdivide land. A permit may only be granted to subdivide land if the following apply:
- The subdivision does not create any new lots, which are entirely within this zone. This does not apply if the subdivision creates a lot, which by agreement between the owner and the relevant floodplain management authority, is to be transferred to an authority for a public purpose.
- The subdivision is the resubdivision of existing lots and the number of lots is not increased, unless a local floodplain development plan incorporated into this scheme specifically provides otherwise.

**Application requirements**

**General**
An application must be accompanied by any information specified in the schedule to this zone.

**Local floodplain development plan**
If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

**Flood risk report**
If a local floodplain development plan for the area has not been incorporated into this scheme, an application must be accompanied by a flood risk report to the satisfaction of the responsible authority. The flood risk report must consider the following, where applicable:
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this zone.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effects of the development on environmental values such as natural habitat, stream stability, erosion, water quality and sites of scientific significance.

### 37.03-5
19/01/2006
VC37

**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.

### 37.03-6
31/07/2018
VC148

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The local floodplain development plan or flood risk report.
- Any comments of the relevant floodplain management authority.
- Any other matters specified in the schedule to this zone.

### 37.03-7
31/07/2018
VC148

**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 CLAUSE 37.03 URBAN FLOODWAY ZONE

1.0 Application requirements
None specified.

2.0 Decision guidelines
None specified.

3.0 Signs

<table>
<thead>
<tr>
<th>Land</th>
<th>Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
**URBAN GROWTH ZONE**

Shown on the planning scheme map as **UGZ** with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To manage the transition of non-urban land into urban land in accordance with a precinct structure plan.

To provide for a range of uses and the development of land generally in accordance with a precinct structure plan.

To contain urban use and development to areas identified for urban development in a precinct structure plan.

To provide for the continued non-urban use of the land until urban development in accordance with a precinct structure plan occurs.

To ensure that, before a precinct structure plan is applied, the use and development of land does not prejudice the future urban use and development of the land.

**Application of provisions**

**Part A – No precinct structure plan applies**

The provisions of Clauses 37.07-1 to 37.07-8 apply if no precinct structure plan applies to the land.

**Part B – Precinct structure plan applies**

The provisions of Clauses 37.07-9 to 37.07-16 apply if a precinct structure plan applies to the land.

**Precinct structure plan provisions**

A precinct structure plan applies to land when the precinct structure plan is incorporated in this scheme.

**Part A – Provisions For Land Where No Precinct Structure Plan Applies**

**Table of uses**

**Section 1 – Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Bed and breakfast</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>Dependent person’s unit</td>
<td>Must be the only Dependent person’s unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 37.07-2.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Dwellings (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot.</td>
</tr>
<tr>
<td></td>
<td>The lot must be at least 40 hectares.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 37.07-2.</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Must be no more than 100 poultry (not including emus or ostriches).</td>
</tr>
<tr>
<td></td>
<td>Must be no more than 10 emus and ostriches.</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>Must not be within 100 metres of a dwelling in separate ownership.</td>
</tr>
<tr>
<td></td>
<td>The area used for the display and sale of primary produce must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
<td>Must not have a gross floor area more than 200 square metres.</td>
</tr>
<tr>
<td></td>
<td>Must not be within 100 metres of a dwelling in separate ownership.</td>
</tr>
<tr>
<td></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 or Rural Living Zone:</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>Rural store</td>
<td>Must be used in conjunction with Agriculture.</td>
</tr>
<tr>
<td></td>
<td>Must be in a building, not a dwelling, and have a gross floor area of less than 100 square metres.</td>
</tr>
<tr>
<td></td>
<td>Must be the only Rural store on the lot.</td>
</tr>
<tr>
<td>Tramway</td>
<td></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>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>Abattoir</td>
<td></td>
</tr>
<tr>
<td>Animal production (other than Broiler farm, Grazing animal production and Intensive animal production)</td>
<td></td>
</tr>
<tr>
<td>Broiler farm - if the Section 1 condition to Poultry farm is not met</td>
<td>Must be no more than 10,000 chickens.</td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td></td>
</tr>
</tbody>
</table>
### Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Cemetery</td>
<td></td>
</tr>
<tr>
<td>Crematorium</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 37.07-2.</td>
</tr>
<tr>
<td>Display home centre</td>
<td></td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 5 animals.</td>
</tr>
</tbody>
</table>
| Dwelling (other than Bed and breakfast) – if the Section 1 conditions are not met | Must be no more than 2 dwellings on the lot.  
Must meet the requirements of Clause 37.07-2. |
| Education centre (other than child care centre) |                                                                          |
| Emergency services facility                   |                                                                          |
| Freeway service centre                        | Must meet the requirements of Clause 53.05.                              |
| Industry (other than Rural Industry)          |                                                                          |
| Racing dog husbandry                          | Must be no more than 5 animals.                                          |
| Trade supplies                                |                                                                          |
| Utility installation (other than Minor utility installation and Telecommunications facility) |                                                                          |
| Veterinary centre                             |                                                                          |
| Warehouse (other than Rural store)            |                                                                          |
| Winery                                        |                                                                          |
| Any other use not in Section 1 or 3           |                                                                          |

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Bed and breakfast, Camping and caravan park, Dependent person’s unit, Dwelling, Group accommodation, Host farm and Residential hotel)</td>
</tr>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Child care centre</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Intensive animal production</td>
</tr>
</tbody>
</table>
Use

Nightclub
Office (other than Medical centre and Real estate agency)
Renewable energy facility
Retail premises (other than Landscape gardening supplies, Manufacturing sales, Market, Primary produce sales, Restaurant and Trade supplies)
Saleyard
Timber production

37.07-2
10/06/2008
VC48

Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

37.07-3
16/04/2014
VC111

Subdivision

A permit is required to subdivide land.

Each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

37.07-4
21/09/2018
VC150

Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 37.07-1. This does not apply to:
  - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is no more than 100 square metres.
  - An out-building associated with an existing dwelling provided the floor area of the out-building is not more than 100 square metres.
  - An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is no more than 200 square metres. The building must not be used to keep, board, breed or train animals.
Earthworks which change the rate of flow or the discharge point of water across a property boundary.

Earthworks which increase the discharge of saline water.

A building which is within any of the following setbacks:
- 100 metres from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1.
- 40 metres from a Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2.
- 20 metres from any other road.
- 5 metres from any other boundary.
- 100 metres from a dwelling not in the same ownership.
- 100 metres from a waterway, wetlands or designated flood plain.

Permanent or fixed feeding infrastructure for seasonal or supplementary feeding for grazing animal production constructed within 100 metres of:
- A waterway, wetland or designated flood plain.
- A dwelling not in the same ownership.
- A residential zone or urban growth zone where a precinct structure plan applies.

**Referral of applications**

An application of the kind listed below must be referred in accordance with section 55 of the Act to the referral authority specified in Clause 66.03.

- An application to use or develop land for any of the following:
  - Display home centre.
  - Education centre.
  - Hospital.
  - Industry.
  - Medical centre.
  - Place of worship.
  - Real estate agency.
  - Warehouse.

- An application to subdivide land to create a lot smaller than 40 hectares in area.

**Environmental audit**

Before a pre-school centre or primary school commences on potentially contaminated land, or before the construction or carrying out of buildings and works in association with a pre-school centre or primary school commences on potentially contaminated land, either:

- A certificate of environmental audit must be issued for the land in accordance with Part IID 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 IID of that Act that the environmental conditions of the land are suitable for the sensitive use.
In this clause, “potentially contaminated land” means land used or known to have been used for industry, mining, or the storage of chemicals, gas, wastes or liquid fuel (if not ancillary to another use of the land).

### 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 effect on the future urban development and use of the land, and adjacent or nearby land, having regard to:
  - Any relevant Growth Corridor Framework Plan.
  - Any precinct structure plan being prepared for the area.
  - Any comments or directions of the referral authority.
- Whether the proposal will prejudice the logical, efficient and orderly future urban development of the land, including the development of roads, public transport and other infrastructure.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development relates to sustainable land management.
- Whether the site is suitable for the use or development.
- The impact of the siting, design, height, bulk, colours and materials to be used on the natural environment, major roads, vistas and water features, future urban use of the land, and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, public transport, walking and cycling networks, gas, water, drainage, telecommunications and sewage facilities.
- Whether the use and development will require new or upgraded infrastructure, including traffic management measures.

### Signs

Sign requirements are at Clause 52.05. The zone is in Category 3. Despite the provisions of Clause 52.05-13, a permit may be granted, for a period of not more than 5 years, to display a sign that promotes the sale of land or dwellings.

### Part B – Provisions For Land Where A Precinct Structure Plan Applies

#### Use of land

Any requirement in the Table of uses and any requirement specified in the schedule to this zone must be met.

A permit granted must be generally in accordance with the precinct structure plan applying to the land.
# Table of uses

## Section 1 – Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
</table>
| Any use in Section 1 of a zone applied by the schedule to this zone | Must comply with any condition opposite the use in Section 1 of the applied zone.  

  Must comply with any condition or requirement specified in the schedule to this zone or in the precinct structure plan. |

| Any use specified in the schedule to this zone as a use for which a permit is not required | Must comply with any condition or requirement specified in the schedule to this zone or in the precinct structure plan. |

## Section 2 – Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
</table>
| Any use in Section 2 of a zone applied by the schedule to this zone | Must comply with any condition opposite the use in Section 2 of the applied zone.  

  Must comply with any condition or requirement specified in the schedule to this zone or in the precinct structure plan. |

| Any use specified in the schedule to this zone as a use for which a permit is required | Must comply with any condition or requirement specified in the schedule to this zone or in the precinct structure plan. |

| Any other use not in Section 1 or 3                                                                 |

## Section 3 – Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 3 of a zone applied by the schedule to this zone</td>
<td></td>
</tr>
</tbody>
</table>

| Any use specified in the schedule to this zone |                                                                                                      |

### Subdivision of land

A permit is required to subdivide land. Any requirement in the schedule to this zone or the precinct structure plan must be met.

A permit granted must:

- Be generally in accordance with the precinct structure plan applying to the land.

- Include any conditions or requirements specified in the schedule to this zone or the precinct structure plan.

### Buildings and works

If the schedule to this zone specifies:

- That the provisions of a zone apply to the development of land, the provisions of the zone apply to land in the circumstances specified in the schedule.
Provisions relating to the development of land, those provisions apply to land in the circumstances specified in the schedule.

If the schedule to this zone specifies that a permit is required to construct a building or construct or carry out works, a permit granted must:

- Be generally in accordance with the precinct structure plan applying to the land.
- Include any conditions or requirements specified in the schedule to this zone or the precinct structure plan.

### Application requirements

An application to use or subdivide land, construct a building or construct or carry out works, must be accompanied by any information specified in the schedule to this zone.

### Exemption from notice and review

An application under any provision of this scheme which is generally in accordance with the precinct structure plan applying to the 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, unless the schedule to this zone specifies otherwise.

### 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:

- Any relevant Growth Area Framework Plan.
- The precinct structure plan applying to the land, including the vision and objectives of the precinct structure plan.
- Any guidelines in the schedule to this zone.

### Inconsistencies between specific and applied zone provisions

If there is an inconsistency between the specific provisions specified in the schedule to this zone and the provisions of a zone applied by the schedule to this zone, the specific provisions prevail to the extent of any inconsistency.

### Signs

Sign requirements are at Clause 52.05. This zone is in the category specified in the schedule to this zone or, if no category is specified, Category 3.
SCHEDULE 1 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ1.

CRAIGIEBURN R2 PRECINCT STRUCTURE PLAN

The Plan

Plan 1 to the Schedule to Clause 37.07 shows the Future Urban Structure for the Craigieburn R2 precinct. It is a reproduction of Plan 5 in the Craigieburn R2 Precinct Structure Plan.

Plan 1 to the Schedule to Clause 37.07

Use and development

The land

The use and development provisions specified in this schedule apply to the land as shown in Plan 1 of this schedule.
2.2 Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land, the construction of a building, and the construction or carrying out of works as set out in Table 1.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Land use/development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Neighbourhood Activity Centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Local Centre</td>
<td></td>
</tr>
<tr>
<td>Mixed Use/Employment</td>
<td>Clause 32.04 – Mixed Use Zone</td>
</tr>
<tr>
<td>Biodiversity Protection Area/Stormwater Management</td>
<td>Clause 35.06 – Rural Conservation Zone (Schedule 2)</td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
</tbody>
</table>

The precise boundary of applied Commercial 1 Zone for local centres is to be determined by the designation of land in a relevant plan of subdivision as a local centre to the satisfaction of the responsible authority.

The precise boundary of the applied Commercial 1 Zone associated with each neighbourhood activity centre will be determined by the Urban Design Framework Plan approved under Clause 3.0 of this schedule.

2.3 Specific provisions – Use of land

The following provisions apply to the use of land.

Table 2: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop where the applied zone is Commercial 1 Zone</td>
<td>A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds the following areas (square metres) for the relevant centre as described in the Craigieburn R2 Precinct Structure Plan:</td>
</tr>
<tr>
<td></td>
<td>5250 – Neighbourhood Activity Centre (north)</td>
</tr>
<tr>
<td></td>
<td>5750 – Neighbourhood Activity Centre (south)</td>
</tr>
<tr>
<td></td>
<td>1000 – Local Centre (north)</td>
</tr>
<tr>
<td></td>
<td>500 – Local Centre (south)</td>
</tr>
<tr>
<td>Office where the applied zone is General Residential Zone</td>
<td>A permit may be granted to use land for an office if the leasable floor area of the office does not exceed 100 square metres.</td>
</tr>
</tbody>
</table>

2.4 Specific provisions – Construction of single dwellings on small lots

A permit is not required to construct one dwelling on a lot of between 250 and 300 square metres where an approved building envelope (as defined in Part 4 of the Building Regulations 2006) applies to the lot.

A permit is not required to construct a front fence within 3 metres of a street on a lot of between 250 and 300 square metres provided that the Front Fence Height Standard in Table A2 to Clause 54.06-2 is met.

Or
A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Hume Planning Scheme.

### Application requirements

#### Subdivision

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land and the staging of the development for all land in contiguous ownership with the land under application. The responsible authority may waive or reduce these application requirements.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the Housing Plan in the incorporated Craigieburn R2 Precinct Structure Plan.
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority, in accordance with the incorporated Craigieburn R2 Precinct Structure Plan.
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.

The responsible authority may waive or reduce these application requirements.

Any application for residential subdivision must be accompanied by:

- A site assessment of the potential for contaminated land as a result of previous land uses.
- An arboricultural report on the condition of any trees proposed for retention in the public realm.
- Potential bus route and bus stop locations prepared in consultation with the Department of Transport.
- An assessment of the existing surface and subsurface drainage conditions on the site by a suitably qualified professional and the potential impacts on the proposed development, including any measures required to mitigate the impacts of springs on the development and the impact of the development on drainage.

The responsible authority may waive or reduce these application requirements.

An application must be accompanied by a Public Infrastructure Plan which addresses the following:

- the provision, staging and timing of stormwater drainage works
- what land may be affected or required for the provision of infrastructure works
- the provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment
- the landscaping of any land
- the provision of public open space and land for any community facilities
- what, if any, infrastructure set out in the Craigieburn R2 Development Contributions Plan is sought to be provided as "works in lieu" subject to the consent of the collecting agency
- any other matter relevant to the provision of public infrastructure required by the responsible authority.
Neighbourhood activity centre urban design frameworks

A permit must not be granted to use or subdivide land, or to construct a building or construct and carry out works within land identified as a Neighbourhood Activity Centre in the Craigieburn R2 Precinct Structure Plan until an Urban Design Framework for the activity centre has been prepared to the satisfaction of the responsible authority.

The Urban Design Framework must be generally in accordance with the Craigieburn R2 Precinct Structure Plan and must address and respond to Section 4.5 of the Craigieburn R2 Precinct Structure Plan.

A permit may be granted to subdivide land or to construct a building or construct and carry out works prior to the approval of an urban design framework if, in the opinion of the responsible authority, the grant of the permit will not prejudice the achievement of the objectives and planning and design guidelines for the activity centre set out in the incorporated precinct structure plan.

The responsible authority may reduce or waive the requirement to prepare an Urban Design Framework if it is satisfied that the proposal will not affect the achievement of the objectives and planning and design guidelines for the activity centre set out in the Craigieburn R2 Precinct Structure Plan.

The Urban Design Framework may be amended to the satisfaction of the responsible authority.

Sensitive uses

An application to use or subdivide land, or to construct a building or construct and carry out works associated with a sensitive use on the land must be accompanied by an Environmental Site Assessment Report, prepared to the satisfaction of the responsible authority.

Biodiversity

An application for the subdivision of land that does not abut a linear corridor in or intended to be in public ownership must be accompanied by an Eastern Grey Kangaroo Management Plan that includes:

- Strategies (ie staging) to avoid land locking Eastern Grey Kangaroos; and where this is not practicable,
- Management solutions and actions to respond to their containment in an area with no reasonable likelihood of their continued safe existence.

The plan must be to the satisfaction of the Department of Sustainability and Environment.

An application for development or works on land at 575 Craigieburn Road, Craigieburn must identify the location of the Matted Flax Lily identified in ‘Craigieburn R2 Precinct Structure Plan: Flora and Fauna- Existing Conditions Report, Practical Ecology Pty Ltd’ Smedley et al. (2009) and demonstrate protection of the Matted Flax Lily by retention of the rock wall in which the plant is growing and provision of an 2m exclusion area surrounding the Matted Flax Lily.

Conditions and requirements for permits

A planning permit must include a condition or conditions which ensure that any requirements or conditions set out in the Craigieburn R2 Precinct Structure Plan and the Craigieburn R2 Native Vegetation Precinct Plan are implemented as part of the planning permit or the plans endorsed under the permit.

Land required for community facilities, public open space or public roads must be shown on a plan of certification as a reserve in favour of Hume City Council or another relevant person or body.
Before a plan is certified for a subdivision (or the relevant stage of a subdivision) where building envelopes are proposed, each lot between 250 square metres and 300 square metres in area must contain a building envelope (in accordance with Part 4 of the Building Regulations) to the satisfaction of the responsible authority.

If an approved building envelope applies to a lot between 250-300 square metres under section 2.4 of this schedule a planning permit must contain a condition that requires the approved building envelopes be applied as a restriction on the plan of subdivision or through an agreement under section 173 of the Act that is registered on the title to the land. The restriction or the agreement must provide for:

- The building envelope plan to apply to each relevant lot
- All buildings to conform to the building envelope on the relevant lot
- The construction of a building outside the building envelope only with the written consent of the responsible authority
- A building envelope to cease to apply to any building on the lot affected by the envelope after the issue of a certificate of occupancy for the whole of a dwelling on the land.

Or

- If construction of a single dwelling on a lot is to be assessed against the Small Lot Housing Code under section 2.4 of this schedule any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:
  - Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the Responsible Authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Hume Planning Scheme.
  - The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the Responsible Authority.

Prior to the issue of a Statement of Compliance for the first stage of a development, the owner must, if required, enter into an agreement or agreements under section 173 of the Act which specifies the infrastructure required to be provided as part of the development. The agreement must give effect to the approved Public Infrastructure Plan.

**Biodiversity**

Where an Eastern Grey Kangaroo Management Plan has been prepared as part of a subdivision application, the subdivision must implement the Eastern Grey Kangaroo Management Plan to the satisfaction of the Department of Sustainability and Environment by either:

- Proceeding in the order of stages as shown on the plan; or
- Implementing the management solutions and actions of the plan.

Prior to the commencement of works on that part of a property within which Golden Sun Moth habitat has been identified, offsets for the removal of Golden Sun Moth habitat within the land must be provided to the satisfaction of the Department of Sustainability and Environment.

Prior to the commencement of any buildings or works, a fully costed Striped Legless Lizard translocation/salvage plan must be prepared to the satisfaction of the Department of Sustainability and Environment and implemented to the satisfaction of the responsible authority.

Prior to the commencement of works on land identified as Properties 7, 8, 12, 13 and 14 in the Craigieburn R2 Precinct Structure Plan a Growling Grass Frog Conservation Management Plan must be prepared to the satisfaction of the Department of Sustainability and Environment and implemented to the satisfaction of the responsible authority.
Prior to the commencement of any works on land at 575 Craigieburn Road, Craigieburn, a highly visible protection fence must be erected around an exclusion area a minimum of 2 metres from the Matted Flax Lily which has been identified to be protected unless otherwise agreed to in writing by the Department of Sustainability and Environment.

**Exemption from notice and review**

An application to use land for a convenience shop or office, on land where the applied zone is General Residential Zone, is not 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**

None specified.

**Signs**

The following sign categories in this scheme apply by reference to Plan 1 of this Schedule.

### Table 3: Signs

<table>
<thead>
<tr>
<th>Land shown on plan 1 of this schedule</th>
<th>Sign category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local centre</td>
<td>Category 1</td>
</tr>
<tr>
<td>Residential</td>
<td>Category 3</td>
</tr>
<tr>
<td>All other land</td>
<td>Category 4</td>
</tr>
</tbody>
</table>

**Land and home sales signs**

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres.
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.
- The sign is not animated, scrolling, electronic or internally illuminated sign.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.
- The sign is setback a minimum of 750mm from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.

**Education promotion signs**

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display an sign that promotes an education centre on land identified as education, community and district sports reserve on Plan 1 to this schedule.
Referral of applications

An application to use, subdivide or consolidate land, to construct a building or construct or carry out works, or to demolish a building or works at 575 Craigieburn Road, Craigieburn must be referred in accordance with section 55 of the Act to the referral authority specified in Clause 66.04. This does not apply to an application for a sign, fence, road works or unenclosed building or works ancillary to a dwelling.
SCHEDULE 2 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ2.

GREENVALE NORTH R1 PRECINCT STRUCTURE PLAN

The plan

Plan 1 shows the future urban structure proposed in the Greenvale North R1 Precinct Structure Plan. It is a reproduction of Plan 7 in the Greenvale North Precinct Structure Plan.

Plan 1 to the Schedule to Clause 37.07
Use and development

The land

The use and development provisions specified in this schedule apply to the land shown as the Precinct Structure Plan area on Plan 1 to this schedule.

Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land construction of a building, construction and carrying out of works, by reference to Plan 1 of this schedule.

Note 1: If any land shown in Plan 1 is not zoned Urban Growth Zone the provisions of applied zone and this schedule do not apply.

Note 2: It is intended that the applied zoning of areas within the Greenvale Reservoir Protection Area will change upon transfer of land in the Greenvale Reservoir Protection Area from private ownership to ownership by Melbourne Water.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Land as shown on Plan 1 of this schedule</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buffer Area</td>
<td>Where land is owned by Melbourne Water:</td>
</tr>
<tr>
<td></td>
<td>Clause 36.01 – Public Use Zone (Schedule 1)</td>
</tr>
<tr>
<td></td>
<td>Where land is privately owned:</td>
</tr>
<tr>
<td></td>
<td>Clause 35.06 – Rural Conservation Zone (Schedule 3)</td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
</tbody>
</table>

Specific provisions – Use of land

The following provisions apply to the use of land.

Table 2: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service Station where the applied zone is General Residential Zone</td>
<td>A service station is prohibited.</td>
</tr>
</tbody>
</table>

Specific provisions – Construction of single dwellings on small lots

A permit is not required to construct a single dwelling on a lot of between 250 and 300 square metres where an approved building envelope (as defined in Part 4 of the Building Regulations 2006) applies to the lot.

A permit is required to construct a front fence within 3 metres of a street unless the Front Fence Height Standard in Table A2 to Clause 54.06-2 is met.

Or

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Hume Planning Scheme.
2.5 27/05/2019 C238hume

Specific provisions - Subdivision

None specified.

2.6 27/05/2019 C238hume

Specific provisions – Buildings and works

A permit is required to construct a building, including fences and carry out works within any waterway management easements shown on the plan of subdivision or title to the land. This does not apply to:

- Buildings and works carried out by or on behalf of Melbourne Water; or
- Removal, destruction or lopping of any vegetation.

3.0 10/02/2011 C119

Application requirements

An application for residential subdivision on land shown within the “Greenvale Reservoir Protection Area” as depicted on Plan 5 of the Greenvale North R1 Precinct Structure Plan must be referred to Melbourne Water.

3.1 10/02/2011 C119

Residential Subdivision

An application for subdivision must be accompanied by the following information, to the satisfaction of the responsible authority:

- A site analysis and design response as detailed in Clause 56.01.
- An application for a residential subdivision of 10 lots or more must be accompanied by Subdivision and Housing Design Guidelines, in accordance with the Greenvale North R1 Precinct Structure Plan incorporated in this scheme.
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- The anticipated overall staging of the subdivision and the staging of infrastructure to complement the proposed development.
- A preliminary assessment of the potential for contaminated land as a result of previous land uses carried out by a suitably qualified person.
- Potential bus route and bus stop locations prepared in consultation with the Department of Transport.
- An assessment of the existing surface and subsurface drainage conditions on the land by a suitably qualified professional and the potential impacts on the proposed development, including any measures required to mitigate the impacts of springs on the development and the impact of the development on drainage and the protection of the Greenvale Reservoir.
- Reservoir protection mechanisms to the satisfaction of Melbourne Water
- A Public Infrastructure Plan which addresses the following, as applicable:
  - What land may be affected or required for the provision of infrastructure works.
  - The provision, staging and timing of any stormwater drainage works.
  - The provision, staging and timing of any roadworks internal and external to the land consistent with any relevant traffic report or assessment.
  - The landscaping of any land.
  - What, if any, infrastructure set out in the Development Contributions Plan applying to the land is sought to be provided as ‘works in lieu’ subject to the consent of Hume City Council.
  - The provision of public open space and land for any community facilities.
- Any other matter relevant to the provisions of public infrastructure required by the responsible authority.

- Where appropriate, an Eastern Grey Kangaroo Management Plan. The Plan must include:
  - Staging of subdivision which identifies strategies to avoid land locking Eastern Grey Kangaroos; or
  - Management solutions and actions to respond to their containment in an area with no reasonable likelihood of their continued safe existence.

The plan must be to the satisfaction of the Department of Sustainability and Environment.

- A Catchment Protection Plan for land within the Greenvale Reservoir Protection Area to the satisfaction of the Melbourne Water which includes as appropriate:
  - A site plan identifying the proposed use and development of the land.
  - A plan of the drainage system showing what protective measures are to be employed to protect the Greenvale Reservoir from any contamination resulting from effluent disposal, stormwater runoff and other off site discharges. The plan must outline details of pre-application discussions which may have occurred with Melbourne Water regarding the design and construction of drainage systems and protective measures. The plan must also show flood levels associated with the 1 in 100 and 1 in 1,000,000 AEP storm event, proposed retarding basins, lakes, wetlands, dams, water storage, watercourses, drainage lines and effluent disposal associated with the development.
  - Construction plans for the drainage systems to be employed, prepared in consultation with Melbourne Water
  - How the proposed subdivision, development and use of the land responds to the current approved version of the Melbourne Water Greenvale Reservoir Catchment: Drinking Water Quality Risk Management Plan (March 2008).
  - Plans and details outlining proposed sewerage reticulation and required drainage control mechanisms.
  - Plans and details for the design, establishment, ongoing maintenance and possible transfer to Melbourne Water of the land upon which any proposed reservoir protection mechanisms are located.
  - Plans of subdivision which identify overland flow paths associated with the 1 in 100 and 1 in 1,000,000 AEP storm event by way of a waterway management easement in favour of Melbourne Water to the extent required by Melbourne Water to ensure the flow paths are not unreasonably obstructed.
  - Modelling of the change in flood flows downstream of Greenvale Reservoir attributable to any proposed reservoir protection measures.
  - A plan for the staging of the reservoir protective measures.

The application requirements relating to the Catchment Protection Plan may only be waived by Melbourne Water. Other application requirements may be waived or reduced by the responsible authority.

**Conditions and requirements for permits**

**General requirements**

A planning permit must include a condition or conditions which ensure that any requirements or conditions set out in the Greenvale North R1 Precinct Structure Plan, including the Greenvale North R1 Native Vegetation Precinct Plan are implemented as part of the planning permit or the plans endorsed under the planning permit.
Land required for community facilities, public open space or public roads must be shown on a certified plan in favour of Hume City Council.

Prior to the issue of a Statement of Compliance for the subdivision (or a stage of the subdivision) a building envelope plan for each lot between 250 square metres and 300 square metres to the satisfaction of the responsible authority must be submitted to and approved by the responsible authority.

If an approved building envelope applies to a lot between 250-300 square metres under section 2.4 of this schedule, a planning permit must contain a condition that requires the approved building envelopes be applied as a restriction on the plan of subdivision or an agreement under Section 173 of the Planning and Environment Act 1987 that is registered on the title to the land. The restriction or the agreement must provide for:

- The building envelope plan to apply to each relevant lot.
- All buildings to conform to the building envelope on the relevant lot.
- The construction of a building outside the building envelope only with the written consent of the responsible authority.
- A building envelope to cease to apply to any building on the lot affected by the envelope after the issue of a certificate of occupancy for the whole of a dwelling on the land.

The building envelope plan may be approved after the plan of subdivision is certified.

Or

If construction of a single dwelling on a lot is to be assessed against the Small Lot Housing Code under section 2.4 of this schedule, any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Hume Planning Scheme.
- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the responsible authority.

Before the plan of subdivision is certified under the Subdivision Act 1988 for land to be developed for sensitive uses in the Mickleham Neighbourhood and any land within 75 metres of the former RANAD land further testing in accordance with the recommendations of the preliminary site assessment lodged with the application must be carried out to the satisfaction of the responsible authority. Upon receipt of the further testing report, the owner must comply with any further requirements made by the responsible authority after having regard to the guidance set out in the General Practice Note on Potentially Contaminated Land, June 2005 (DSE). The plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

Before the plan of subdivision is certified under the Subdivision Act 1988 for land that is part of the former RANAD land and is to be developed for sensitive uses the applicant must provide:

- A Certificate of Environmental Audit in accordance with Section 53Y of the Environment Protection Act 1970; or
- A Statement of Environmental Audit under Section 53Z of the Environment Protection Act 1970. A Statement must state that the site is suitable for the use and development allowed by the permit.
Prior to the certification of the plan of subdivision for land shown within the Greenvale Reservoir Protection Area on Plan 5 of the Greenvale North R1 Precinct Structure Plan, unless otherwise agreed with Melbourne Water, specific protection measures generally in accordance with Section 6.0 of the Greenvale North R1 Precinct Structure Plan must be designed and constructed to the satisfaction of Melbourne Water.

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**Biodiversity**

Where an Eastern Grey Kangaroo Management Plan has been prepared as part of the application requirements, the subdivision must implement the Eastern Grey Kangaroo Management Plan by either:

- proceeding in the order of stages as shown on the plan; or
- implementing the management solutions and actions of the Plan.

This plan must be prepared and implemented to the satisfaction of the Department of Sustainability and Environment.

Unless site specific permission exists under the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act), prior to the commencement of works in respect of any plan of subdivision within which Golden Sun Moth habitat has been identified, offsets for removal of Golden Sun Moth habitat within the land must be provided or agreed to the satisfaction of the Department of Sustainability and Environment.

Unless site specific permission exists under the EPBC Act, prior to the commencement of any buildings or works, a fully costed Striped Legless Lizard translocation/salvage plan must be prepared to the satisfaction of the Department of Sustainability and Environment and submitted to and endorsed by the responsible authority. The endorsed Striped Legless Lizard translocation/salvage plan must be implemented to the satisfaction of the Department of Sustainability and Environment and the responsible authority.

The developer must maintain accurate records substantiating all activities associated with or relevant to the implementation of prescriptions for the Golden Sun Moth and Striped Legless Lizard to the satisfaction of the Department of Sustainability and Environment.

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**Exemption from notice and review**

None specified.

6.0
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**Decision Guidelines**

The following decision guidelines apply to an application for a permit under Clause 37.07, in addition to those specified in Clause 37.07 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The view and recommendations of Melbourne Water regarding drainage networks, sewerage reticulation, proposed protective mechanisms and any drainage strategy.
- The impact of the development and subdivision on the Greenvale Reservoir with respect to drainage, water quality and runoff.
- The relationship between the proposal and any other State Government arrangements for achieving coordinated urban development in the locality.
- The current approved version of the Melbourne Water Greenvale Reservoir Catchment: Drinking Water Quality Risk Management Plan (March 2008)
- The location of overland flowpaths including flood levels associated with the 1 in 100 and 1 in 1,000,000 AEP storm event.
- The change in flood flows, attributable to reservoir protection measures, adjacent to and downstream of Greenvale Reservoir.
- The design, establishment and ongoing maintenance of the proposed reservoir protection mechanisms.
- Any relevant agreement prepared under Section 173 of the Planning and Environment Act 1987.
- The Catchment Protection Plan.

**Signs**
The following sign categories in this scheme apply by reference to Plan 1 of this Schedule.

**Table 3: Signs**

<table>
<thead>
<tr>
<th>Land as shown on Plan 1 of this schedule</th>
<th>Sign category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Category 3 (except for a display village)</td>
</tr>
</tbody>
</table>

**7.1 27/05/2019 C238hume**

**Land and home sales signs**
Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres.
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.
- The sign is not animated, scrolling, electronic or internally illuminated sign.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.
- The sign is setback a minimum of 750mm from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.
SCHEDULE 3 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ3.

GREENVALE WEST R3 PRECINCT STRUCTURE PLAN

The Plan

Plan 1 shows the future urban structure in the Greenvale West R3 Precinct Structure Plan. It is a reproduction of Plan 5 in the Greenvale West R3 Precinct Structure Plan.

Plan 1 to the Schedule to Clause 37.07
Use and development

The Land

The use and development provisions specified in this schedule apply to the land shown as the Precinct Structure Plan area on Plan 1 to this schedule.

Applied zone provisions

The provisions of the following zones in this Scheme apply to the use and subdivision of land, construction of a building, construction and carrying out of works, by reference to Plan 1 of this Schedule.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Land as shown on Plan 1 of this schedule</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
</tbody>
</table>

Specific provisions – Use of land

The following provisions apply to the use of land.

Table 2: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office where the applied zone is General Residential Zone</td>
<td>A permit may be granted to use land for an office if the leasable floor area of the office does not exceed 100 square metres.</td>
</tr>
</tbody>
</table>

Specific provisions - Subdivision

None specified.

Specific provisions – Buildings and works

Construction of single dwellings on small lots

A permit is not required to construct one dwelling on a lot of between 250 and 300 square metres where an approved building envelope (as defined in Part 4 of the Building Regulations 2006) applies to the lot.

A permit is required to construct a front fence within 3 metres of a street unless the Front Fence Height Standard in Table A2 to Clause 54.06-2 is met.

Or

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Hume Planning Scheme.

Specific provisions – Resolution of doubt

If any doubt arises as to whether a provision specified in this schedule applies to land, a planning permit may be granted for any use or development if the responsible authority is satisfied that the use or development is generally in accordance with the incorporated Greenvale West R3 Precinct Structure Plan.
Application requirements

Residential Subdivision

An application for subdivision must be accompanied by the following:

- A site analysis and design response as detailed in Clause 56.01.
- A Public Infrastructure Plan which addresses the following, as applicable:
  - The provision, staging and timing of stormwater drainage works.
  - What land may be affected or required for the provision of infrastructure works.
  - The provision, staging and timing of road works internal and external to be land consistent with any relevant traffic report or assessment.
  - The landscaping of any land.
  - The provision of public open space and land for any community facilities
  - What, if any, infrastructure set out in the Greenvale West R3 Development Contributions Plan is sought to be provided as “works in lieu” subject to the consent of the collecting agency.
  - Any other matter relevant to the provision of public infrastructure required by the responsible authority.
  - A table setting out the amount of land allocated to proposed uses and expected population, dwelling and employment yields.

- An application for a residential subdivision of 10 lots or more must be accompanied by Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority, in accordance with the incorporated Greenvale West R3 Precinct Structure Plan.

- A preliminary assessment of the potential for contaminated land as a result of previous land uses, carried out by a suitably qualified person.

- For subdivision applications that do not abut the Urban Growth Boundary, an Eastern Grey Kangaroo Management Plan. The Plan must include:
  - Staging of subdivision which identifies strategies to avoid land locking Eastern Grey Kangaroos; or
  - Management solutions and actions to respond to their containment in an area with no reasonable likelihood of their continued safe existence.

The plan must be to the satisfaction of the Department of Sustainability and Environment. The responsible authority may waive or reduce these applications requirements.

Conditions and requirements for permits

General

A planning permit must include a condition which ensures that any requirements or conditions set out in the Greenvale West R3 Precinct Structure Plan, including the Native Vegetation Precinct Plan, must be implemented as part of the relevant planning permit or the plans endorsed under a permit.

Land required for community facilities, public open space or public roads must be shown on a certified plan in favour of Hume City Council.
Prior to the issue of a Statement of Compliance for the subdivision (or the relevant stage of a subdivision) where building envelopes are proposed, each lot between 250 square metres and 300 square metres in area must contain a building envelope (in accordance with Part 4 of the Building Regulations) to the satisfaction of the responsible authority.

If an approved building envelope applies to a lot between 250-300 square metres under section 2.4 of this schedule, a planning permit must contain a condition that requires the approved building envelopes be applied as a restriction on the plan of subdivision or through an Agreement under Section 173 of the Planning and Environment Act 1987 that is registered on the title to the land. The restriction or the Agreement must provide for:

- The building envelope plan to apply to each relevant lot.
- All buildings to conform to the building envelope on the relevant lot.
- The construction of a building outside the building envelope only with the written consent of the responsible authority.
- A building envelope to cease to apply to any building on the lot affected by the envelope after the issue of a certificate of occupancy for the whole of a dwelling on the land.

Or

If construction of a single dwelling on a lot is to be assessed against the Small Lot Housing Code under section 2.4 of this schedule, any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the Responsible Authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Hume Planning Scheme.
- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the Responsible Authority.

Prior to the issue of a Statement of Compliance for the first stage of a development, the owner must, if required, enter into an agreement or agreements under Section 173 of the Planning and Environment Act 1987 which specifies the infrastructure required to be provided as part of the development. The agreement must give effect to the approved Public Infrastructure Plan.

Before the plan of subdivision is certified under the Subdivision Act 1988, further testing in accordance with the recommendations of the preliminary site assessment lodged with the application must be carried out to the satisfaction of the Responsible Authority. Upon receipt of the further testing report the owner must comply with any further requirements made by the Responsible Authority after having regard to the guidance set out in the General Practice Note on Potentially Contaminated Land June 2005 (DSE). The plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

**Biodiversity**

Where an Eastern Grey Kangaroo Management Plan has been prepared as part of the application requirements, the subdivision must implement the Eastern Grey Kangaroo Management Plan by either:

- Proceeding in the order or stages as shown on the plan; or
- Implementing the management solutions and actions of the plan.

The plan must be prepared and implemented to the satisfaction of the Department of Sustainability and Environment.
Prior to the commencement of works on that part of the site within which Golden Sun Moth habitat has been identified on Plan 10 – Threatened Species Action Plan, in the Greenvale West R3 Precinct Structure Plan, offsets for removal of Golden Sun Moth habitat within the land must be provided to the satisfaction of the Secretary to the Department of Sustainability and Environment.

Prior to the commencement of any buildings or works on land that has been identified as potential Striped Legless Lizard habitat on Plan 10 – Threatened Species Action Plan in the Greenvale West R3 Precinct Structure Plan, a fully costed Striped Legless Lizard translocation / salvage plan must be prepared to the satisfaction of the Department of Sustainability and Environment and submitted to and approved by the responsible authority. The approved Striped Legless Lizard translocation/ salvage plan must be implemented to the satisfaction of the Department of Sustainability and Environment and the responsible authority.

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Exemption from notice and review
None specified.

6.0
27/05/2019
C238hume

Decision guidelines
None specified.

7.0
27/05/2019
C238hume

Signs
The following sign category in this scheme applies by reference to Plan 1 of this Schedule.

Table 3: Signs

<table>
<thead>
<tr>
<th>Land as shown on Plan 1 of this schedule</th>
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</thead>
<tbody>
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<td>Residential</td>
<td>Category 3 (except for display village)</td>
</tr>
</tbody>
</table>

7.1
27/05/2019
C238hume

Land and home sales signs
Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres.
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.
- The sign is not animated, scrolling, electronic or internally illuminated sign.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.
- The sign is setback a minimum of 750mm from the property boundary.
- No fittings or wiring are visible from adjacent streets or properties.
A permit may be granted to display a sign promoting the sale of land or homes on the land (or adjoining land in the same ownership) with an area greater than 10 square metres.

7.2
27/05/2019
C238hume

Office and convenience shop signs in residential areas
A permit may be granted for a business identification sign of no more 2 square metres on land where the applied zone is General Residential Zone provided:

- The application for a permit is lodged concurrently with an application for
- The sign is not illuminated.
- No fittings or wiring are visible from adjacent streets or properties.
SCHEDULE 4 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ4**.

MERRIFIELD WEST PRECINCT STRUCTURE PLAN

The Plan

Plan 1 below shows the future urban structure proposed for the Merrifield West Precinct Structure Plan (PSP) area. It is a reproduction of Plan 2 in the Merrifield West PSP, March 2012 (updated June 2018).

Plan 1 to the Schedule to Clause 37.07
Use and Development

The Land

The use and development provisions specified in this schedule apply to the land shown within the ‘Precinct Boundary’ on Plan 1 of this schedule and shown as UGZ4 on the planning scheme maps.

Note: If land shown on Plan 1 is not zoned UGZ, the provisions of this zone do not apply.

Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of the land, the construction of a building, construction or carrying out of works as set out in Table 1.

Table 1 Applied zone provisions

<table>
<thead>
<tr>
<th>Land Use/Development (carried out or proposed)</th>
<th>Applied Zone Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>generally in accordance with the Precinct Structure Plan applying to the land</td>
<td></td>
</tr>
<tr>
<td>Local Town Centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Mixed Use</td>
<td>Clause 32.04 – Mixed Use Zone</td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
</tbody>
</table>

Specific provisions – Use of land

The following provisions apply to the use of land.

Table 2: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop where the applied zone is Commercial 1 Zone</td>
<td>A permit may be granted to use land for a shop if the combined leasable floor area of all shops exceed: 7200 square metres for land shown as the southern local town centre in the incorporated Merrifield West Precinct Structure Plan 6900 square metres for land shown as the northern local town centre in the incorporated Merrifield West Precinct Structure Plan</td>
</tr>
<tr>
<td>Office where the applied zone is General Residential Zone</td>
<td>A permit may be granted to use land for an office if the leasable floor area of the office does not exceed 100 square metres.</td>
</tr>
</tbody>
</table>

Specific Provisions - Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Hume Planning Scheme.

Application requirements

If in the opinion of the Responsible Authority an application requirement listed at 3.1, 3.2 or 3.3 is not relevant to the assessment of an application, the Responsible Authority may waive or reduce the requirement.
Subdivision – residential development

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land and the staging of the development for all land in contiguous ownership with the land under application.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the incorporated Merrifield West PSP
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the Responsible Authority, in accordance with the incorporated Merrifield West PSP
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority

Any application for residential subdivision must be accompanied by:

- Potential bus route and bus stop locations prepared in consultation with the Department of Public Transport
- An assessment of the existing surface and subsurface drainage conditions on the site including any potential impacts on the proposed development, prepared by a suitably qualified professional. The assessment must include any measures required to mitigate the impacts of the development on groundwater and drainage.

Any application for residential subdivision within 150 metres of the ‘Fire Threat Edge’, as defined in Plan 5 of the Merrifield West PSP, must be accompanied by an assessment of the classification of vegetation in the Mt Ridley Grasslands Nature Conservation Reserve in accordance with the Australian Standard AS:3959-2009.

This assessment should take into account both existing conditions and anticipated future vegetation conditions as a consequence of the management regime set out in the Mt Ridley Grassland Nature Conservation Reserve Conservation Management Plan.

The assessment must define a defensible space and Bushfire Attack Level regime for land within 150m of the ‘Fire Threat Edge’, based on the relevant vegetation classifications. This assessment must be to the satisfaction of the relevant fire authority.

Public Infrastructure Plan

An application for subdivision and/or use and development of land must be accompanied by a Public Infrastructure Plan which addresses the following:

- what land may be affected or required for the provision of infrastructure works;
- the provision, staging and timing of stormwater drainage works;
- the provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- the landscaping of any land;
- what, if any, infrastructure set out in the Merrifield West Development Contributions Plan is sought to be provided as "works in lieu" subject to the consent of the collecting agency;
- the provision of public open space and land for any community facilities; and
- any other matter relevant to the provision of public infrastructure required by the Responsible Authority.
3.3 Use or develop land for a Local Town Centre

An application to use or subdivide land, construct a building or construct or carry out works for a Local Town Centre must be generally in accordance with the role and function of the Local Town Centre set out in the Merrifield West PSP.

An application to use, subdivide land, construct a building or construct or carry out works for a Local Town Centre must also include the following information, as appropriate, to the satisfaction of the Responsible Authority:

- A design response report and plans that:
  - address the potential future structure of the whole site;
  - address the Local Town Centre Design Requirements in Section 3.3, the Local Town Centre General Guidelines in Section 3.3 and the Local Town Centre Concept in figures 1 & 2 of the Merrifield West PSP;
  - address any relevant design guidelines prepared by the Victorian Government or the City of Hume;
  - demonstrate how the proposal relates to existing or approved development in the area;
  - demonstrate site responsive architecture and urban design;
  - demonstrate how the proposal will contribute to the urban character of the Local Town Centre;
  - Explain how the proposal responds to feedback received following consultation with relevant infrastructure agencies including VicRoads (where appropriate) and the Department of Transport;
  - Include guidelines to positively address environmental sustainability including integrated water management and energy conservation;
  - Include provisions for car parking including the location and design of car parking areas and car parking rates for proposed uses within the centre;
  - Include design guidelines for the provision of signs;
  - Include arrangements for the provision of service areas and for deliveries and waste disposal including access for larger vehicles and measures to minimise the impact on the amenity of the centre and adjoining neighbourhoods; and
  - Demonstrate how opportunities for medium and higher density housing and future commercial expansion can be incorporated into the centre (including on future upper levels and through future car park redevelopments)

- An overall landscape concept/master plan for the centre.

3.4 Use or develop land for a sensitive use at 425 Donnybrook Road, Mickleham (Vol. 9829 Fol.356)

An application to use or develop land for a sensitive use, or to construct a building or construct and carry out works associated with a sensitive use on land at 425 Donnybrook Road, Mickleham (Vol.9829 Fol.356) must be accompanied by a Phase 1 Environmental Site Assessment report prepared by a suitably qualified environmental professional to the satisfaction of the Responsible Authority.

The report must contain:

- Clear advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all, or part, of the land is recommended having regard to the General Practice Note on Potentially Contaminated Land June 2005 (DSE); and
Recommended remediation actions for any contaminated land.

**Public transport referral requirements**

For the purpose of Clause 52.36-1 of the scheme a development is generally in accordance with the *Merrifield West Precinct Structure Plan* where the following requirements are met:

- A road nominated on Plan 8 – Road Network in the Merrifield West Precinct Structure Plan as a potential bus route is constructed in accordance with its corresponding cross section in the Merrifield West Precinct Structure Plan; and

- Signalised intersections that contain a proposed Principal Public Transport Network (PPTN) route in the Merrifield West Precinct Structure Plan include bus priority measures to mitigate delays to bus travel times, to the satisfaction of the Director of Public Transport; and

- Any roundabouts or other road management devices on potential bus routes are constructed to accommodate ultra low floor buses in accordance with the Public Transport Guidelines for Land Use and Development; and

- The proposal includes the construction of bus stops as agreed with the Department of Transport, including bus stop hard stands with direct and safe pedestrian access to a pedestrian path (all in accordance with the Public Transport Guidelines for Land Use and Development and compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002) at no cost to the Director of Public Transport all to the satisfaction of the Director of Public Transport.

**Conditions and requirements for permits**

**General requirements**

A planning permit must include a condition or conditions which ensure that any requirements or conditions set out in the Merrifield West PSP and the Merrifield West Native Vegetation Precinct Plan are implemented as part of the planning permit or the plans endorsed under the permit.

**Local town centres and convenience centres**

The boundary of a local town centre with the applied Commercial 1 Zone or a convenience centre with an applied Mixed Use Zone must be identified on the plan of subdivision to the satisfaction of the Responsible Authority.

**Conditions for subdivision or building and works permits where land is required for community facilities, public open space and road widening**

Land required for community facilities, as set out in the Merrifield West PSP or the Merrifield West Development Contributions Plan (DCP) must be transferred to or vested in Council at no cost to Council unless the land is funded by the Merrifield West DCP.

Land required for public open space as a local or district park as set out in the Merrifield West PSP or the Merrifield West DCP must be transferred to or vested in Council at no cost to Council unless funded by the Merrifield West DCP.

Land required for road widening including right of way flaring for the ultimate design of any intersection with an existing or proposed arterial road must be referred to or vested in Council or VicRoads at no cost to the acquiring agency unless funded by the Merrifield West DCP.

Land required for a community facility, road or public open space must be shown on a Plan of Certification as a reserve in favour of Hume City Council or the relevant agency.
Conditions for subdivision permits that allow for the creation of a lot of less than 300 square metres

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Hume Planning Scheme; and

- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the responsible authority.

Biodiversity

Eastern Grey Kangaroo

Prior to the commencement of any works in a stage of subdivision an Eastern Grey Kangaroo Management Plan must be submitted for approval to the Department of Sustainability and Environment. The plan must include:

- Strategies (e.g. staging) to avoid land locking Eastern Grey Kangaroos, or where this is not practicable, management solutions and action to respond to their containment in an area with no reasonable likelihood of their continued safe existence.

The subdivision and associated works must implement the Eastern Grey Kangaroo Management Plan in the timeframes set out in the plan by:

- Proceeding in the order of stages as shown on the plan; and

- Implementing the management solutions and actions of the plan;

all to the satisfaction of the Department of Sustainability and Environment and the Responsible Authority.

Growling Grass Frog

Any permit which would allow subdivision, buildings or works that will impact on an area identified on the Threatened Species Action Plan in the Merrifield West PSP as Growling Grass Frog Category 2 habitat must contain the following conditions unless otherwise agreed to in writing by the Department of Sustainability and Environment:

- Prior to the commencement of any buildings or works or the removal of any vegetation offsets for Growling Grass Frog Category 2 habitat on the land must be provided or agreed to the satisfaction of the Secretary of the Department of Sustainability and Environment.

- Prior to the commencement of any buildings or works, a fully costed Growling Grass Frog translocation / salvage plan must be prepared to the satisfaction of the Department of Sustainability and Environment and be submitted to and approved by the Responsible Authority. The approved Growling Grass Frog translocation/ salvage plan must be implemented to the satisfaction of the Department of Sustainability and Environment and the Responsible Authority.

Golden Sun Moth

Any permit which would allow subdivision, buildings or works that will impact on an area identified on the Threatened Species Action Plan in the Merrifield West PSP as Golden Sun Moth habitat must contain the following condition unless otherwise agreed to in writing by the Department of Sustainability and Environment:

- Prior to the commencement of any buildings or works or the removal of any vegetation, offsets for Golden Sun Moth habitat on the land must be provided to the satisfaction of the Secretary of the Department of Sustainability and Environment.
Striped Legless Lizard

Any permit which would allow subdivision, buildings or works that will impact on an area of land identified as potential habitat for Striped Legless Lizard habitat on the Threatened Species Action Plan in the Merrifield West PSP must contain the following condition unless otherwise agreed to in writing by the Department of Sustainability and Environment:

- The Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Strategic Approach (DSE 2011) and Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Operational Plan (DSE 2011) must be implemented to the satisfaction of the Secretary of the Department of Sustainability and Environment before during and after the carrying out of any buildings or works or native vegetation removal and all specifications and requirements of the approved plan must be complied with.

Conservation Management Plan

Any permit which would allow subdivision, buildings or works that will impact on an area where the approved Merrifield West CMP applies as identified on the Threatened Species Action Plan in the Merrifield West PSP must contain the following conditions unless otherwise agreed to in writing by the Department of Sustainability and Environment:

- The actions of the Merrifield West CMP in respect of that land must be implemented before, during and after the carrying out of buildings and works to the satisfaction of the Responsible Authority.

- If the Merrifield West CMP contains specifications or recommendations that will need to continue to be implemented after the land has been subdivided, the Owner must enter into a legally binding agreement with the Department of Sustainability and Environment to provide for those continuing obligations prior to the issue of a Statement of Compliance in respect of the plan of subdivision for the land.

Threatened Flora Salvage and Translocation

Any permit which would allow subdivision, buildings or works that will impact on an area of land where Matted Flax Lily on the Threatened Species Action Plan in the Merrifield West PSP must contain the following condition unless otherwise agreed to in writing by the Department of Sustainability and Environment:

- Prior to the commencement of any works, a fully costed Matted Flax Lily translocation and/or propagation and ex situ conservation plan must be prepared to the satisfaction of the Department of Sustainability and Environment. The Plan must be submitted to and endorsed by the Responsible Authority. When approved, the Plan will be endorsed and will then form part of the permit;

- The approved Matted Flax Lily translocation / propagation plan must be implemented to the satisfaction of the Department of Sustainability and Environment.

Use or develop land for a sensitive use at 495 Donnybrook Road and 555 Donnybrook Road, Mickleham (Vol. 9829 Fol. 357 and Vol. 9829 Fol. 358)

Prior to the certification of a Plan of Subdivision under the Subdivision Act 1988, further testing in accordance with the recommendations of the Parsons Brinckerhoff Phase 1 and preliminary Phase 2 Environmental Site Assessment (9 June 2011) must be carried out to the satisfaction of the Responsible Authority. Upon completion of the testing the landowner must submit the results and comply with any additional requirements to the satisfaction of the Responsible Authority, having regard to the guidance set out in the General Practice Note on Potentially Contaminated Land June 2005 (DSE). The plan of subdivision must not be certified until the Responsible Authority is satisfied that the land is suitable for the intended use.
**4.7  27/06/2012 C162**

**Use or develop land for a sensitive use at 425 Donnybrook Road, Mickleham (Vol. 9829 Fol.356)**

Prior to the issue of a Statement of Compliance for a Plan of Subdivision under the Subdivision Act 1988, further testing in accordance with the recommendations of the Phase 1 Environmental Site Assessment (application requirement) must be carried out to the satisfaction of the Responsible Authority. Upon completion of the testing the landowner must submit the results and comply with any additional requirements to the satisfaction of the Responsible Authority, having regard to the guidance set out in the General Practice Note on Potentially Contaminated Land June 2005 (DSE). The plan of subdivision must not be certified until the Responsible Authority is satisfied that the land is suitable for the intended use.

**4.8  22/11/2018 C221**

**Subdivision of 450A Donnybrook Road, Mickleham (Vol. 11520 Fol. 131) and 210 Old Sydney Road, Mickleham (Lot 4, LP126752) (Properties 2 and 4 of Merrifield West Precinct Structure Plan)**

Prior to the issue of a Statement of Compliance under the Subdivision Act 1988 for any subdivision of Properties 2 and 4 of the Merrifield West Precinct Structure Plan, the owner must enter into a Section 173 Agreement for payment of a development contribution under the Merrifield West Precinct Structure Plan Development Contributions Plan (DCP) calculated on the basis that the total Net Developable Area, including the area above 124.49 hectares (for Property 2) and 0.33 hectares (for Property 4), is deemed to be included in the DCP.

The preparation and execution of an agreement must be at no cost to the Responsible Authority.

**5.0  27/05/2019 C238hume**

**Exemption from notice and review**

An application to use land for a convenience shop or office, on land where the applied zone is General Residential Zone, is not 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.

**6.0  27/05/2019 C238hume**

**Decision guidelines**

None specified.

**7.0  27/05/2019 C238hume**

**Signs**

Land is in the category specified in the applied zone.

**7.1  27/05/2019 C238hume**

**Land and home sales signs**

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres.
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.
- The sign is not animated, scrolling, electronic or internally illuminated sign.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.
- The sign is setback a minimum of 750mm from the property boundary.
7.2 Education/community promotion signs
Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display an sign greater than 2 square metres in area that promotes a community facility or education centre on land identified as education, community and active open space on Plan 1 to this schedule.

8.0 Referral of applications
An application to subdivide land or construct a building or carry out works (where the value of those works is in excess of $500,000) on land in a local town centre must be referred to the Growth Areas Authority in accordance with Section 55 of the Act.
SCHEDULE 5 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ5.

LOCKERBIE PRECINCT STRUCTURE PLAN

The Plan

Plan 1 below shows the future urban structure proposed for the Lockerbie Precinct Structure Plan (PSP) area. It is a reproduction of Plan 2 in the Lockerbie Precinct Structure Plan.

Plan 1 to the Schedule to Clause 37.07
Use and development

The Land

The use and development provisions specified in this schedule apply to the land shown within the ‘Precinct Area’ on Plan 1 of this schedule and shown as UGZ5 on the planning scheme maps.

Note: If land shown on Plan 1 is not zoned UGZ, the provisions of this zone do not apply.

Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of the land, the construction of a building, construction or carrying out of works as set out in Table 1.

Table 1: Applied zones

<table>
<thead>
<tr>
<th>Land use/development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land (refer Plan 1)</th>
<th>Applied Zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal Town Centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Local Town Centre</td>
<td></td>
</tr>
<tr>
<td>Local Convenience Centre (Donnybrook Station)</td>
<td></td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
</tbody>
</table>

Specific provisions – Use of land

The following provisions apply to the use of land.

Table 2: Use of land within the applied General Residential Zone

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Car Wash</td>
<td>The site must adjoin or have access to a road identified in the Precinct Structure Plan as an existing or future arterial road.</td>
</tr>
<tr>
<td>Convenience Restaurant</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>Leasable floor area must not exceed 100 square metres.</td>
</tr>
<tr>
<td>Service Station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>• Adjoin land with an applied zone provision for a commercial zone; or</td>
</tr>
<tr>
<td></td>
<td>• Adjoin or have access to a road identified in the Precinct Structure Plan as an existing or future arterial road.</td>
</tr>
<tr>
<td></td>
<td>The site must not exceed either:</td>
</tr>
<tr>
<td></td>
<td>• 3,000 square metres; or</td>
</tr>
<tr>
<td></td>
<td>• 3,600 square metres if it adjoins two boundaries in a road zone or roads identified in the Precinct Structure Plan as an existing or future arterial road.</td>
</tr>
<tr>
<td>Shop (other than Convenience Shop identified in this schedule)</td>
<td>The combined leasable floor area for shop must not exceed 100 square metres</td>
</tr>
</tbody>
</table>
Table 3: Use where the applied zone is Commercial 1 Zone

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop</td>
<td>A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds the following areas for the relevant centre as described in the Lockerbie Precinct Structure Plan:</td>
</tr>
<tr>
<td></td>
<td>• 80,000 square metres for land shown as a Principal Town Centre</td>
</tr>
<tr>
<td></td>
<td>• 5000 square metres for land shown as a Local Town Centre</td>
</tr>
</tbody>
</table>

2.4
Specific provisions – Dwellings on a lot less than 300 square metres
A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Hume Planning Scheme.

2.5
Specific provisions – Buildings and works on land where the Lockerbie Growling Grass Frog Conservation Management Plan applies
Development on land in the Conservation Management Plan Area shown on Plan 1 of this Schedule and Plan 6- Biodiversity and Threatened Species Action Plan in the Lockerbie Precinct Structure Plan must be undertaken in accordance with the relevant actions as outlined in the approved Conservation Management Plan.

The Lockerbie Conservation Management Plan may be amended to the satisfaction of the Department of Sustainability and Environment.

The subdivision of land within or adjoining the Conservation Management Plan area must accord with the Conservation Management Plan boundary as shown on Plan 6 - Biodiversity and Threatened Species Action Plan in the Lockerbie Precinct Structure Plan.

2.6
Specific provisions – Interim signalised intersection on the corner of Donnybrook Road and Dwyer Street, Kalkallo
The interim signalised intersection identified in the Lockerbie Development Contributions Plan as IT11 on the corner of Donnybrook Road and Dwyer Street is to be constructed to the satisfaction of VicRoads and the Responsible Authority once 250 lots are created that will have direct access from Dwyer Street onto Donnybrook Road.

3.0
Application requirements
If in the opinion of the Responsible Authority an application requirement listed at 3.1, 3.2, 3.3 or 3.4 is not relevant to the assessment of an application, the Responsible Authority may waive or reduce the requirement.

3.1
Subdivision – residential development
In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land and the staging of the development for all land in contiguous ownership with the land under application.

An application for a residential subdivision of 10 lots or more must be accompanied by:

• A written statement that sets out how the subdivision implements the Lockerbie Precinct Structure Plan;
• Subdivision and Housing Design Guidelines, prepared to the satisfaction of the Responsible Authority, in accordance with the Lockerbie Precinct Structure Plan;
• A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields;

• A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority;

Any application for residential subdivision must be accompanied by:

• Potential bus route and bus stop locations prepared in consultation with the Department of Public Transport; and

• An assessment of the existing surface and subsurface drainage conditions on the site including any potential impacts on the proposed development, prepared by a suitably qualified professional. The assessment must include any measures required to mitigate the impacts of the development on groundwater and drainage.

### Public Infrastructure Plan

An application for subdivision and/or use and development of land must be accompanied by a Public Infrastructure Plan which addresses the following:

• What land may be affected or required for the provision of infrastructure works;

• The provision, staging and timing of stormwater drainage works;

• The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;

• The landscaping of any land;

• What, if any, infrastructure set out in the Lockerbie Development Contributions Plan is sought to be provided as "works in lieu" subject to the consent of the collecting agency;

• The provision of public open space and land for any community facilities; and

• Any other matter relevant to the provision of public infrastructure required by the Responsible Authority.

### Lockerbie Principal Town Centre

An application to use, subdivide land, construct a building or construct or carry out works for the Lockerbie Principal Town Centre must be generally in accordance with *Lockerbie Precinct Structure Plan*, the Lockerbie Principal Town Centre Urban Design Framework Plan set out in Section 3.3 of the *Lockerbie Precinct Structure Plan* and any Ministerial Direction.

An application to use, subdivide land, construct a building or construct or carry out works for the Lockerbie Principal Town Centre must also include the following information, as appropriate, to the satisfaction of the responsible authority:

• An Urban Design Precinct Plan that shows:
  - Designated land use precincts, responding to the objectives and guidelines contained within the Lockerbie Principal Town Centre Urban Design Framework Plan.
  - The internal road layout, including traffic management and control works considered necessary in adjoining and nearby roads when the development or any stage is completed.
  - The proposed bicycle and pedestrian pathways.
  - An overall scheme for landscaping of the public realm and private development.
  - The location of individual trees which are to be retained.
  - The provision of regional and local public open space in accordance with the requirements of the *Lockerbie Precinct Structure Plan* and to the requirements of the responsible authority.
- The provision and location of land for community purposes in accordance with the requirements of the Lockerbie Precinct Structure Plan and to the requirements of the responsible authority.
- A built form response plan for the development showing massing, elevations, and external materials and finishes.
- How the application addresses the location and integration of community facilities, public spaces and services.
- An appropriate built form design response that addresses the guidelines of the Lockerbie Principal Town Centre Urban Design Framework Plan.
- An explanation of how the application responds to any VicRoads and/or Department of Transport requirements.
- An explanation of how the interface between conservation areas and development areas will be designed to minimise disturbance to conservation areas.
- How the development relates to existing and/or approved development in the area.
- The location and treatment of public spaces, including parks, conservation reserves and squares.
- How the development will address environmental sustainability including integrated water management, energy conservation and where appropriate, the biodiversity objectives of the Merri Creek Growling Grass Frog open space corridor.
- How public transport will be integrated within the development.
- Provisions for car parking including the location and design of car parking areas (on and off street) and car parking rates for proposed uses.
- Signage in the design of the built form.
- Arrangements for the provision of service areas for deliveries and waste disposal including access for larger vehicles and measures to minimise the impact on the amenity of the town centre and adjoining neighbourhoods.
- Treatment and design of medium and higher density housing in appropriate locations.

### Use or develop land for a Local Town Centre (North and South)

An application to use or subdivide land, construct a building or construct or carry out works for a Local Town Centre must be generally in accordance with the role and function of the Local Town Centre set out in the Lockerbie Precinct Structure Plan.

An application to use, subdivide land, construct a building or construct or carry out works for a Local Town Centre must also include the following information, as appropriate, to the satisfaction of the Responsible Authority:

- A design response report and plans that:
  - Address the potential future structure of the whole site;
  - Address the Local Town Centre Design Requirements in Section 3.4, the Local Town Centre General Guidelines in Section 3.4 and the Local Town Centre Concept in Figures 1 & 2 (as relevant) of the Lockerbie Precinct Structure Plan;
  - Address any relevant design guidelines prepared by the Victorian Government or the Hume City Council;
  - Demonstrate how the proposal relates to existing or approved development in the area;
  - Demonstrate site responsive architecture and urban design;
- Demonstrate how the proposal will contribute to the urban character of the Local Town Centre;
- Explain how the proposal responds to feedback received following consultation with relevant infrastructure agencies including VicRoads (where appropriate) and the Department of Transport;
- Include guidelines to positively address environmental sustainability including integrated water management and energy conservation;
- Include provisions for car parking including the location and design of car parking areas and car parking rates for proposed uses within the centre;
- Include design guidelines for the provision of signs;
- Include arrangements for the provision of service areas and for deliveries and waste disposal including access for larger vehicles and measures to minimise the impact on the amenity of the centre and adjoining neighbourhoods; and
- Demonstrate how opportunities for medium and higher density housing and future commercial expansion can be incorporated into the centre (including on future upper levels and through future car park redevelopments)

- An overall landscape concept/master plan for the centre.

3.5
28/06/2012
C161

Develop land where the Lockerbie Conservation Management Plan applies as shown on Plan 6 – Biodiversity and Threatened Species Action Plan in the Lockerbie Precinct Structure Plan

An application for development of land in the Conservation Management Plan area as shown on Plan 6 – Biodiversity and Threatened Species Action Plan in the Lockerbie Precinct Structure Plan, must demonstrate that it is in accordance with the approved Lockerbie Conservation Management Plan.

3.6
01/08/2013
C185

Use or develop land for a sensitive purpose – Environmental Site Assessment - All land (except 1450 Hume Highway Kalkallo, 1440 Hume Highway Donnybrook, 40 Dwyer Street Kalkallo, 300 Hume Highway, Beveridge)

An application to use land for a sensitive use or to subdivide land where General Residential Zone is the applied zone must be accompanied by a preliminary assessment of the potential for contaminated land as a result of the previous land uses, carried out by a suitably qualified person.

3.7
28/06/2012
C161

Public transport referral requirements

For the purpose of Clause 52.36-1 of the planning scheme a development is generally in accordance with the Lockerbie Precinct Structure Plan where the following requirements are met:

- A road nominated on Plan 8– Road Network in the Lockerbie Precinct Structure Plan as a potential bus route is constructed in accordance with its corresponding cross section in the Lockerbie Precinct Structure Plan;
- Signalised intersections that contain a proposed Principal Public Transport Network (PPTN) route in the Lockerbie Precinct Structure Plan include bus priority measures to mitigate delays to bus travel times, to the satisfaction of the Director of Public Transport;
- Any roundabouts or other road management devices on potential bus routes are constructed to accommodate ultra low floor buses in accordance with the Public Transport Guidelines for Land Use and Development; and
- The proposal includes the construction of bus stops as agreed with the Department of Transport, including bus stop hard stands with direct and safe pedestrian access to a pedestrian path (all in accordance with the Public Transport Guidelines for Land Use and Development and
Conditions and requirements for permits

General requirements

A planning permit must include a condition or conditions which ensure that any requirements or conditions set out in the *Lockerbie Precinct Structure Plan* and the *Lockerbie Native Vegetation Precinct Plan* are implemented as part of the planning permit or the plans endorsed under the permit.

Principal Town Centre and Local Town Centres

The boundary of the Principal Town Centre, Local Town Centres and Local Convenience Centre (Donnybrook Station) with the applied Commercial 1 Zone must be identified on the plan of subdivision to the satisfaction of the Responsible Authority.

Conditions for subdivision or building and works permits where land is required for community facilities, public open space and road widening

Land required for community facilities, as set out in the *Lockerbie Precinct Structure Plan* or the *Lockerbie Development Contributions Plan* must be transferred to or vested in Council at no cost to Council unless the land is funded by the *Lockerbie Development Contributions Plan*.

Land required for public open space as a local or district park as set out in the *Lockerbie Precinct Structure Plan* or the *Lockerbie Development Contributions Plan* must be transferred to or vested in Council at no cost to Council unless funded by the *Lockerbie Development Contributions Plan*.

Land required for road widening including right of way flaring for the ultimate design of any intersection with an existing or proposed arterial road must be referred to or vested in Council or VicRoads at no cost to the acquiring agency unless funded by the *Lockerbie Development Contributions Plan*.

Land required for a community facility, road or public open space must be shown on a Plan of Certification as a reserve in favour of Hume City Council or the relevant agency.

Conditions for subdivision permits that allow for the creation of a lot of less than 300 square metres

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Hume Planning Scheme; and

- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the responsible authority.

Use or develop land for a sensitive purpose – Environmental Site Assessment - All land (except 1450 Hume Highway Kalkallo, 1440 Hume Highway Donnybrook, 40 Dwyer Street Kalkallo, 300 Hume Highway, Beveridge)

Before the plan of subdivision is certified under the Subdivision Act 1988, further testing in accordance with the recommendations of the preliminary site assessment lodged with the application, must be carried out, as relevant, to the satisfaction of the Responsible Authority. Upon receipt of
the further testing report the owner must comply with any further requirements made by the responsible authority after having regard to the guidance set out in the General Practice Note on Potentially Contaminated Land June 2005 (DSE). The plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

**Use or develop land for a sensitive purpose - Contamination assessment where no Environmental Audit Overlay (EAO) applies - 1450 Hume Highway Kalkallo, 1440 Hume Highway Donnybrook, 40 Dwyer Street Kalkallo, 300 Hume Highway, Beveridge**

Before the development associated with the subdivision starts, (this requirement does not apply to bore holes and excavation associated with an environmental site assessment), an environmental site assessment of the land by a suitably qualified environmental professional must be undertaken which provides information including:

- The nature of the previous and existing land use/ activities on the land.
- An assessment of the potential level and nature of contamination on the land.
- Advice on whether the environmental condition of the land is suitable for the proposed uses/s and whether an environmental audit of all or part of the land is recommended having regard to the Potentially Contaminated Land General Practice Note June 2005, DSE.

If an environmental assessment recommends an environmental audit of all or part of the land, then:

- Before the commencement of any use for a sensitive purpose; or
- Before any buildings or works; or
- Before the certification of a plan of subdivision;

whichever is earlier, in respect of all or that part of the land as the case may be, the following must be provided to the responsible authority, either:

- A certificate of environmental audit issued for the relevant land in accordance with Part 1XD of the Environment Protection Act 1970, or
- A statement by an environmental auditor appointed under the Environment Protection Act 1970, in accordance with Part 1XD of that Act that the environmental condition of the relevant land is suitable for a sensitive use (with or without conditions on the use of the site).

*If a Statement of Environmental Audit is provided rather than a Certificate of Environmental Audit and the Statement of Environmental Audit indicates that the environmental conditions of the relevant land are suitable for a sensitive use subject to conditions, the owner of the land must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 before the issue of a Statement of Compliance or before the construction of any building on the relevant land, whichever is the earlier which details:

- Implementation of an on-going compliance with all conditions in the Statement of Environmental Audit; and
- The responsible authority’s reasonable legal costs and expenses of drafting/ reviewing and registering the agreement to be borne by the owner of the relevant land.*

**Biodiversity**

**Eastern Grey Kangaroo**

Prior to the commencement of any works in a stage of subdivision an Eastern Grey Kangaroo Management Plan must be submitted for approval to the Department of Sustainability and Environment. The plan must include:

- Strategies (e.g. staging) to avoid land locking Eastern Grey Kangaroos, or where this is not practicable, management solutions and action to respond to their containment in an area with no reasonable likelihood of their continued safe existence.
The subdivision and associated works must implement the Eastern Grey Kangaroo Management Plan in the timeframes set out in the plan by:

- Proceeding in the order of stages as shown on the plan; and
- Implementing the management solutions and actions of the plan;

all to the satisfaction of the Department of Sustainability and Environment and the Responsible Authority.

**Growling Grass Frog**

Any permit which would allow subdivision, buildings or works that will impact on an area identified as Growling Grass Frog Category 2 habitat on Plan 6 – Biodiversity and Threatened Species Action Plan in the Lockerbie Precinct Structure Plan must contain the following conditions unless otherwise agreed to in writing by the Department of Sustainability and Environment:

Prior to the commencement of any buildings or works or the removal of any vegetation, offsets for Growling Grass Frog Category 2 habitat on the land must be provided or agreed to the satisfaction of the Secretary of the Department of Sustainability and Environment.

Prior to the commencement of any buildings or works, a fully costed Growling Grass Frog translocation/salvage plan must be prepared to the satisfaction of the Department of Sustainability and Environment and be submitted to and approved by the Responsible Authority. The approved Growling Grass Frog translocation/salvage plan must be implemented to the satisfaction of the Department of Sustainability and Environment and the Responsible Authority.

Any permit which would allow subdivision, buildings or works that will impact on an area where the Lockerbie Growling Grass Frog Conservation Management Plan (CMP) applies as shown on Plan 6 – Biodiversity and Threatened Species Action Plan in the Lockerbie Precinct Structure Plan must contain the following conditions unless otherwise agreed to in writing by the Department of Sustainability and Environment:

*Works on land in the CMP area shown on Plan 6 – Biodiversity and Threatened Species Action Plan in the Lockerbie Precinct Structure Plan must be undertaken in accordance with the approved CMP.*

*Unless the land included within the CMP area as shown on Plan 6 - Biodiversity and Threatened Species Action Plan of the Lockerbie Precinct Structure Plan has been voluntarily transferred into the Crown Reserve System, the Owner must:*

- Enter into a legally, binding on-title agreement with the Secretary of the Department of Sustainability and Environment under Section 69 of the Conservation Forest and Lands Act 1987 prior to the commencement of works on the land. The agreement must provide for the following:
  - Protection of the conservation area
  - The landowner to undertake all pre-construction maintenance and monitoring (Phase One) actions in accordance with the approved CMP
  - The landowner granting Department of Sustainability and Environment (or its nominee) rights of access to undertake habitat works (Phase Two) and any additional actions as required.
  - The landowner to undertake ongoing maintenance and monitoring activities (Phase Three) in perpetuity as outlined in the approved CMP.

The landowner must pay the reasonable costs of preparation, execution and registration of the agreement.
Striped Legless Lizard
Any permit which would allow subdivision, buildings or works that will impact on an area of land identified as potential habitat for Striped Legless Lizard habitat on Plan 6 – Biodiversity and Threatened Species Action Plan in the Lockerbie Precinct Structure Plan must contain the following condition unless otherwise agreed to in writing by the Department of Sustainability and Environment:

The Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Strategic Approach (DSE 2011) and Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Operational Plan (DSE 2011) must be implemented to the satisfaction of the Secretary of the Department of Sustainability and Environment before, during and after the carrying out of any buildings or works or native vegetation removal and all specifications and requirements of the approved plan must be complied with.

Golden Sun Moth
Any permit which would allow subdivision, buildings or works that will impact on land identified as Golden Sun Moth habitat on Plan 6 – Biodiversity and Threatened Species Action Plan in the Lockerbie Precinct Structure Plan must contain the following condition unless otherwise agreed to in writing by the Department of Sustainability and Environment:

Prior to the commencement of any buildings or works or the removal of any vegetation offsets for Golden Sun Moth habitat on land, must be provided, to the satisfaction of the Secretary of the Department of Sustainability an Environment.

5.0
No exemption from notice and review
An application to use land for a convenience shop or office, on land where the applied zone is General Residential Zone, is not 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.

6.0
Decision guidelines
None specified.

7.0
Signs
Land is in the category specified in the applied zone.

7.1
Land and home sales signs
Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres.
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.
- The sign is not animated, scrolling, electronic or internally illuminated sign.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.
- The sign is setback a minimum of 750mm from the property boundary.
7.2

Education / Community Promotion signs

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display an sign above two square metres in area that promotes a community facility or education centre on the land identified as education, community and active open space on Plan 1 to this schedule.

8.0

Referral of applications

An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land in the Lockerbie Principal Town Centre and within the local town centres must be referred in accordance with section 55 of the Act to the Growth Areas Authority.
SCHEDULE 6 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ6.

GREENVALE CENTRAL PRECINCT STRUCTURE PLAN

1.0

The Plan

Plan 1 shows the future urban structure for the land. It is a reproduction of Plan 3 in the Greenvale Central Precinct Structure Plan.

Plan 1 to Schedule 6 to Clause 37.07
Use and development

The land

The use and development provisions specified in this schedule apply to the land as shown within the ‘Precinct Boundary’ on Plan 1 of this schedule and shown as UGZ6 on the planning scheme maps.

Note: If land shown on Plan 1 is not zoned UGZ, the provisions of this zone do not apply.

Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of the land, the construction of a building and construction and carrying out of works as set out in Table 1.

Table 1: Applied Zones

<table>
<thead>
<tr>
<th>Land use/development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Convenience Centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Arterial Road</td>
<td>Clause 36.04 – Road Zone – Category 1</td>
</tr>
<tr>
<td>Connector Street</td>
<td>Clause 36.04 – Road Zone – Category 2</td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
</tbody>
</table>

Reference to a planning scheme zone is a reference to an applied zone

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

Note: e.g. The General Residential Zone specifies ‘Car wash’ as a Section 2 Use with the condition, ‘The site must adjoin, or have access to, a road in a Road Zone.’ In this instance the condition should be read as, ‘The site must adjoin, or have access to, a road in a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land’.

Specific provisions – Use and development of future public land

A permit is not required to use or develop land shown in the Greenvale Central Precinct Structure Plan as open space (active or passive) or community facilities provided the use or development is carried out generally in accordance with the Greenvale Central Precinct Structure Plan and with the prior written consent of the responsible authority.

Specific provisions – Use of land

Table 2: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop where the applied zone is Commercial 1 Zone</td>
<td>A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds 500 square metres.</td>
</tr>
<tr>
<td>Primary School</td>
<td>A permit is not required to use land for a Primary School on land shown as Potential Non Government Primary School</td>
</tr>
</tbody>
</table>
2.6 Specific Provisions - Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Hume Planning Scheme.

2.7 Buildings and works for a school

A permit is required to construct a building or construct or carry out works associated with a Primary School on land shown as a non government school unless exempt under Clause 62.02-1 or 62.02-2.

2.8 Egg Farm (30 French Road, Greenvale)

Whilst the egg farm at 30 French Road, Greenvale continues to operate, an application to develop land for a sensitive use (accommodation, child care centre, kindergarten, primary school or public open space) within the directional buffer designated on Plan 5 - Image Character and Housing in the Greenvale Central Precinct Structure Plan must be accompanied by a risk assessment prepared by a suitably experienced and qualified person.

The risk assessment must acknowledge the existing poultry farm operations and assess the amenity impacts of the egg farm on the future proposed sensitive use of the land.

2.9 Specific provisions – Vegetation Protection

A permit is required to remove, destroy or lop any vegetation identified for retention on Plan 7 – Vegetation Retention Plan in the Greenvale Central Precinct Structure Plan.

3.0 Application requirements

If in the opinion of the responsible authority an application requirement listed at 3.1, 3.2, 3.3 or 3.4 is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

3.1 Residential subdivision

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land and the staging of the development for all land in contiguous ownership with the land under application.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the incorporated Greenvale Central Precinct Structure Plan.
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the Responsible Authority, in accordance with the incorporated Greenvale Central Precinct Structure Plan.
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority.

Any application for residential subdivision must be accompanied by:

- Potential bus route and bus stop locations prepared to the satisfaction of Public Transport Victoria.
• An assessment of the existing surface and subsurface drainage conditions on the site by a suitably qualified professional and the potential impacts on the proposed development, including any measures required to mitigate the impacts of the development on groundwater and drainage.

3.2
Public Infrastructure Plan
An application for subdivision and or use and development of land must be accompanied by a Public Infrastructure Plan which addresses the following:

• What land may be affected or required for the provision of infrastructure works;
• The provision, staging and timing of stormwater drainage works;
• The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
• The landscaping of any land;
• What, if any, infrastructure set out in the Greenvale Central Development Contributions Plan is sought to be provided as "works in lieu" subject to the consent of the collecting agency;
• The provision of public open space and land for any community facilities; and
• Any other matter relevant to the provision of public infrastructure required by the responsible authority.

3.3
Use or develop land for a sensitive purpose – Environmental Site Assessment – Category One Properties
An application to develop land defined as Category 1 on Map 2 to Schedule 6 to Clause 37.07 for a sensitive use (accommodation, child care centre, kindergarten, primary school or public open space) must be accompanied by a preliminary assessment of the potential for contaminated land as a result of the previous land uses, carried out by a suitably qualified person.

3.4
Use or develop land for a sensitive purpose – Phase 2 Environmental Site Assessment – Category Two Properties
An application to develop land defined as Category 2 on Map 2 to Schedule 6 to Clause 37.07 for a sensitive use (accommodation, child care centre, kindergarten, primary school or public open space) must be accompanied by a Secondary Environmental Site Assessment, including intrusive soil investigation of the Environmental Assessment Areas ranked as ‘Medium Potential for Contamination’ (and Assessment Level B) in the Phase 1 Environmental Site Assessment Greenvale Central (Lane Piper, June 2011).
4.0
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Conditions and requirements for permits
Refer to the *Greenvale Central Precinct Structure Plan*.

5.0
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Exemption from notice and review
None specified.
Decision guidelines

None specified.

Signs

Land is in the category specified in the applied zone.

Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres.
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.
- The sign is not animated, scrolling, electronic or internally illuminated sign.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.
- The sign is setback a minimum of 750mm from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.

Education promotion signs

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display an sign greater than two square metres in area that promotes an educational centre on the land identified as potential non government primary school on Plan 1 to this schedule.
SCHEDULE 7 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ7.

WOODLANDS PRECINT STRUCTURE PLAN

The Plan

Plan 1 shows the future urban structure for the Woodlands Precinct Structure Plan. It is a reproduction of Plan 2 in the Woodlands Precinct Structure Plan.

Plan 1 to Schedule 7 to Clause 37.07
Use and development

The land

The use and development provisions specified in this schedule apply to the land as shown on Plan 1 of this schedule and shown as UGZ7 on the planning scheme maps.

Note: If land shown on Plan 1 is not zoned UGZ, the provisions of this zone do not apply.

Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of the land, the construction of a building and construction and carrying out of works as set out in Table 1.

Table 1: Applied Zones

<table>
<thead>
<tr>
<th>Land use/development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land (Refer Plan 1)</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Low density residential</td>
<td>Clause 32.03 – Low Density Residential Zone</td>
</tr>
</tbody>
</table>

Reference to a planning scheme zone is a reference to an applied zone

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

Note: e.g. The Low Density Residential Zone specifies 'Car wash' as a Section 2 Use with the condition, 'The site must adjoin, or have access to, a road in a Road Zone.' In this instance the condition should be read as, 'The site must adjoin, or have access to, a road in a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land'.

Specific Provision – Scattered tree protection, including trees within areas shown as 'vegetation to be removed' in the Woodlands Precinct Structure Plan

A permit is required to remove, destroy or lop a tree identified as a 'scattered tree' or a tree within an area shown as 'native vegetation to be removed' in the Woodlands Precinct Structure Plan.

Application requirements

If in the opinion of the responsible authority an application requirement listed at 3.1, 3.2 and 3.4 is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Use or develop land for a sensitive purpose – Environmental Site Assessment - Category One Properties

An application to develop land defined as Category 1 on Map 2 to the Schedule to Clause 37.07 for a sensitive use (accommodation, child care centre, kindergarten, primary school or public open space) must be accompanied by a preliminary assessment of the potential for contaminated land as a result of the previous land uses, carried out by a suitably qualified person.
Use or develop land for a sensitive purpose – Phase Two Environmental Site Assessment - Category Two Properties

An application to develop land defined as Category 2 on Map 2 to the Schedule to Clause 37.07 for a sensitive use (accommodation, child care centre, kindergarten, primary school or public open space) must be accompanied by a Secondary Environmental Site Assessment, including intrusive soil investigation of the Environmental Assessment Areas ranked as ‘Medium Potential for Contamination’ (and Assessment Level B) in the Phase 1 Environmental Site Assessment Greenvale Central (Lane Piper, June 2011).

Map 2 to the Schedule to Clause 37.07

Section 173 Agreement

Before a permit is granted to subdivide, use or develop land at 565, 585, 595 and 605 Mickleham Road, Greenvale, the owner(s) of the land must enter into an agreement under section 173 of the Planning & Environment Act 1987 with the responsible authority and the airport lessee company of Melbourne Airport. The Agreement must be registered on title and make provision for the following:

- An acknowledgement that the land is in an area affected by aircraft noise.
- Following the initial subdivision of the land to create the lots for accommodation use, the land must not be further subdivided to create additional lots for accommodation use.
- All buildings on these properties which are to be used for accommodation must be attenuated in accordance with the Australian Standard AS 2021-2000, Acoustics – Aircraft Noise Intrusion-Building Siting and Construction.

### Scattered tree assessment

An application to remove, destroy or lop a tree must be accompanied by a report prepared by a qualified arborist that includes a detailed description of the location, health, structural quality and expected longevity all of the trees on the property.

### Conditions and requirements for permits

Refer to the *Woodlands Precinct Structure Plan* applying to the land.

### Exemption from notice and review

None specified.

### Decision guidelines

None specified.

### Signs

The sign category for the land is the category specified in the applied zone to the land at Clause 2.2 of this schedule.

### Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- the display area for each sign does not exceed 10 square metres;
- only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage;
- the sign is not animated, scrolling, electronic or internally illuminated sign;
- the sign is not displayed longer than 21 days after the sale (not settlement) of the last lot; and
- the sign is setback a minimum of 750mm from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.
SCHEDULE 8 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ8.

CRAIGIEBURN NORTH EMPLOYMENT AREA PRECINCT STRUCTURE PLAN

The Plan

Plan 1 shows the future urban structure proposed in the Craigieburn North Employment Area Precinct Structure Plan. It is a reproduction of Plan 3 in the Craigieburn North Employment Area Precinct Structure Plan.

Plan 1 to Schedule 8 to Clause 37.07

Use and Development

The land

The use and development provisions specified in this schedule apply to the land within the ‘precinct area’ on Plan 1 and shown as UGZ8 on the planning scheme maps.
Applied zone provisions
The use, subdivision, construction of a building, and construction or carrying out of works provisions of the following zones in this scheme apply as set out in Table 1.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Land use/development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land (REFER PLAN 1)</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial precinct A &amp; B</td>
<td>Clause 34.02 – Commercial 2 Zone</td>
</tr>
<tr>
<td>Industrial</td>
<td>Clause 33.01 – Industrial 1 Zone</td>
</tr>
<tr>
<td>Local convenience centre</td>
<td></td>
</tr>
<tr>
<td>Secondary Arterial Road</td>
<td>Clause 36.04 – Road Zone – Category 1</td>
</tr>
<tr>
<td>Connector Street</td>
<td>Clause 36.04 – Road Zone – Category 2</td>
</tr>
</tbody>
</table>

Reference to a planning scheme zone is a reference to an applied zone
A reference to a planning scheme zone in an applied zone provision is also a reference to an applied zone under this schedule.

Note: e.g. The Commercial 2 Zone includes a condition opposite the Section 1 use 'Industry (other than Materials recycling and Transfer station)' that includes the text:

- 'The land must be at least the following distances from land (not a road) which is in a residential zone...'

In this instance the condition must be read as:

- 'The land must be at least the following distances from land (not a road) which is in a residential zone or from land (not a road) to which the Urban Growth Zone applies a residential zone...'

Specific provisions - Use and development of land
Table 2: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>On land where the applied zone is Commercial 2 Zone: Cinema Cinema based entertainment facility Shop (other than Restricted Retail Premises)</td>
<td>A permit is required to use the land.</td>
</tr>
</tbody>
</table>

| On land where the applied zone is Commercial 2 Zone: Industry Warehouse | Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10. The land must be at least the following distances from land (not a road) which is in a residential zone or from land (not a road) to which the Urban Growth Zone applies a residential zone: |
Requirement

- 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.

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restricted Retail Premises</td>
<td>On land shown as Commercial precinct A in the incorporated Craigieburn North Employment Area Precinct Structure Plan, a permit is required if the combined leasable floor area of all restricted retail premises and trade supplies in Commercial precinct A exceeds 25,000 square metres.</td>
</tr>
<tr>
<td>Trade supplies</td>
<td>On any other land, a permit is required to use the land.</td>
</tr>
<tr>
<td>Shop</td>
<td>A permit may be granted on land shown as Local convenience centre in the Craigieburn North Employment Area PSP.</td>
</tr>
</tbody>
</table>

Specific provision – Use and development of future public land

A permit is not required to use or develop land shown in the Craigieburn North Employment Area Precinct Structure Plan as local parks provided the use or development is carried out generally in accordance with the Craigieburn North Employment Area Precinct Structure Plan and with the prior written consent of Hume City Council.

Specific provision – Environmental Audit or Environmental Site Assessment required on specified land before certain use or development commences

On the following land in Craigieburn:
- 810 Summerhill Road (Lot 5 LP 143296))
- 30 Amaroo Road (Lot 2 PS 518232)
- 185 Brookville Drive (Lot 6 LP 205834)
- 295 Brookville Drive (Lot 22 PS 616391)

before the use or development of land commences for a nursing home, child care centre, primary school, caretaker’s house or residential hotel, 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;

Or

before the use or development (this requirement does not apply to bore holes and excavation associated with an environmental site assessment) of land commences for any other use, an environmental site assessment of the land by a suitably qualified environmental professional must be undertaken which provides the following information:
- The nature of the previous and existing land use/activities on the land.
- An assessment of the potential level and nature of contamination on the land.
- Advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all or part of the land is recommended having regard to the Potentially Contaminated Land General Practice Note June 2005, DSE.

On the following land in Craigieburn:
before the use or development of land (this requirement does not apply to bore holes and excavation associated with an environmental site assessment) commences for a nursing home, child care centre, primary school, caretaker’s house or residential hotel an environmental site assessment of the land by a suitably qualified environmental professional must be undertaken which provides the following information:

- The nature of the previous and existing land use/activities on the land.
- An assessment of the potential level and nature of contamination on the land.
- Advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all or part of the land is recommended having regard to the Potentially Contaminated Land General Practice Note June 2005, DSE.

Reference document: Precinct Structure Plan Area 25 Growth Areas Authority: Desktop Environmental, Hydrological and Geotechnical Study, Aurecon (September 2012)

**Application requirements**

**Subdivision**

Any application for subdivision must include:

- A land budget table in the same format and methodology as those within the precinct structure plan applying to the land, setting out the amount of land allocated to the proposed uses.
- Subdivision and Design Guidelines, prepared to the satisfaction of the responsible authority, which demonstrate how the proposal responds to and achieves the objectives, planning and design requirements, guidelines shown within the Craigieburn North Employment Area Precinct Structure Plan incorporated in this scheme
- A mobility plan that demonstrates how the local street and movement network integrates with adjacent urban development or is capable of integrating with future development on adjacent land parcels.
- A Stormwater Management Strategy that addresses the provision, staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of Melbourne Water and Hume City Council.
3.2

Public Infrastructure Plan

An application must be accompanied by a Public Infrastructure Plan which addresses the following:

- what land may be affected or required for the provision of infrastructure works;
- the provision, staging and timing of stormwater drainage works;
- the provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- the landscaping of any land;
- what if any infrastructure set out in the Craigieburn North Employment Area Development Contributions Plan is sought to be provided as "works in lieu" subject to the written consent of Hume City Council;
- the provision of public open space and land for any community facilities;
- any other matter relevant to the provision of public infrastructure required by the responsible authority

3.3

Traffic Impact Assessment

An application that proposes to create or change access to a primary or secondary arterial road must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit, must be to the satisfaction of VicRoads or Hume City Council, as required.

3.4

Development applications on land containing or abutting the Merri Creek its tributaries and environs

An application on land containing or abutting the Merri Creek Corridor, its tributaries and environs must be accompanied by a plan that shows:

- Natural features including trees and other significant vegetation, habitat for protected species, drainage lines, water courses, wetlands, ridgelines, hill tops and features of geomorphic significance; and
- Recreation facilities to be provided within public open space; and
- Storm water facilities that are compliant with the relevant approved drainage strategy; and
- The retention and removal of vegetation and any re-vegetation.

3.5

Retail Impact Assessment

An application to use land for restricted retail premises must be accompanied by a Retail Impact Assessment Report (RIAR) including:

- An assessment of the impact of the proposal on the surrounding activity centre hierarchy which considers:
  - Catchment analysis;
  - Analysis of current and forecast demand, visitor levels and drivers of demand;
  - Analysis of existing and planned centres that are likely to compete with the subject site;
and
- An analysis of potential impacts expected to flow from the use, including:
  - economic benefits;
- trading impacts or implications for existing and planned facilities and their possible consequences.

### Conditions and requirements for permits

#### Open Space – Condition

Any permit for subdivision must contain the following condition:

- Land required for public open space as a local park, as set out in the Craigieburn North Employment Precinct Structure Plan must be transferred to or vested in the responsible authority at no cost to that authority.

#### Biodiversity and Threatened Species

Any permit for subdivision must contain the following conditions:

##### Kangaroo Management Plan

- Before the certification of the plan of subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning. Once approved the plan will be endorsed by the responsible authority and form part of the permit.
- The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority

##### Salvage and Translocation

- The Salvage and Translocation Protocol for Melbourne’s Growth Corridors (Department of Environment and Primary Industries, 2014) must be implemented in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

#### Protection of conservation areas and native vegetation during construction

Where a precinct structure plan applying to the land shows any part of the land as a conservation area or any type of native vegetation a permit allowing any type of buildings or works on that land must ensure that:

- Before the start of construction or carrying out of works the developer of the land must erect a fence that is:
  - highly visible
  - at least 2 metres in height
  - sturdy and strong enough to withstand knocks from construction vehicles
  - in place for the whole period of construction
  - located the following minimum distance from the element to be protected:

<table>
<thead>
<tr>
<th>Element</th>
<th>Minimum distance from element</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation area</td>
<td>2 metres</td>
</tr>
<tr>
<td>Patch of native vegetation</td>
<td></td>
</tr>
<tr>
<td>Scattered native tree</td>
<td>Twice the distance between the trunk and the edge of the tree canopy</td>
</tr>
</tbody>
</table>

- During construction or works, construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:
- be located not less than 15 metres from a waterway;
- be located outside the vegetation protection fence;
- be constructed and designed to ensure that the conservation area or native vegetation is protected from adverse impacts during construction;
- not be undertaken if it presents a risk to any vegetation within a conservation area; and
- be carried out under the supervision of a suitable qualified ecologist or arborist.

**Land Management Co-operative Agreement**

A permit to subdivide land shown in the incorporated Craigieburn North Employment Area Precinct Structure Plan as including a conservation area must ensure that, before the issue of a statement of compliance for the last stage of the subdivision, the owner of the land:

- Enters into an agreement with the Secretary to the Department of Environment, Land, Water and Planning under section 69 of the *Conservation, Forests and Lands Act 1987*, which:
  - Must provide for the conservation and management of that part of the land shown as a conservation area in the Craigieburn North Employment Area Precinct Structure Plan; and
  - May include any matter that such an agreement may contain under the *Conservation, Forests and Lands Act 1987*.

- Makes application to the Registrar of Titles to register the agreement on the title to the land.

- Pays the reasonable costs of the Secretary to the Department of Environment, Land, Water and Planning in the preparation, execution and registration of the agreement.

The requirement for a Land Management Co-operative Agreement in this condition does not apply to land or any lot or part of a lot within a conservation area identified in the Precinct Structure Plan that:

- is identified in a Precinct Structure Plan as public open space and is vested, or will be vested, in the council as a reserve for the purposes of public open space; or

- is identified in a Precinct Structure Plan as a drainage reserve and is vested, or will be vested, in Melbourne Water Corporation or the council as a drainage reserve; or

- is within a Conservation Area identified in a Precinct Structure Plan for nature conservation and is vested, or will be vested, in the Secretary to the Department of Environment, Land, Water and Planning for conservation purposes; or

- is the subject of an agreement with the Secretary to the Department of Environment, Land, Water and Planning to transfer or gift that land to:
  - the Secretary to the Department of Environment, Land, Water and Planning;
  - the Minister administering the *Conservation, Forests and Lands Act, 1987*; or
  - another statutory authority.

to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

**Public Transport – Condition**

Any permit for subdivision must contain the following condition:

Unless otherwise agreed by Public Transport Victoria, prior to the issue of Statement of Compliance for any subdivision stage, bus stop hard stands with direct and safe pedestrian access to a pedestrian path must be constructed:
In accordance with the Public Transport Guidelines for Land Use and Development and be compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002.

At locations approved by Public Transport Victoria, at no cost to Public Transport Victoria, and to the satisfaction of Public Transport Victoria.

4.4  
Road Network – Condition

Any permit for subdivision or building and works must contain the following condition:

Prior to the certification of a plan of subdivision, the plan of subdivision must show the land affected by the widening of the road reserve which is required to provide road widening and/or right of way flaring for the ultimate design of any adjacent intersection.

Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed arterial road must be transferred to or vested in council at no cost to the acquiring agency unless funded by the Craigieburn North Employment Area Development Contributions Plan.

4.5  
Public Infrastructure Plan – Condition

Any permit for subdivision must contain the following condition:

Prior to the certification of a plan of subdivision or at such other time which is agreed between Council and the owner, if required by the responsible authority or the owner, the owner must enter into an agreement or agreements under section 173 of the Planning and Environment Act 1987 which provides for:

- The implementation of the Public Infrastructure Plan approved under this permit.
- The purchase and/or reimbursement by the responsible authority for any provision of public open space in excess of the amount specified in the schedule to Clause 53.01.
- The timing of any payments to be made to the owner having regard to the availability of funds in the open space account.

5.0  
Exemption from notice and review

None specified.

6.0  
Decision guidelines

None specified.

7.0  
Signs

The sign category for the land is the category specified in the applied zone to the land at Clause 2.2 of this schedule.

7.1  
Land sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of the land, or adjoining land in the same ownership, may be displayed without a permit provided:

- the display area for each sign does not exceed 10 square metres;
- only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage;
- the sign is not animated, scrolling, electronic or internally illuminated sign;
the sign is not displayed longer than 21 days after the sale (not settlement) of the last lot; and

- the sign is setback a minimum of 750mm from the property boundary.

A permit may be granted to display a sign promoting the sale of the land, or adjoining land in the same ownership, with an area greater than 10 square metres.
SCHEDULE 9 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ9

SUNBURY SOUTH PRECINCT STRUCTURE PLAN

The plan

Plan 1 shows the future urban structure proposed in the Sunbury South Precinct Structure Plan. It is a reproduction of Plan 3 in the Sunbury South Precinct Structure Plan.

Plan 1 to Schedule 9 to Clause 37.07

Use and development

The land

The use and development provisions specified in this schedule apply to the land as shown within the ‘precinct boundary’ on Plan 1 of this schedule and shown as UGZ9 on the planning scheme maps.

Note: If land shown on Plan 1 is not zoned UGZ, the provisions of this zone do not apply.

Applied zone provisions

Table 1 allocates the land use/development shown on Plan 1 of this schedule with a corresponding zone from this scheme.

Where the use/development in the left column is carried out or proposed generally in accordance with the incorporated Sunbury South Precinct Structure Plan, the use, subdivision, construction of a building and construction and carrying out of works provisions of the corresponding zone in the right column apply.

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.
e.g. The Commercial 2 Zone specifies ‘Shop’ as a Section 1 Use with the condition, ‘The site must adjoin, or have access to, a road in a Road Zone.’ In this instance the condition should be read as, ‘The site must adjoin, or have access to, a road in a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land’.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Provision</th>
<th>Clause</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary arterial road</td>
<td>36.04</td>
</tr>
<tr>
<td>Connector - boulevard</td>
<td>36.04</td>
</tr>
<tr>
<td>Connector road</td>
<td>36.04</td>
</tr>
<tr>
<td>Employment &amp; commercial</td>
<td>34.02</td>
</tr>
<tr>
<td>Restricted retail / trade supplies</td>
<td></td>
</tr>
<tr>
<td>Industrial</td>
<td>33.01</td>
</tr>
<tr>
<td>Potential industrial</td>
<td></td>
</tr>
<tr>
<td>Light industrial</td>
<td>33.03</td>
</tr>
<tr>
<td>Local convenience centre</td>
<td>34.01</td>
</tr>
<tr>
<td>Town centre</td>
<td></td>
</tr>
<tr>
<td>Walkable catchment boundary</td>
<td>32.07</td>
</tr>
<tr>
<td>All other land</td>
<td>32.08</td>
</tr>
</tbody>
</table>

Specific provisions – Use of land

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child care centre</td>
<td>The location of the use must generally accord with the location of a community facility in the incorporated Sunbury South Precinct Structure Plan.</td>
</tr>
<tr>
<td></td>
<td>The use must be carried out by or on behalf of the public land manager.</td>
</tr>
<tr>
<td></td>
<td>Must not be located within 164 metres of the Derrimut to Sunbury (T62-150mm) gas transmission pipeline.</td>
</tr>
<tr>
<td>Cinema based entertainment facility and Education centre – where the applied zone is Commercial 1 Zone</td>
<td>Must not be within 164 metres of the Derrimut to Sunbury (T62-150mm) gas transmission pipeline.</td>
</tr>
<tr>
<td>Dependent person’s unit and Residential aged care facility – where the applied zone is General Residential Zone or Residential Growth Zone</td>
<td>Must not be within 164 metres of the Derrimut to Sunbury (T62-150mm) gas transmission pipeline.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Dwelling – where the applied zone is General Residential Zone</strong></td>
<td>Must not be located on land shown within ‘Landfill Buffer (500m)’ on Plan 3 of the incorporated Sunbury South Precinct Structure Plan until such time as Cells 1, 2 and Western Extension Cell Phase 1 on EPA Licence 45279 are closed and rehabilitated to the satisfaction of the Environment Protection Authority.</td>
</tr>
<tr>
<td><strong>Emergency services facility</strong></td>
<td>Must be located on land shown as Redstone Hill Major Town Centre in the incorporated Sunbury South Precinct Structure Plan.</td>
</tr>
<tr>
<td><strong>Hall</strong></td>
<td>The location of the use must generally accord with the location of a community facility in the incorporated Sunbury South Precinct Structure Plan.</td>
</tr>
<tr>
<td><strong>Indoor recreation facility</strong></td>
<td>The use must be carried out by or on behalf of the public land manager.</td>
</tr>
<tr>
<td><strong>Library</strong></td>
<td>The use must be carried out by or on behalf of the public land manager.</td>
</tr>
<tr>
<td><strong>Medical centre</strong></td>
<td>The use must be carried out by or on behalf of the public land manager.</td>
</tr>
<tr>
<td><strong>Restricted recreation facility</strong></td>
<td>The location of the use must generally accord with the location of a sports reserve in the incorporated Sunbury South Precinct Structure Plan.</td>
</tr>
<tr>
<td></td>
<td>The use must be carried out by or on behalf of the public land manager.</td>
</tr>
<tr>
<td><strong>Minors sports and recreation facility</strong></td>
<td>The location of the use must generally accord with the location of a sports reserve in the incorporated Sunbury South Precinct Structure Plan.</td>
</tr>
<tr>
<td></td>
<td>The use must be carried out by or on behalf of the public land manager.</td>
</tr>
<tr>
<td><strong>Primary School</strong></td>
<td>Must be located on land shown as Potential non-government school in the incorporated Sunbury South Precinct Structure Plan.</td>
</tr>
<tr>
<td><strong>Secondary School</strong></td>
<td>Must be located on land shown as Potential non-government school in the incorporated Sunbury South Precinct Structure Plan.</td>
</tr>
<tr>
<td><strong>Restricted retail premises</strong></td>
<td>Must be located on land shown as ‘Employment &amp; Commercial’ or ‘Restricted retail/trade supplies’ on Plan 3 of the incorporated Sunbury South Precinct Structure Plan.</td>
</tr>
<tr>
<td><strong>Retail Premises – on land shown as ‘Office / Commercial’ in Figure 5 – Redstone Hill Major Town Centre Concept Plan in the incorporated Sunbury South Precinct Structure Plan</strong></td>
<td>The combined leasable floor area must not exceed 1,000 square metres.</td>
</tr>
</tbody>
</table>
| **Shop - where the applied zone is Commercial 1 Zone**            | The combined leasable floor area of all shops must not exceed:
  - 25,000 square metres for land shown as the Redstone Hill Major Town Centre in the incorporated Sunbury South Precinct Structure Plan.
  - 5,000 square metres for land shown as the Harpers Creek Local Town Centre in the incorporated Sunbury South Precinct Structure Plan.
  - 1,500 square metres for land shown as the Jacksons Creek Local Convenience Centre in the incorporated Sunbury South Precinct Structure Plan.
  - 1,500 square metres for land shown as the Sunbury South Station Local Convenience Centre in the incorporated Sunbury South Precinct Structure Plan. |
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,500 square metres for land shown as the Sunbury Road North</td>
<td>Must be on land shown as 'Employment &amp; Commercial' on Plan 3 of the incorporated Sunbury South Precinct Structure Plan.</td>
</tr>
<tr>
<td>Local Convenience Centre in the incorporated Sunbury South</td>
<td>The combined leasable floor area must not exceed 500 square metres.</td>
</tr>
<tr>
<td>Precinct Structure Plan.</td>
<td></td>
</tr>
<tr>
<td>1,000 square metres for land shown as the Redstone Hill South</td>
<td></td>
</tr>
<tr>
<td>Local Convenience Centre in the incorporated Sunbury South</td>
<td></td>
</tr>
<tr>
<td>Precinct Structure Plan.</td>
<td></td>
</tr>
<tr>
<td>500 square metres for land shown as the Sunbury Road Industrial</td>
<td></td>
</tr>
<tr>
<td>Local Convenience Centre in the incorporated Sunbury South</td>
<td></td>
</tr>
<tr>
<td>Precinct Structure Plan.</td>
<td></td>
</tr>
<tr>
<td>Must be on land shown as 'Employment &amp; Commercial' on Plan 3 of</td>
<td></td>
</tr>
<tr>
<td>the incorporated Sunbury South Precinct Structure Plan.</td>
<td></td>
</tr>
<tr>
<td>Supermarket – where the applied zone is Commercial 2 Zone</td>
<td></td>
</tr>
<tr>
<td>Must meet the requirements of Clause 62.01.</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td></td>
</tr>
<tr>
<td>Any other use listed in Section 1 in the Table of uses of the</td>
<td></td>
</tr>
<tr>
<td>applicable applied zone, unless listed in Section 2 or 3 of this</td>
<td></td>
</tr>
<tr>
<td>schedule.</td>
<td></td>
</tr>
<tr>
<td>Section 2 - Permit required</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>Accommodation on land:</td>
<td></td>
</tr>
<tr>
<td>● where the applied zone is Commercial 2 Zone; and</td>
<td></td>
</tr>
<tr>
<td>● shown as 'Employment &amp; Commercial' on Plan 3 of the incorporated</td>
<td></td>
</tr>
<tr>
<td>Sunbury South Precinct Structure Plan.</td>
<td></td>
</tr>
<tr>
<td>Accommodation</td>
<td></td>
</tr>
<tr>
<td>Child care centre</td>
<td>The land must not be used for any of the uses listed opposite until such time as Cells 1, 2 and Western Extension Cell Phase 1 on EPA Licence 45279 are closed and rehabilitated to the satisfaction of the Environment Protection Authority.</td>
</tr>
<tr>
<td>Education Centre</td>
<td></td>
</tr>
<tr>
<td>Medical centre on land:</td>
<td></td>
</tr>
<tr>
<td>● where the applied zone is General Residential Zone; and</td>
<td></td>
</tr>
<tr>
<td>● shown as 'Landfill buffer (500m)' on Plan 3 of the incorporated</td>
<td></td>
</tr>
<tr>
<td>Sunbury South Precinct Structure Plan.</td>
<td></td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>Must not be adversely affected by amenity impacts from the operations of the organic waste facility.</td>
</tr>
<tr>
<td>Food and drink premises</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
</tbody>
</table>
Use | Condition
--- | ---
On land shown as Organic Waste Facility Buffer in the incorporated Sunbury South Precinct Structure Plan. | 
Shop (other than supermarket) – where the applied zone is Commercial 1 Zone and the Section 1 condition is not met | Must only be on land where the applied zone is Commercial 1 Zone; or Must only be on land shown as ‘Employment & Commercial’ on Plan 3 of the incorporated Sunbury South Precinct Structure Plan, where the Section 1 condition is not met:  
- The leasable floor area must not exceed 1800 square metres.  
The site must adjoin, or have access to, a road in a Road Zone. 
Place of worship | Must not be adversely affected by amenity impacts from the landfill or organic waste facility. 
Any other use not in Section 1 or 3 in the Table of uses in the applicable applied zone, or in this schedule. | 
Section 3 – Prohibited

Use | Condition
--- | ---
Accommodation | Prohibited within the Organic Waste Facility Buffer in the incorporated Sunbury South Precinct Structure Plan whilst the Veolia Bulla Organic Waste Facility continues to operate at 570 Sunbury Road, Bulla. 
Child care centre | 
Education Centre | Note: The Organic Waste Facility Buffer may be reduced or deleted if the facility ceases operation or changes its operations and an amenity assessment report is prepared to the satisfaction of the responsible authority and Environment Protection Authority. 
If the facility ceases or changes its operations and the Organic Waste Facility Buffer is reduced or deleted then the permit requirements of the applied zone apply to land which is no longer required to act as a buffer. 
Medical centre | 
Specific provision – Subdivision
None specified. 
Specific provisions – Buildings and works
Buildings and works for future local parks and community facilities
A permit is not required to develop land shown in the Sunbury South Precinct Structure Plan as a local park or community facility provided the development is carried out generally in accordance with the Sunbury South Precinct Structure Plan and with the prior written consent of the responsible authority.
Buildings and works for a school

A permit is required to construct a building or carry out works associated with a Primary School or Secondary School on land shown as a Potential Non-government School in the incorporated *Sunbury South Precinct Structure Plan* unless exempt under Clauses 62.02-1 and 62.02-2.

Buildings and works abutting the railway corridor

A permit is required to construct a building or carry out works for Accommodation, a Child care centre, a Primary school, a Secondary school, a Display home, a Hospital, a Hotel or a Tavern if proposed on land within 100m of the railway corridor where land is marked as ‘Interface with railway’ or ‘Interface with gas easement’ on Plan 6 of the *Sunbury South Precinct Structure Plan*.

Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Hume Planning Scheme.

Buildings and Works within Landfill Buffer

A permit is required for buildings and works within the Landfill Buffer shown on Plan 3 of the incorporated *Sunbury South Precinct Structure Plan*. This includes underground services including stormwater drains, pits, water mains, sewers, power lines and communication cables.

A permit is not required for non-intrusive works. For the purposes of this exemption, non-intrusive works is defined as those that do not involve enclosed structures, excavation or significant ground disturbance. They include:

- alterations to buildings and structures that do not require ground disturbance
- fencing
- street and park furniture
- vehicle crossovers
- satellite dishes
- minor signage
- garden sheds and greenhouses that do not require extensive footings or foundations

Specific provision – Urban Design Framework

A permit must not be granted to use or subdivide land, or construct a building and carry out works on land shown as the Redstone Hill Major Town Centre within the incorporated *Sunbury South Precinct Structure Plan* until an urban design framework for the centre has been prepared to the satisfaction of the responsible authority and the Victorian Planning Authority.

An urban design framework approved under this schedule must be generally in accordance with the *Sunbury South Precinct Structure Plan* applying to the land.

The urban design framework must include information which:

- Demonstrates how it responds to the vision of the Precinct Structure Plan, the organising elements for the centre at Figure 4, and the concept plan at Figure 5 of the Precinct Structure Plan.
- Clearly defines the future ownership/management of roads and public spaces within the centre, including public access arrangements for privately controlled land.
• Identifies the key elements of the public realm and publicly accessible private spaces, proposed building material/colour palette themes, and landscaping of these spaces to ensure a continuity of design and sense of place.

• Identifies the location and method for deliveries, waste disposal, parking, and vehicle access, particularly for non-retail elements within the town centre.

• Identifies potential local bus network routes, including access to a centrally located bus interchange.

• Identifies the proposed staging of the development of the town centre, including indicative timing of development of the main components of the centre, access arrangements at each stage, and how future development areas will be treated in the interim.

• Responds to the relevant Requirements and Guidelines within the Sunbury South Precinct Structure Plan.

An application for use and/or development on land shown as the Redstone Hill Major Town Centre must be consistent with any urban design framework approved under this schedule.

A permit should only be granted to subdivide land or to construct a building or construct and carry out works prior to the approval of an urban design framework if, in the opinion of the responsible authority, the permit doesn’t prejudice the preparation and approval of an urban design framework and the permit implements the objectives for the Major Town Centre as set out in the Sunbury South Precinct Structure Plan, and is generally consistent with Figures 4 and 5, and the vision for the town centre, as described in the Sunbury South Precinct Structure Plan.

The urban design framework may be amended to the satisfaction of the responsible authority and the Victorian Planning Authority.

2.7

Specific provisions – Referral of applications

Town Centre

An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land shown as a Town Centre must be referred in accordance with section 55 of the Planning and Environment Act 1987 to the Victorian Planning Authority.

Land not serviced by Development Services Scheme – Potential Residential, Potential Industrial and Potential Residential Expansion Area

Any application for subdivision, use or development on land shown in the Sunbury South Precinct Structure Plan as ‘Potential residential’, ‘Potential industrial’ or ‘Potential residential expansion area’ must be referred in accordance with section 55 of the Planning and Environment Act 1987 to Melbourne Water.

Applications within the Landfill Buffer

Any application for subdivision, use or development on land shown in the Sunbury South Precinct Structure Plan as ‘Landfill Buffer (500m)’ must be referred in accordance with section 55 of the Planning and Environment Act 1987 to the Environment Protection Authority.

Applications within the Organic Waste Facility Buffer

Any application to subdivide land or use land shown within the Sunbury South Precinct Structure Plan as ‘Organic Waste Facility Buffer (1.3km)’ while the Veolia organic waste facility is still operational at 600 Sunbury Road Bulla, must be referred in accordance with section 55 of the Planning and Environment Act 1987 to the Environment Protection Authority.
Applications within the Quarry Buffer

Any application to subdivide land or use land shown within the Sunbury South Precinct Structure Plan as ‘Quarry Buffer (500m)’ must be referred in accordance with section 55 of the Planning and Environment Act 1987 to the Secretary to the Department administering the Mineral Resources (Sustainable Development) Act 1990.

Application requirements

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Subdivision – Residential development

In addition to the requirements of Clause 56.01-2, a subdivision design response for a residential subdivision must include:

- A land budget table in the same format and methodology as those within the precinct structure plan applying to the land, setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields;
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority, which demonstrate how the proposal responds to and achieves the objectives and planning and design requirements and guidelines in the incorporated Sunbury South Precinct Structure Plan, including specific design requirements relating to slope and height;
- A mobility plan that demonstrates how the local street and movement network integrates with adjacent urban development or is capable of integrating with future development on adjacent land parcels;
- A demonstration of how the subdivision will contribute to the delivery of a diversity of housing;
- A demonstration of how the subdivision will contribute to the achievement of the residential density outcomes in the incorporated Sunbury South Precinct Structure Plan.
- A concept plan for any included passive recreation nodes (as identified at Table 6 of the incorporated Sunbury South Precinct Structure Plan) which shows contours, recreational areas, playgrounds, shelters, landscaping, paths and seating.
- A bushfire assessment that demonstrates that bushfire risk is managed to enable the development, on completion, to achieve a BAL-12.5 rating under AS3959-2009.

Public Infrastructure Plan

An application must be accompanied by a Public Infrastructure Plan which addresses the following:

- What land may be affected or required for the provision of infrastructure works;
- The provision, staging and timing of stormwater drainage works;
- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- The landscaping of any land;
- What, if any, infrastructure set out in the relevant Infrastructure Contributions Plan is sought to be provided as "works in kind" subject to the consent of the Collecting Agency;
- The provision of public open space and land for any community facilities; and
- Any other matter relevant to the provision of public infrastructure required by the responsible authority.
Subdivision – land that includes a confirmed or possible heritage site

An application that includes a confirmed or possible heritage site on Plan 3 of the *Sunbury South Precinct Structure Plan* must be accompanied by an assessment by a qualified heritage consultant which describes any heritage features of the site and recommendations regarding the protection of heritage features, or where appropriate, integration of heritage into the broader subdivision.

Any application that includes the demolition of a ‘heritage site (possible)’ identified on Plan 3 of the *Sunbury South Precinct Structure Plan* must be accompanied by a heritage impact assessment prepared by a suitably qualified heritage consultant.

Use or develop land for a sensitive purpose – Environmental Site Assessment

An application to use or develop land defined as High Risk and Moderate Risk described in Table 2 below for a sensitive use (Accommodation, Child care centre, Kindergarten, Primary school or Public open space) must be accompanied by a detailed site investigation (Phase 2 assessment) conducted by a suitably qualified environmental professional to the satisfaction of the responsible authority. The assessment must provide for the following information:

- Detailed assessment of the potential contaminants on the relevant land, including those described in *Land Capability Assessment for the Sunbury South Precinct Structure Plan, Sunbury, Victoria* (Environmental Earth Sciences Vic, July 2015);
- Clear advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all, or part, of the land is recommended having regard to the *Potentially Contaminated Land General Practice Note June 2005, DSE*;
- Further detailed assessment of surface and subsurface water conditions and geotechnical characteristics on the relevant land and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions and geology on the development and the impact of the development on surface and subsurface water;
- Recommended remediation actions for any potentially contaminated land.
- An unequivocal recommendation on whether the environmental condition of the land is suitable for the proposed use/s or whether an environmental audit in accordance with Part IXD of the *Environment Protection Act 1970* for all or part of the land is recommended having regard to the *Potentially Contaminated Land General Practice Note June 2005, DSE*.

All to the satisfaction of the responsible authority.

**Table 2: Moderate and High Risk properties**

<table>
<thead>
<tr>
<th>Address</th>
<th>Legal Description</th>
<th>Risk Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>215 Old Vineyard Road, Sunbury</td>
<td>Lot 2 PS302331</td>
<td>Moderate</td>
</tr>
<tr>
<td>60 Buckland Way, Sunbury</td>
<td>Lot 10 LP143133</td>
<td>Moderate</td>
</tr>
<tr>
<td>37 Fox Hollow Drive, Sunbury</td>
<td>Lot 17 PS617530</td>
<td>Moderate</td>
</tr>
<tr>
<td>45 Fox Hollow Drive, Sunbury</td>
<td>Lot 6 PS404987</td>
<td>Moderate</td>
</tr>
<tr>
<td>605 Sunbury Road, Sunbury</td>
<td>Lot 2 LP147272</td>
<td>Moderate</td>
</tr>
<tr>
<td>2 Shepherds Lane, Sunbury</td>
<td>Lot 2 PS423080/Allotment 1C Sec 25 PP2258</td>
<td>Moderate</td>
</tr>
<tr>
<td>650 Sunbury Road, Sunbury</td>
<td>Lot 2 LP 203247</td>
<td>Moderate</td>
</tr>
<tr>
<td>670 Sunbury Road, Sunbury</td>
<td>Lot 1 LP203247</td>
<td>High</td>
</tr>
<tr>
<td>680 Sunbury Road, Sunbury</td>
<td>Lot 1 TP620324</td>
<td>Moderate</td>
</tr>
</tbody>
</table>
Subdivision application – Sensitive Residential Areas

An application to subdivide land in an area shown as a ‘sensitive residential area’ on the Image, Character, Housing and Heritage Plan (Plan 5) within the Sunbury South Precinct Structure Plan must demonstrate how proposed development will facilitate the orderly and integrated development of the area, including as appropriate:

- An indicative subdivision concept design which demonstrates consistency with the relevant concept plan in the Sunbury South Precinct Structure Plan.
- The location of local streets to provide for a permeable local street network, including details for the upgrade of any existing roads within the area.
- Any building design guidelines required to respond to topographical and other constraints associated with the land.
- Staging and indicative development timing, including interim drainage, servicing, local road construction and any other relevant infrastructure requirements.

All to the satisfaction of the responsible authority.

An application for subdivision of land or use and/or development on land shown within a ‘sensitive residential area’ within the Sunbury South Precinct Structure Plan must respond to any applicable concept plan contained within the Sunbury South Precinct Structure Plan, unless if, in the opinion of the responsible authority, the permit implements the objectives for the area as set out within the Sunbury South Precinct Structure Plan.

Subdivision application - Kangaroo management

An application for subdivision must be accompanied by a Kangaroo Management Plan to the satisfaction of the responsible authority which includes:

- Strategies to avoid land locking kangaroos, including staging of subdivision; and
- Management requirements to respond to the containment of kangaroos in an area with no reasonable likelihood of their continued safe existence; or
- Management and monitoring actions to sustainably manage a population of kangaroos within a suitable location.

Where a Kangaroo Management Plan has been approved in respect to the land to which the application applies, the application must be accompanied by:

- A copy of the approved Kangaroo Management Plan; and
- A ‘design/management response’ statement outlining how the application is consistent with and gives effect to any requirements of the approved Kangaroo Management Plan.

Traffic Impact Assessment

An application that proposes to create or change access to a primary arterial road must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit, must be to the satisfaction of VicRoads, as required.

Applications within Landfill Buffer

Any application to subdivide land, use land or construct a building or carry out works on land within the Landfill Buffer as shown on Plan 3 of the incorporated Sunbury South Precinct Structure Plan must:
Demonstrate that the development will not have any material adverse effect on the ability of the operator of the Hi-Quality landfill at 600 Sunbury Road to comply with the *Best Practice Environmental Management: Siting Design, Operation and Rehabilitation of Landfills* (Environment Protection Authority, August 2015) to the satisfaction of the responsible authority, in consultation with the Environment Protection Authority; and

Demonstrate that the use will not be unreasonably impacted by odour, dust, noise, litter or vibration, or any other matter related to the landfill buffer as considered relevant by the responsible authority, to the satisfaction of the responsible authority and the Environment Protection Authority; and

Be accompanied by, or have regard to, a 53V (risk of harm) audit under the *Environment Protection Act 1970*, at the discretion of the responsible authority in consultation with the Environment Protection Authority, and prepared to the satisfaction of the Environment Protection Authority.

Prior to conducting an audit, the scope of any proposed 53V (risk of harm) audit must be submitted to the responsible authority for review and agreement prior to conducting an audit. The responsible authority must consult with the Environment Protection Authority.

**Use or develop land – Applications within the Organic Waste Facility Buffer**

Whilst the Veolia Bulla Organic Waste Facility continues to operate at 570 Sunbury Road, Bulla, an application to use or develop land located within the buffer surrounding the Organic Waste Facility must be accompanied by an odour, dust, noise and vibration assessment prepared by a suitably experienced and qualified person and to the satisfaction of the responsible authority, in consultation with the Environment Protection Authority.

The assessment must be prepared in accordance with a method agreed to by the Environment Protection Authority and acknowledge the existing organic waste facility operations at 570 Sunbury Road and assess the potential adverse amenity impacts of the organic waste facility on the future proposed use of the land, to the satisfaction of the Environment Protection Authority and the responsible authority.

**Retail Impact Assessment**

An application that exceeds the combined leasable floor area identified for the relevant centre in Clause 2.3 of this schedule must prepare a Retail Impact Assessment.

The retail impact assessment must be to the satisfaction of the responsible authority and must address:

- The objectives and requirements in the *Sunbury South Precinct Structure Plan* and other Precinct Structure Plans, and the Hume Planning Scheme for activity centres.

- The primary catchment of the centre.

- Whether the primary catchment has sufficient population (residents and workers) to support the centre.

- Whether the centre will result in the closure of other existing centres or would preclude and unacceptably delay the development of future centres identified within the Activity Centre Hierarchy, a Precinct Structure Plan, a Local Structure Plan, Structure Plan or Development Plan within the catchment of the centre.

**Restricted Retail Impact Assessment**

Any application that includes a Restricted retail premises where the applied zone is Industrial 1 Zone or Industrial 3 Zone must be accompanied by an economic assessment.

The economic assessment must be to the satisfaction of the responsible authority and must address:

- A profile of industrial areas in the Sunbury Diggers-Rest Growth Corridor (with and without the proposal).
An assessment of any implications to the intended land use profile outcomes of the Sunbury South Precinct Structure Plan.

Whether the proposed restricted retail use will result in an unacceptable reduction in the amount of land available for industrial development in the Sunbury South Precinct and the broader Sunbury-Diggers Rest Growth Corridor. The assessment should consider the limitations of the remaining industrially zoned land, including the constraints of any buffers applying to the land.

Whether the restricted retail use would preclude or unacceptably delay the development of other areas of Sunbury identified within a Precinct Structure Plan, a Local Structure Plan, Structure Plan or Development Plan within the catchment of the use.

The objectives and requirements in the Sunbury South Precinct Structure Plan and other Precinct Structure Plans, and the Hume Planning Scheme.

Subdivision – Potential Residential (Sloping) and Potential Residential Expansion Area

An application to subdivide land which includes the area designated as ‘potential residential (sloping)’ or ‘potential residential expansion area’ on Plan 3 of the Sunbury South Precinct Structure Plan must be accompanied by:

- A site assessment and design guidelines
- A detailed slope analysis and assessment of suitability of land for development
- Geomorphological assessment
- Visual impact assessment
- Built form and landscape design guidelines
- Building envelopes
- Bushfire Management Plan

All to the satisfaction of the responsible authority.

Any land not capable of being developed as residential land will be treated as encumbered open space. Subdivision design must ensure any land designated as open space is accessible and is able to be incorporated into the subdivision pattern of surrounding land, to the satisfaction of the responsible authority.

Subdivision – Land on slope greater than 10 percent

An application to subdivide land or to construct a building or construct or carry out works for land on a slope with a gradient of greater than 10 percent must be accompanied by design guidelines that minimise the landscape and visual impact of development on sloping land and inform and respond to the following information, as appropriate:

- A plan showing lot boundaries, contours and slope
- Location and approximate depth of any proposed earthworks
- The location, approximate height and building materials for proposed retaining structures
- A geotechnical report and designs by a suitably qualified engineer where proposed retaining structures exceed 0.5 metres in height
- The location and approximate grade of any proposed roads and paths
- Building envelopes
- Measures to manage surface run off
- The indicative cross sections for development that responds to slope and where relevant, cross sections outlined in Appendix B of the Sunbury South Precinct Structure Plan
- Any relevant requirements and guidelines within the Sunbury South Precinct Structure Plan
To the satisfaction of the responsible authority.

**Railway noise attenuation**

An application to subdivide land, use land or to construct a building or carry out works for accommodation, child care centre, school, display home, hospital, hotel or a tavern on land within 100m of the railway corridor where land is marked as ‘Interface with railway’ and ‘Interface with gas easement’ on Plan 6 of the **Sunbury South Precinct Structure Plan** must be accompanied by an acoustic assessment report prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority, after seeking the views of Public Transport Victoria.

The acoustic assessment report must take into consideration the **Victorian Passenger Rail Infrastructure Noise Policy 2013** and include:

- An assessment of noise levels on the land taking into account the existing and likely future noise levels associated with the ongoing passenger and freight operation of the Melbourne-Bendigo rail line (up to 10 years hence) published by the relevant Government agencies, with allowance also provided for seasonal or unscheduled freight traffic.
- Recommendations for noise attenuation measures designed to ensure internal bedroom noise levels will not exceed 65 dB LAmx and 40 dB LAeq,8h for the night period from 10pm to 6am.
- Recommendations for limiting the impact of railway noise on future buildings within the proposed subdivision.
- Ongoing ownership and management of any works or land associated with mitigation measures.

For subdivision applications the acoustic assessment must:

- 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.

**Land not serviced by Development Services Scheme – Potential Residential, Potential Industrial and Potential Residential Expansion Area**

Any application for subdivision, use or development on land shown in the **Sunbury South Precinct Structure Plan** as ‘Potential residential’, ‘Potential industrial’ or ‘Potential residential expansion area’ must be accompanied by:

- A detailed Drainage and Stormwater Management Strategy, which demonstrates how stormwater runoff from the subdivision will achieve:
  - flood protection standards
  - best practice stormwater management on-site
- Demonstrates how any road or access way intended to act as a stormwater overland flow path will comply with Melbourne Water’s floodway safety criteria.

All to the satisfaction of Melbourne Water and the responsible authority

**Applications within Quarry Buffer**

An application to subdivide land, or construct a building or carry out works on land within 500 metres of the Extractive Industry Works Authority, as shown on Plan 1 of this Schedule as ‘Quarry buffer (500m)’, must be accompanied by an assessment prepared by a suitably experienced and qualified person, which demonstrates that a variation to the **Recommended separation distance for industrial residual air emissions** (EPA publication number 1518 March 2013) is justified and provides sufficient confidence that a sensitive use can be appropriately developed within 500 metres of any quarrying activity at WA1123.
Applicants within the quarry buffer as identified on Plan 3 of the incorporated Sunbury South Precinct Structure Plan should liaise with the responsible authority and the Earth Resource Regulation Section of the Department of Economic Development, Jobs, Transport and Resources (DEDJTR) prior to lodging permit application for any residential or commercial development.

**Conditions and requirements for permits**

**Requirement – Subdivision and housing design guidelines – Sloping land**
The specific built form requirements arising out of the design guidelines prepared as part of the application for subdivision for lots on slopes with a gradient of greater than 10% must be implemented via a restriction on title or any other alternative deemed satisfactory by the responsible authority.

**Requirement – Subdivision and housing design guidelines - Redstone Hill height controls**
The specific built form requirements arising out of the design guidelines prepared as part of the application for subdivision for lots on the area identified as the ‘Redstone Hill Sensitive Viewlines Area’ on Plan 5 of the Sunbury South Precinct Structure Plan must be implemented via a restriction on title or any other alternative deemed satisfactory by the responsible authority.

**Conditions – Environmental Site Assessment for use and development of land listed in Table 2**
Before the plan of subdivision is certified under the Subdivision Act 1988, further testing in accordance with the recommendations of the Phase 1 and Phase 2 Environmental Site Assessment with the application for the properties identified as Medium and High Risk in Table 2 of this schedule, must be carried out, as relevant, to the satisfaction of the responsible authority.

Upon receipt of the further testing report the owner must comply with any further requirements made by the responsible authority after having regard to the guidance set out in the General Practice Note on Potentially Contaminated Land, June 2005 (DSE). The plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

**Conditions – Kangaroo Management**
A permit granted for subdivision of land must include the following conditions:

- Before the certification of the plan of subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning. Once approved the plan will be endorsed by the responsible authority and form part of the permit.
- The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority.

**Conditions – subdivision permits that allow for the creation of a lot of less than 300 square metres**
- Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:
- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Hume Planning Scheme; and
- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the responsible authority.
Condition – Protection of conservation areas and native vegetation during construction

- A permit granted to subdivide land where construction or works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, where the Sunbury South Precinct Structure Plan shows the land, or abutting land, including a conservation area or a patch of native vegetation or a scattered tree must ensure that:

- Before the start of construction or carrying out of works in or around a conservation area, scattered native tree or patch of native vegetation the developer of the land must erect a vegetation protection fence that is:
  - highly visible
  - at least 2 metres in height
  - sturdy and strong enough to withstand knocks from construction vehicles
  - in place for the whole period of construction
  - located the following minimum distance from the element to be protected:

<table>
<thead>
<tr>
<th>Element</th>
<th>Minimum distance from element</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation area</td>
<td>2 metres</td>
</tr>
<tr>
<td>Scattered tree</td>
<td>Twice the distance between the tree trunk and the edge of the canopy</td>
</tr>
<tr>
<td>Patch of native vegetation</td>
<td>2 metres</td>
</tr>
</tbody>
</table>

- Construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:
  - be located not less than 15 metres from a waterway;
  - be located outside the vegetation protection fence;
  - be constructed and designed to ensure that the conservation area, scattered tree or patches of native vegetation are protected from adverse impacts during construction;
  - not be undertaken if it presents a risk to any vegetation within a conservation area; and
  - be carried out under the supervision of a suitable qualified ecologist or arborist.

Condition – Environmental Management Plans

- A planning permit for subdivision, buildings or works on land shown as a conservation area in the Sunbury South Precinct Structure Plan must include the following condition:

- The subdivision, buildings or works must not commence until an Environmental Management Plan for the relevant works has been approved to the satisfaction of the Department of Environment, Land, Water and Planning, unless otherwise agreed by the Department of Environment, Land, Water and Planning.

Condition – Land Management Co-operative Agreement

- Conservation area categorised as Growling Grass Frog

- A permit to subdivide land shown in the incorporated Sunbury South Precinct Structure Plan as including the conservation area shown on the precinct structure plans as Conservation Area 21 must ensure that, before the issue of a statement of compliance for the last stage of the subdivision, the owner of the land:

- Enters into an agreement with the Secretary to the Department of Environment, Land, Water and Planning under section 69 of the Conservation Forests and Lands Act 1987, which:
- Must provide for the conservation and management of that part of the land shown as Conservation Area 21 in the Sunbury South Precinct Structure Plan; and
- May include any matter that such an agreement may contain under the Conservation Forests and Lands Act 1987.

- Makes application to the Registrar of Titles to register the agreement on the title to the land.
- Pays the reasonable costs of the Secretary to the Department of Environment, Land, Water and Planning in the preparation, execution and registration of the agreement.
- The requirement for a Land Management Co-operative Agreement in this condition does not apply to land or any lot or part of a lot within the conservation areas 21 shown in the Sunbury South Precinct Structure Plan that:
  - is identified in a Precinct Structure Plan as public open space and is vested, or will be vested, in the council as a reserve for the purposes of public open space; or
  - is identified in a Precinct Structure Plan as a drainage reserve and is vested, or will be vested, in Melbourne Water Corporation or the council as a drainage reserve; or
  - is the subject of an agreement with the Secretary to the Department of Environment, Land, Water and Planning to transfer or gift that land to:
    - the Secretary to the Department of Environment, Land, Water and Planning;
    - the Minister for Environment and Climate Change; or
    - another statutory authority.
- to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

**Condition – Salvage and translocation**
- Salvage and Translocation of threatened flora and fauna species and ecological communities must be undertaken in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

**Condition – Bushfire risk**
- Before the commencement of works for any stage of subdivision a Site Management Plan that addresses bushfire risk during, and where necessary, after construction must be submitted to and approved by the responsible authority. The plan must specify, amongst other things:
  - The staging of development and the likely bushfire risks at each stage;
  - An area of land between the development edge and non-urban areas consistent with the separation distances specified in AS3959-2009, where bushfire risk is managed to enable the development, on completion, to achieve a BAL-12.5 rating under AS3959-2009;
  - The measures to be undertaken by the developer to reduce the risk from fire within any surrounding rural or undeveloped landscape and protect residents and property from the threat of fire;
  - How adequate opportunities for access and egress will be provided for early residents, construction workers and emergency vehicles.
- The plan must be carried out to the satisfaction of the responsible authority.

**Condition – Road Network**
Any permit for subdivision or building and works must contain the following condition:
- Prior to the certification of a plan of subdivision, the plan of subdivision must show the land which is required to provide road widening and/or right of way flaring for the ultimate design of any adjacent intersection.
Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed arterial road must be transferred to or vested in council at no cost to the acquiring agency unless funded by the relevant Infrastructure Contributions Plan.

**Condition – Precinct Infrastructure Plan**

Any permit for subdivision may contain the following condition:

Prior to the certification of a plan of subdivision or at such other time which is agreed between Council and the owner, if required by the responsible authority, the owner must enter into an agreement or agreements under section 173 of the **Planning and Environment Act 1987** which provides for the implementation of the Public Infrastructure Plan approved under this permit.

**Condition – Construction management plan required in gas transmission pipeline easement**

Prior to the construction of a building or the carrying out of works, including demolition, on land within 50 metres of the **gas transmission pipeline easement** shown on **Plan 3 – Future Urban Structure** in the incorporated **Sunbury South Precinct Structure Plan**, 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 unless otherwise agreed by the operator of the gas transmission pipeline.
- Be endorsed by the operator of the gas transmission pipeline where the works are within, crossing or in close proximity to the relevant gas transmission easement.
- Include any other relevant matter to the satisfaction of the responsible authority.

The responsible authority must be satisfied that the gas transmission pipeline licensee has reviewed and approved the construction management plan.

The construction management plan must be implemented to the satisfaction of the responsible authority.

The construction management plan may be amended to the satisfaction of the responsible authority.

**Condition – Integrated Water Management**

A permit for subdivision must ensure that the ultimate storm water management assets and associated land described in the precinct structure plan are provided by the developer prior to the issue of a statement of compliance.

In the event that Melbourne Water and the responsible authority agree to an interim storm water management solution, the developer must:

- Provide the land required for the ultimate drainage solution prior to the issue of a statement of compliance; and
- Demonstrate that the interim solution will not result in an increase in the cost of achieving the ultimate solution.

**Condition – Potential Residential, Potential Industrial and Potential Residential Expansion Area land (Land not serviced by Development Services Scheme)**

Any permit issued for subdivision, use or development in land shown as ‘Potential residential’, ‘Potential industrial’ or ‘Potential residential expansion area’ in the **Sunbury South Precinct Structure Plan**, must, if required by Melbourne Water, include the following conditions:

- The owner of the land must enter into an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water’s drainage systems and waterways, the provision of drainage works and other matters in accordance with the statutory powers of Melbourne Water Corporation.
Prior to the commencement of any works, a Site Management Plan detailing pollution and sediment control measures must be submitted to the satisfaction of Melbourne and the responsible authority.

**Permit Note: Operation of Commonwealth Environmental Laws**

- On 5 September 2013 an approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) was issued by the Commonwealth Minister for Environment, Heritage and Water. The approval applies to all actions associated with urban development in growth corridors in the expanded Melbourne 2010 Urban Growth Boundary as described in page 4 in the *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (Department of Environment and Primary Industries, 2013). The Commonwealth approval has effect until 31 December 2060. The approval is subject to conditions specified at Annexure 1 of the approval.

- Provided the conditions of the *EPBC Act* approval are satisfied individual assessment and approval under the *EPBC Act* is not required.

**5.0 Exemption from notice and review**

Notice of an application of the kind listed below must be given in accordance with section 52(1)(c) of the Act to the person or body specified in the Schedule to Clause 66.06:

**Gas Pipeline Measurement Length**

An application, on land shown as ‘gas pipeline measurement length’ on ‘Plan 12 – Utilities’ in the incorporated *Sunbury South Precinct Structure Plan*, where the application is to use land for, or to construct a building to accommodate, any of the following:

- Accommodation (other than a dwelling)
- Child care centre
- Cinema based entertainment facility
- Corrective institution
- Education centre
- Hospital
- Place of assembly
- Retail premises
- Service station

**Gas Pipeline Measurement Length where the Residential Growth Zone applies**

An application on land shown as ‘gas pipeline measurement length’ and within the ‘walkable catchment boundary’ on Plan 3 of the incorporated *Sunbury South Precinct Structure Plan* where the application is:

- To construct a building or carry out works for five or more dwellings.
- To subdivide land to create a lot less than 300sqm unless it is the subdivision of an existing building or car space.

**Melbourne Airport N-Contours**

In accordance with Section 52(1)(C) of the *Planning and Environment Act 1987*, notice of an application within the Melbourne Airport N-Contours as depicted in the Approved Melbourne Airport Master Plan under the *Airports Act 1996* (Cth) must be given to the airport lessee company of Melbourne Airport in accordance with the *Airports Act 1996* (Cth).
Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.07, in addition to those specified in Clause 37.07 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Sunbury South Precinct Structure Plan.
- Development should have regard to relevant policies and strategies being implemented by the responsible authority, Melbourne Water and Western Water, including any approved Integrated Water Management Plan.

Signs

The sign category for this land is the category specified in the zone applied to the land at Clause 2.2 of this schedule.

Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres;
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage;
- The sign is not animated, scrolling, electronic or internally illuminated sign;
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot; and
- The sign is setback a minimum of 750mm from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.
SCHEDULE 10 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ10.

LANCEFIELDFIELD ROAD PRECINCT STRUCTURE PLAN

The plan

Plan 1 shows the future urban structure proposed in the Lancefield Road Precinct Structure Plan. It is a reproduction of Plan 3 in the Lancefield Road Precinct Structure Plan.

Plan 1 to Schedule 10 to Clause 37.07

Use and development

The land

The use and development provisions specified in this schedule apply to the land within the ‘precinct boundary’ on Plan 1 of this schedule and shown as UGZ10 on the planning scheme maps.

Note: If land shown on Plan 1 is not zoned UGZ, the provisions of this zone do not apply.

Applied zone provisions

Table 1 allocates the land use/development shown on Plan 1 of this schedule with a corresponding zone from this scheme.

Where the use/development in the left column is carried out or proposed generally in accordance with the incorporated Lancefield Road Precinct Structure Plan, the use, subdivision, construction of a building and construction and carrying out of works provisions of the corresponding zone in the right column apply.

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

Note: e.g. The Commercial 2 Zone specifies ‘Shop’ as a Section 1 Use with the condition, ‘The site must adjoin, or have access to, a road in a Road Zone’. In this instance the condition should be read as, ‘The site must adjoin, or have access to, a road in a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land’
Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Use</th>
<th>Clause</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary arterial road</td>
<td>Clause 36.04 – Road Zone – Category 1</td>
</tr>
<tr>
<td>Connector boulevard</td>
<td>Clause 36.04 – Road Zone – Category 2</td>
</tr>
<tr>
<td>Connector road</td>
<td></td>
</tr>
<tr>
<td>Local convenience centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Town centre</td>
<td></td>
</tr>
<tr>
<td>Mixed use</td>
<td>Clause 32.04 – Mixed Use Zone</td>
</tr>
<tr>
<td>Walkable Catchment boundary</td>
<td>Clause 32.07 – Residential Growth Zone</td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
</tbody>
</table>

Specific provisions – Use of land

Section 1 – Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child care centre</td>
<td>The location of the use must generally accord with the location of a community facility in the incorporated Lancefield Road Precinct Structure Plan.</td>
</tr>
<tr>
<td>Hall</td>
<td>The use must be carried out by or on behalf of the public land manager.</td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>The location of the use must generally accord with the location of a sports reserve in the incorporated Lancefield Road Precinct Structure Plan.</td>
</tr>
<tr>
<td>Library</td>
<td>The use must be carried out by or on behalf of the public land manager.</td>
</tr>
<tr>
<td>Medical centre</td>
<td></td>
</tr>
<tr>
<td>Restricted recreation facility</td>
<td></td>
</tr>
<tr>
<td>Minor sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td>Primary school</td>
<td>Must be on land shown as potential non-government school on Plan 3 of the Lancefield Road Precinct Structure Plan.</td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td>Shop – where the applied zone is</td>
<td>The combined leasable floor area of all shops must not exceed:</td>
</tr>
<tr>
<td>Commercial 1 Zone</td>
<td>- 10,000 square metres for land shown as Yellow Gum Local Town Centre in the incorporated Lancefield Road Precinct Structure Plan.</td>
</tr>
<tr>
<td></td>
<td>- 6,000 square metres for land shown as Emu Creek Local Town Centre in the incorporated Lancefield Road Precinct Structure Plan.</td>
</tr>
<tr>
<td></td>
<td>- 2,000 square metres for land shown as Local Convenience Centre in the incorporated Lancefield Road Precinct Structure Plan.</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 listed in Section 1 in the Table of uses of the applicable applied zone, unless listed in Section 2 or 3 of this schedule.</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 in the Table of uses in the applicable applied zone, or in this schedule.</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 – Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

2.4

Specific provision – Subdivision

Residential design controls for residential subdivision

The Racecourse Road Residential Design Controls at Table 3 of the incorporated Lancefield Road Precinct Structure Plan must be met by a residential subdivision for land within the Racecourse Road Residential Concept Plan area (as identified on Figure 2 of the Lancefield Road Precinct Structure Plan) to the satisfaction of the responsible authority.

A permit may be granted to vary a residential design control. Where a permit is sought to vary a residential design control, the permit application must be generally in accordance with the Racecourse Road Development Principles in Table 4 of the Lancefield Road Precinct Structure Plan.

Where a residential design control relating to subdivision conflicts with an objective or standard of Clause 56 of this scheme, the residential design controls prevail.

Where a residential design control relating to the development of a dwelling conflicts with an objective or standard of Clause 54 or 55 of this scheme, the residential design controls prevail.

2.5

Specific provisions – Buildings and works

Buildings and works for future local parks and community facilities

A permit is not required to develop land shown in the Lancefield Road Precinct Structure Plan as a local park or community facility provided the development is carried out generally in accordance with the Lancefield Road Precinct Structure Plan and with the prior written consent of the responsible authority.

Buildings and works for a school

A permit is required to construct a building or construct or carry out works associated with a Primary school or Secondary school on land shown as a potential non-government school in the incorporated Lancefield Road Precinct Structure Plan unless exempt under Clauses 62.02-1 and 62.02-2.

Buildings and works abutting the railway corridor

A permit is required to construct a building or carry out works for accommodation, a child care centre, a school, a display home, a hospital, a hotel or a tavern if proposed on land within 100m of the railway corridor where land is marked as ‘Interface with railway’ on Plan 6 of the Lancefield Road Precinct Structure Plan.
Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Hume Planning Scheme.

Specific provision – Residential design controls

The Racecourse Road Residential Design Controls at Table 3 of the incorporated Lancefield Road Precinct Structure Plan must be met by a development of a dwelling on a residential lot within the Racecourse Road Residential Concept Plan area (as identified on Figure 2 of the Lancefield Road Precinct Structure Plan) to the satisfaction of the responsible authority.

A permit may be granted to vary a residential design control. Where a permit is sought to vary a residential design control, the permit application must be generally in accordance with the Racecourse Road Design Principles at Table 4 in the Lancefield Road Precinct Structure Plan.

Where a residential design control relating to subdivision conflicts with an objective or standard of Clause 56 of this scheme, the residential design controls prevail.

Where a residential design control relating to the development of a dwelling conflicts with an objective or standard of Clause 54 or 55 of this scheme, the residential design controls prevail.

Specific provision – Yellow Gum Local Town Centre Urban Design Framework

A permit must not be granted to use or subdivide land, or construct a building or carry out works in the Potential Town Centre Expansion Area at Plan 3 of the incorporated Lancefield Road Precinct Structure Plan until an urban design framework for the centre has been prepared to the satisfaction of the responsible authority and the Victorian Planning Authority.

An urban design framework approved under this schedule must be generally in accordance with the Lancefield Road Precinct Structure Plan applying to the land.

An application for use and/or development on land shown as the Potential Town Centre Expansion Area must be consistent with any urban design framework approved under this schedule.

Specific provision – Referral of applications

Local Town Centre

An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land shown as a Local Town Centre must be referred in accordance with section 55 of the Planning and Environment Act 1987 to the Victorian Planning Authority.

Land not serviced by Development Services Scheme – Potential Residential

Any application for subdivision, use or development on land shown in the Lancefield Road Precinct Structure Plan as ‘Potential Residential’ must be referred in accordance with section 55 of the Planning and Environment Act 1987 to Melbourne Water.

Application requirements

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Subdivision – Residential development

In addition to the requirements of Clause 56.01-2, a subdivision design response for a residential subdivision must include:
- A land budget table in the same format and methodology as those within the precinct structure plan applying to the land, setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields;

- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority, which demonstrate how the proposal responds to and achieves the objectives and planning and design requirements and guidelines in the incorporated *Lancefield Road Precinct Structure Plan*, including specific requirements relating to sloping land and any applicable residential design controls;

- A mobility plan that demonstrates how the local street and movement network integrates with adjacent urban development or is capable of integrating with future development on adjacent land parcels;

- A demonstration of how the subdivision will contribute to the delivery of a diversity of housing;

- A demonstration of how the subdivision will contribute to the achievement of the residential density outcomes in the incorporated *Lancefield Road Precinct Structure Plan*.

- A concept plan for any included passive recreation nodes (as identified at Table 8 of the incorporated *Lancefield Road Precinct Structure Plan*) which shows contours, recreational areas, playgrounds, shelters, landscaping, paths and seating.

- A bushfire assessment that demonstrates that bushfire risk is managed to enable the development, on completion, to achieve a BAL-12.5 rating under AS3959-2009.

### Public Infrastructure Plan

An application must be accompanied by a Public Infrastructure Plan which addresses the following:

- What land may be affected or required for the provision of infrastructure works;

- The provision, staging and timing of stormwater drainage works;

- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;

- The landscaping of any land;

- What, if any, infrastructure set out in the relevant Infrastructure Contributions Plan is sought to be provided as "works in kind" subject to the consent of the Collecting Agency;

- The provision of public open space and land for any community facilities; and

- Any other matter relevant to the provision of public infrastructure required by the responsible authority.

### Subdivision – land that includes a confirmed or possible heritage site

An application that includes a confirmed or possible heritage site on Plan 3 of the *Lancefield Road Precinct Structure Plan* must be accompanied by an assessment by a qualified heritage consultant which describes any heritage features of the site and recommendations regarding the protection of heritage features, or where appropriate, integration of heritage into the broader subdivision.

Any application that includes the demolition of a ‘heritage site (possible)’ identified on Plan 3 of the *Lancefield Road Precinct Structure Plan* must be accompanied by a heritage impact assessment prepared by a suitably qualified heritage consultant.

### Use or develop land for a sensitive purpose – Environmental Site Assessment

An application to use or develop land defined as Moderate Risk as described in Table 2 below for a sensitive use (accommodation, child care centre, kindergarten, primary school or public open space) must be accompanied by a detailed site investigation (Phase 2 assessment) conducted by a suitably qualified environmental professional to the satisfaction of the responsible authority. The assessment must provide for the following information:
Detailed assessment of the potential contaminants on the relevant land, including those described in *Land Capability Assessment for the Lancefield Road Precinct Structure Plan, Sunbury, Victoria* (Environmental Earth Sciences Vic, July 2015);

Clear advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all, or part, of the land is recommended having regard to the *Potentially Contaminated Land General Practice Note* June 2005, DSE;

Further detailed assessment of surface and subsurface water conditions and geotechnical characteristics on the relevant land and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions and geology on the development and the impact of the development on surface and subsurface water;

Recommended remediation actions for any potentially contaminated land.

An unequivocal recommendation on whether the environmental condition of the land is suitable for the proposed use/s or whether an environmental audit in accordance with Part IXD of the *Environment Protection Act 1970* for all or part of the land is recommended having regard to the *Potentially Contaminated Land General Practice Note* June 2005, DSE.

All to the satisfaction of the responsible authority.

Table 2: Moderate Risk properties

<table>
<thead>
<tr>
<th>Address</th>
<th>Legal Description</th>
<th>Risk Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>170 Lancefield Road, Sunbury</td>
<td>Lot 3, 4 LP208321</td>
<td>Moderate</td>
</tr>
<tr>
<td>275 Lancefield Road, Sunbury</td>
<td>Lot 1 LP141875</td>
<td>Moderate</td>
</tr>
<tr>
<td>280 Lancefield Road, Sunbury</td>
<td>Lot 1, 3 TP832356</td>
<td>Moderate</td>
</tr>
<tr>
<td>295 Lancefield Road, Sunbury</td>
<td>Lot 2 LP76657</td>
<td>Moderate</td>
</tr>
</tbody>
</table>

Subdivision application – Sensitive Residential Areas

An application to subdivide land in an area shown as a ‘sensitive residential area’ on the Image, Character, Housing and Heritage Plan (Plan 5) within the *Lancefield Road Precinct Structure Plan* must demonstrate how proposed development will facilitate the orderly and integrated development of the area, including as appropriate:

- An indicative subdivision concept design which demonstrates consistency with the relevant concept plan in the *Lancefield Road Precinct Structure Plan*
- The location of local streets to provide for a permeable local street network, including details for the upgrade of any existing roads within the area
- Any building design guidelines required to respond to topographical and other constraints associated with the land
- Staging and indicative development timing, including interim drainage, servicing, local road construction and any other relevant infrastructure requirements.

All to the satisfaction of the responsible authority.

An application for subdivision of land or use and/or development on land shown within a sensitive residential area within the *Lancefield Road Precinct Structure Plan* must respond to any applicable concept plan contained within the *Lancefield Road Precinct Structure Plan*, unless if, in the opinion of the responsible authority, the permit implements the objectives for the area as set out within the *Lancefield Road Precinct Structure Plan*.

Subdivision application - Kangaroo management

An application for subdivision must be accompanied by a Kangaroo Management Plan to the satisfaction of the responsible authority which includes:
Strategies to avoid land locking kangaroos, including staging of subdivision; and
Management requirements to respond to the containment of kangaroos in an area with no reasonable likelihood of their continued safe existence; or
Management and monitoring actions to sustainably manage a population of kangaroos within a suitable location.

Where a Kangaroo Management Plan has been approved in respect of the land to which the application applies, the application must be accompanied by:

- A copy of the approved Kangaroo Management Plan; and
- A ‘design/management response’ statement outlining how the application is consistent with and gives effect to any requirements of the approved Kangaroo Management Plan.

Traffic Impact Assessment

An application that proposes to create or change access to an arterial road must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit, must be to the satisfaction of VicRoads, as required.

Retail Impact Assessment

An application that exceeds the combined leasable floor area identified for the relevant centre in Clause 2.3 of this schedule must prepare a Retail Impact Assessment.

The retail impact assessment must be to the satisfaction of the responsible authority and must address:

- The primary catchment of the centre.
- Whether the primary catchment has sufficient population (residents and workers) to support the centre.
- Whether the centre will result in the closure of other existing centres or would preclude and unacceptably delay the development of future centres identified within the Activity Centre Hierarchy, a Precinct Structure Plan, a Local Structure Plan, Structure Plan or Development Plan within the catchment of the centre.
- The objectives and requirements in the Lancefield Road Precinct Structure Plan and other Precinct Structure Plans, and the Hume Planning Scheme for activity centres.

Subdivision – Land on slope greater than 10 percent

An application to subdivide land or to construct a building or construct or carry out works for land on a slope with a gradient greater than 10 percent must be accompanied by design guidelines that minimise the landscape and visual impact of development on sloping land and inform and respond to the following information, as appropriate, to the satisfaction of the responsible authority:

- A plan showing lot boundaries, contours and slope
- Location and approximate depth of any proposed earthworks
- The location, approximate height and building materials for proposed retaining structures
- A geotechnical report and designs by a suitably qualified engineer where proposed retaining structures exceed 0.5 metres in height
- The location and approximate grade of any proposed roads and paths
- Building envelopes
- Measures to manage surface run off
- The indicative cross sections for development that responds to slope and where relevant, cross sections outlined in Appendix B of the Lancefield Road Precinct Structure Plan
• Any relevant requirements and guidelines within the Lancefield Road Precinct Structure Plan

Railway noise attenuation

An application to subdivide land, use land or to construct a building or carry out works for accommodation, child care centre, school, display home, hospital, hotel or a tavern on land within 100m of the railway corridor where land is marked as ‘Interface with Railway’ on Plan 6 of the Lancefield Road Precinct Structure Plan must be accompanied by an acoustic assessment report prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority, after seeking the views of Public Transport Victoria.

The acoustic assessment report must take into consideration the Victorian Passenger Rail Infrastructure Noise Policy 2013 and include:

• An assessment of noise levels on the land taking into account the existing and likely future noise levels associated with the ongoing passenger and freight operation of the Melbourne-Bendigo rail line (up to 10 years hence) published by the relevant Government agencies, with allowance also provided for seasonal or unscheduled freight traffic.

• Recommendations for noise attenuation measures designed to ensure internal bedroom noise levels will not exceed 65 dB LAmax and 40 dB LAeq,8h for the night period from 10pm to 6am.

• Recommendations for limiting the impact of railway noise on future buildings within the proposed subdivision.

• Ongoing ownership and management of any works or land associated with mitigation measures.

For subdivision applications the acoustic assessment must:

• 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.

Land not serviced by Development Services Scheme – Potential Residential

Any application for subdivision, use or development on land shown on Plan 3 of the Lancefield Road Precinct Structure Plan as ‘Potential residential’ must be accompanied by:

• A detailed Drainage and Stormwater Management Strategy, which demonstrates how stormwater runoff from the subdivision will achieve:
  - flood protection standards
  - best practice stormwater management on-site

• Demonstrates how any road or access way intended to act as a stormwater overland flow path will comply with Melbourne Water’s floodway safety criteria.

All to the satisfaction of Melbourne Water and the responsible authority.

Conditions and requirements for permits

Requirement – Subdivision and housing design guidelines – Sloping land

The specific built form requirements arising out of the design guidelines prepared as part of the application for subdivision for lots on slopes with a gradient greater than 10% must be implemented via a restriction on title or any other alternative deemed satisfactory by the responsible authority.
Requirement – Environmental Site Assessment for use and development of land listed in Table 2

Before the plan of subdivision is certified under the Subdivision Act 1988, further testing in accordance with the recommendations of the Phase 1 and Phase 2 Environmental Site Assessment with the application for the properties identified as Medium Risk in Table 2 of this schedule, must be carried out, as relevant, to the satisfaction of the responsible authority.

Upon receipt of the further testing report the owner must comply with any further requirements made by the responsible authority after having regard to the guidance set out in the General Practice Note on Potentially Contaminated Land, June 2005 (DSE). The plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

Conditions – Kangaroo Management

A permit granted for subdivision of land must include the following conditions:

- Before the certification of the plan of subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning. Once approved the plan will be endorsed by the responsible authority and form part of the permit.
- The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority.

Conditions – subdivision permits that allow for the creation of a lot of less than 300 square metres

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Hume Planning Scheme; and
- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the responsible authority.

Condition – Protection of conservation areas and native vegetation during construction

A permit granted to subdivide land where construction or works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, where the Lancefield Road Precinct Structure Plan shows the land, or abutting land, including a conservation area or a patch of native vegetation or a scattered tree must ensure that:

- Before the start of construction or carrying out of works in or around a conservation area, scattered native tree or patch of native vegetation the developer of the land must erect a vegetation protection fence that is:
  - highly visible
  - at least 2 metres in height
  - sturdy and strong enough to withstand knocks from construction vehicles
  - in place for the whole period of construction
  - located the following minimum distance from the element to be protected:

<table>
<thead>
<tr>
<th>Element</th>
<th>Minimum distance from element</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation area</td>
<td>2 metres</td>
</tr>
<tr>
<td>Scattered tree</td>
<td>Twice the distance between the tree trunk and the edge of the canopy</td>
</tr>
</tbody>
</table>


Construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:
- be located not less than 15 metres from a waterway;
- be located outside the vegetation protection fence;
- be constructed and designed to ensure that the conservation area, scattered tree or patches of native vegetation are protected from adverse impacts during construction;
- not be undertaken if it presents a risk to any vegetation within a conservation area; and
- be carried out under the supervision of a suitable qualified ecologist or arborist.

**Condition – Environmental Management Plans**

A planning permit for subdivision, buildings or works on land shown as a conservation area in the *Lancefield Road Precinct Structure Plan* must include the following condition:

- The subdivision, buildings or works must not commence until an Environmental Management Plan for the relevant works has been approved to the satisfaction of the Department of Environment, Land, Water and Planning, unless otherwise agreed by the Department of Environment, Land, Water and Planning.

**Condition – Land Management Co-operative Agreement**

**Conservation area categorised as Growling Grass Frog**

A permit to subdivide land shown in the incorporated *Lancefield Road Precinct Structure Plan* as including the conservation area shown on the precinct structure plan as conservation area 21 must ensure that, before the issue of a statement of compliance for the last stage of the subdivision, the owner of the land:

- Enters into an agreement with the Secretary to the Department of Environment, Land, Water and Planning under section 69 of the *Conservation Forests and Lands Act 1987*, which must:
  - provide for the conservation and management of that part of the land shown as Conservation Area 21 in the Lancefield Road Precinct Structure Plan; and
  - may include any matter that such an agreement may contain under the Conservation Forests and Lands Act 1987.
- Makes application to the Registrar of Titles to register the agreement on the title to the land.
- Pays the reasonable costs of the Secretary to the Department of Environment, Land, Water and Planning in the preparation, execution and registration of the agreement.

The requirement for a Land Management Co-operative Agreement in this condition does not apply to land or any lot or part of a lot within the conservation areas 21 shown in the *Lancefield Road Precinct Structure Plan* that:

- is identified in a Precinct Structure Plan as public open space and is vested, or will be vested, in the council as a reserve for the purposes of public open space; or
- is identified in a Precinct Structure Plan as a drainage reserve and is vested, or will be vested, in Melbourne Water or the council as a drainage reserve; or
- is the subject of an agreement with the Secretary to the Department of Environment, Land, Water and Planning to transfer or gift that land to:
  - the Secretary to the Department of Environment, Land, Water and Planning;
Conservation area categorised as nature conservation or open space

A permit to subdivide land shown in the incorporated Lancefield Road Precinct Structure Plan as including the conservation areas shown in these precinct structure plans as conservation areas 18, 19 or 20 must ensure that, before the issue of a statement of compliance for the last stage of the subdivision, the owner of the land:

- Enters into an agreement with the Secretary to the Department of Environment, Land, Water and Planning under section 69 of the Conservation Forests and Lands Act 1987, which must:
  - provide for the conservation and management of the land shown as a conservation area in the Lancefield Road Precinct Structure Plan; and
  - may include any matter that such an agreement may contain under the Conservation Forests and Lands Act 1987.
- Makes application to the Registrar of Titles to register the agreement on the title to the land.
- Pays the reasonable costs of the Secretary to the Department of Environment, Land, Water and Planning in the preparation, execution and registration of the agreement.

The requirement for a Land Management Co-operative Agreement in this clause does not apply to land of any lot or part of a lot within the conservation areas 18, 19 or 20 shown in the Lancefield Road Precinct Structure Plan that:

- is identified in a Precinct Structure Plan as public open space and is vested, or will be vested, in the council as a reserve for the purposes of public open space; or
- is identified in a Precinct Structure Plan as a drainage reserve and is vested, or will be vested, in Melbourne Water Corporation or the council as a drainage reserve; or
- is the subject of an agreement with the Secretary to the Department of Environment, Land, Water and Planning to transfer or gift that land to:
  - the Secretary to the Department of Environment, Land, Water and Planning;
  - the Minister for Environment and Climate Change; or
  - another statutory authority.

to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

Condition – Salvage and translocation

Salvage and Translocation of threatened flora and fauna species and ecological communities must be undertaken in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

Condition – Bushfire risk

Before the commencement of works for any stage of subdivision a Site Management Plan that addresses bushfire risk during, and where necessary, after construction must be submitted to and approved by the responsible authority. The plan must specify:

- The staging of development and the likely bushfire risks at each stage;
- An area of land between the development edge and non-urban areas consistent with the separation distances specified in AS3959-2009, where bushfire risk is managed to enable the development, on completion, to achieve a BAL-12.5 rating under AS3959-2009;
- The measures to be undertaken by the developer to reduce the risk from fire within any surrounding rural or undeveloped landscape and protect residents and property from the threat of fire;
- How adequate opportunities for access and egress will be provided for early residents, construction workers and emergency vehicles.

The plan must be carried out to the satisfaction of the responsible authority.

**Condition – Road Network**

Any permit for subdivision or building and works must contain the following condition:

Prior to the certification of a plan of subdivision, the plan of subdivision must show the land affected by the widening of the road reserve which is required to provide road widening and/or right of way flaring for the ultimate design of any adjacent intersection.

Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed arterial road must be transferred to or vested in council at no cost to the acquiring agency unless funded by the relevant Infrastructure Contributions Plan.

**Condition – Precinct Infrastructure Plan**

Any permit for subdivision may contain the following condition:

Prior to the certification of a plan of subdivision or at such other time which is agreed between Council and the owner, if required by the responsible authority, the owner must enter into an agreement or agreements under section 173 of the *Planning and Environment Act 1987* which provides for the implementation of the Public Infrastructure Plan approved under this permit.

**Condition – Integrated Water Management**

A permit for subdivision must ensure that the ultimate storm water management assets and associated land described in the precinct structure plan are provided by the developer prior to the issue of a statement of compliance.

In the event that Melbourne Water and the responsible authority agree to an interim storm water management solution, the developer must:

- Provide the land required for the ultimate drainage solution prior to the issue of a statement of compliance; and
- Demonstrate that the interim solution will not result in an increase in the cost of achieving the ultimate solution.

**Condition – Potential Residential (Land not serviced by Development Services Scheme)**

Any permit issued for subdivision, use or development in the *Lancefield Road Precinct Structure Plan* as ‘Potential Residential’, must, if required by Melbourne Water, include the following conditions:

- The owner of the land must enter into an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water’s drainage systems and waterways, the provision of drainage works and other matters in accordance with the statutory powers of Melbourne Water.
- Prior to the commencement of any works, a Site Management Plan detailing pollution and sediment control measures must be submitted to the satisfaction of Melbourne Water and the responsible authority.

**Permit Note: Operation of Commonwealth Environmental Laws**

- On 5 September 2013 an approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) was issued by the Commonwealth Minister for Environment, Heritage and Water. The approval applies to all actions associated with urban development in
growth corridors in the expanded Melbourne 2010 Urban Growth Boundary as described in page 4 in the *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (Department of Environment and Primary Industries, 2013). The Commonwealth approval has effect until 31 December 2060. The approval is subject to conditions specified at Annexure 1 of the approval.

- Provided the conditions of the *EPBC Act* approval are satisfied individual assessment and approval under the *EPBC Act* is not required.

### 5.0

**17/01/2019**

**C208**

**Exemption from notice and review**

None specified.

### 6.0

**27/05/2019**

**C238hume**

**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 37.07, in addition to those specified in Clause 37.07 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Lancefield Road Precinct Structure Plan.
- Development should have regard to relevant policies and strategies being implemented by the responsible authority, Melbourne Water and Western Water, including any approved Integrated Water Management Plan.

### 7.0

**27/05/2019**

**C238hume**

**Signs**

The sign category for this land is the category specified in the zone applied to the land at Clause 2.2 of this schedule.

**Land and home sales signs**

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres;
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage;
- The sign is not animated, scrolling, electronic or internally illuminated sign;
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot; and
- The sign is setback a minimum of 750mm from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.
SCHEDULE 11 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ11**.

LINDUM VALE PRECINCT STRUCTURE PLAN

The Plan

Plan 1 shows the future urban structure proposed in the Lindum Vale Precinct Structure Plan.

Plan 1 to Schedule 11 to Clause 37.07
Use and development

The Land

The use and development provisions specified in this schedule apply to the land within the ‘precinct boundary’ on Plan 1 and shown as UGZ11 on the planning scheme maps. This schedule must be read in conjunction with the Lindum Vale Precinct Structure Plan (PSP).

Note: If land shown on Plan 1 is not zoned UGZ, the provisions of this zone do not apply.

Applied zone provisions

Table 1 allocates the land use/development shown on Plan 1 of this schedule with a corresponding zone from this scheme.

Where the use/development in the left column is carried out or proposed generally in accordance with the incorporated Lindum Vale Precinct Structure Plan the use, subdivision, construction of a building and construction and carrying out of works provisions of the corresponding zone in the right column apply.

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

Note: e.g. The Commercial 2 Zone specifies ‘Shop’ as a Section 1 Use with the condition, ‘The site must adjoin, or have access to, a road in a Road Zone.’ In this instance the condition should be read as, ‘The site must adjoin, or have access to, a road in a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land’

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Clause 36.04 – Road Zone Category 1 Arterial Road (6 lanes)</th>
<th>Outer Metropolitan Ring / E6 Transport Corridor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 34.01 – Commercial 1 Zone Local Convenience Centre</td>
<td></td>
</tr>
<tr>
<td>Clause 32.08 – General Residential Zone 1 All other land</td>
<td></td>
</tr>
</tbody>
</table>

Specific provisions – Use of land

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop – where the applied zone is the Commercial 1 Zone</td>
<td>The combined leasable floor area of all shops must not exceed:</td>
</tr>
<tr>
<td></td>
<td>• 1,200 square metres for land shown as a Local Convenience Centre in the incorporated Lindum Vale Precinct Structure Plan.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

Table 1: Applied zone provisions
Section 3 – Prohibited

Use

None specified, except where specified in the applied zone.

2.4

Specific provisions - Subdivision

A permit must not be granted for subdivision that creates a lot less than 1,400 square metres in the Sensitive Interface Area A (Mt Ridley Road), as specified by Table 2 – Sensitive Interface Areas in the incorporated Lindum Vale Precinct Structure Plan.

2.5

Specific provisions - Buildings and works

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where the lot is identified as one to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated into the Hume Planning Scheme.

3.0

Application requirements

The following application requirements apply to an application for a permit under Clause 37.07, in addition to those specified in Clause 37.07 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Subdivision - Residential Development

In addition to any requirement in 56.01-2, a subdivision design response must include:

- A land budget table in the same format and methodology as those within the precinct structure plan applying to the land, setting out the amount of land allocated to the proposed uses and expected population and dwelling yields.
- A demonstration of how the application will contribute to the achievement of the residential density outcomes in the precinct structure plan applying to the land.
- A demonstration of lot size diversity by including a colour-coded lot size plan, reflecting the lot size categories outlined in Table 3 - Lot Size and Housing Type Guide in the Lindum Vale Precinct Structure Plan.
- A demonstration of how the subdivision will contribute to the delivery of a diversity of housing.
- A written statement that sets out how the proposal implements the objectives and planning and design requirements and guidelines in accordance with the incorporated Lindum Vale Precinct Structure Plan.
- A mobility plan that demonstrates how the local street and movement network integrates with adjacent urban development or is capable of integrating with future development on adjacent land parcels.
- An arboricultural report identifying all trees on the site and a tree retention plan identifying how the application responds to Map 2 - Trees to be Retained and Removed in the incorporated Lindum Vale Native Vegetation Precinct Plan - and any tree protection requirements and guidelines within the Lindum Vale Precinct Structure Plan.
- Potential bus route and bus stop locations prepared in consultation with Public Transport Victoria.
- An assessment of the existing surface and subsurface drainage conditions on the site, including any potential impacts on the proposed development, prepared by a suitably qualified professional. The assessment must include:
- Any measures required to mitigate the impacts of the development on groundwater and drainage; and
- Where and how stormwater will be used to provide passive irrigation to retained vegetation across the site. This must be informed by a vegetation survey and ecological assessment of the tree moisture needs to the satisfaction of the responsible authority.

- Where relevant, demonstration of how the subdivision will respond sensitively to the heritage significance of Parnell’s Inn (Heritage Overlay - Schedule 36) and its surrounding area.
- A Site Management Plan that addresses bushfire risk during, and where necessary, after construction which is approved by the CFA. The plan must specify, in addition to the following:
  - The staging of development and the likely bushfire risks at each stage;
  - An area of land between the development edge and non-urban areas consistent with the separation distances specified in AS3959-2009, where bushfire risk is managed;
  - The land management measures to be undertaken by the developer to reduce the risk from fire within any surrounding rural or undeveloped landscape to protect residents and property from the threat of fire; and
  - How adequate opportunities for access and egress will be provided for early residents, construction workers and emergency vehicles.

All to the satisfaction of the responsible authority.

**Public Infrastructure Plan**

An application must be accompanied by a Public Infrastructure Plan which addresses the following:

- A stormwater management strategy that makes provision for the staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of Melbourne Water and Hume City Council;
- What land may be affected or required for the provision of infrastructure works;
- The provision, staging and timing of stormwater drainage works;
- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- The landscaping of any land;
- What infrastructure set out in the incorporated Lindum Vale Infrastructure Contributions Plan is to be provided as "works in lieu" subject to the written consent of Hume City Council;
- The provision of public open space and land for any community facilities; and
- Any other matter relevant to the provision of public infrastructure required by the responsible authority.

**Traffic Impact Assessment**

An application that proposes to create or change access to a primary or secondary arterial road must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit, must be to the satisfaction of VicRoads and Hume City Council.

**Use or develop land for a sensitive purpose - Environmental Site Assessment – 2040 Mickleham Road, Mickleham**

An application to subdivide land, use or develop land for a sensitive use (Residential use, Child care centre, Pre-school centre or Primary school) must be accompanied by an Environmental Site Assessment of the land by a suitably qualified environmental professional to the satisfaction of
the responsible authority, which takes account of ‘Phase 1 and Preliminary Phase 2 Environmental Site Assessment – Lindum Vale PSP Area’ (Parsons Brinckerhoff, 9 April 2013) and provides information including:

- Further detailed assessment of potential contaminants on the relevant land.
- Clear advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all, or part, of the land is recommended having regard to the Potentially Contaminated Land General Practice Note June 2005, DSE including:
  - Advice if an environmental audit is required for the storage and dairy infrastructure at 2040 Mickleham Road.
- Recommended remediation actions of any potentially contaminated land.

**Dry Stone Wall Assessment**

Any application on land shown as “dry stone wall to be retained and repaired – rating 2-3 (moderate – high value)” on Plan 2 – Precinct Features of the Lindum Vale Precinct Structure Plan must be accompanied by a report by a suitably qualified dry stone waller and include:

- A statement of significance/cultural value;
- Recommendations on reinstatement and repair of the wall; and
- Where destruction of part of the wall is proposed, a Dry Stone Wall Management Plan which responds to the relevant objectives, requirements and guidelines contained within the Lindum Vale Precinct Structure Plan or any local policy.

**Kangaroo management**

An application for subdivision must be accompanied by a Kangaroo Management Plan to the satisfaction of the responsible authority, which includes:

- Strategies to avoid land locking kangaroos, including staging of subdivision; and
- Management requirements to respond to the containment of kangaroos in an area with no reasonable likelihood of their continued safe existence; or
- Management and monitoring actions to sustainably manage a population of kangaroos within a suitable location.

Where a Kangaroo Management Plan has been approved by the responsible authority, the application must be accompanied by:

- A copy of the approved Kangaroo Management Plan; and
- A ‘design/management response’ statement outlining how the application is consistent with and gives effect to any requirements of the approved Kangaroo Management Plan.

**Heritage Assessment – Parnell’s Inn**

An application for subdivision, use or development affecting a heritage place(s) should:

- Address the proposed future use or adaptive reuse of the affected heritage place(s);
- Include a draft Conservation Management Plan for the heritage place(s) to the satisfaction of the responsible authority; and
- Include the provision of sufficient space around the heritage building to allow its adaptive reuse to comply with other planning requirements, such as car parking and landscaping.

**Subdivision application - Sensitive Interface Areas**

An application to subdivide land in an area shown as ‘sensitive interface areas’ on the Image, Character and Housing Plan (Plan 5) within the Lindum Vale Precinct Structure Plan must demonstrate how the proposed subdivision will facilitate the orderly and integrated development of the area, including as appropriate:
An indicative subdivision concept plan, which demonstrates consistency with the depth of interface, general requirements, dwelling setbacks and lot size outcomes required by Table 2 - Sensitive Interface Areas in the Lindum Vale Precinct Structure Plan.

The location of local streets to align with the local street network, including details of the upgrade of any existing roads within the area.

Any building design guidelines required to respond to topographical and other constraints associated with the land.

Staging and indicative development timing, including interim drainage, servicing, local road construction and any other relevant infrastructure requirements.

All to the satisfaction of the responsible authority.

**Conditions and requirements for permits**

**Conditions – Subdivision or buildings and works permits where land is required for community facilities, public open space, conservation areas or road and intersection projects**

A permit for subdivision or buildings and works, where land is required for community facilities, public open space, conservation areas (including for landscape values) or road and intersection projects, must include the following conditions:

- The costs associated with effecting the transfer or vesting of land required for community facilities, public open space, conservation areas or road and intersection projects must be borne by the permit holder.

- Land required for community facilities, public open space, conservation areas or road and intersection projects must be transferred to or vested in the relevant public agency with any designation (e.g. road, reserve or lot) nominated by the relevant agency.

**Condition - Subdivision within a sensitive interface area**

Any permit for subdivision that includes land identified within the ‘sensitive interface areas’ on the Image, Character and Housing Plan (Plan 5) within the Lindum Vale Precinct Structure Plan must include the following condition:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title requiring the depth of interface, general requirements, dwelling setbacks and lot size outcomes required by Table 2 - Sensitive Interface Areas of the incorporated Lindum Vale Precinct Structure Plan.

**Condition - Subdivision permits that allow the creation of a lot less than 300 square metres**

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 81 of the Hume Planning Scheme; and

- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the responsible authority.

**Condition - Kangaroo Management Plan**

Any permit for subdivision must contain the following conditions:

- Before the certification of the plan of subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning. Once approved the plan will be endorsed by the responsible authority and form part of the permit.

- The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority.
Condition - Protection of conservation areas and native vegetation during construction

A permit granted for subdivision or a permit to construct a building or carry out works, where the Lindum Vale Native Vegetation Precinct Plan shows the land, or abutting land, including a conservation reserve or a patch of native vegetation or a scattered tree must contain the following conditions:

- Prior to commencement of works in or around a conservation area, scattered native tree or patch of native vegetation, the developer of the land must erect a conservation area/vegetation protection fence that is:
  - Highly visible;
  - At least 2 metres in height;
  - Sturdy and strong enough to withstand knocks from construction vehicles;
  - Kept in place for the whole period of construction; and
  - Located the following minimum distance from the element to be protected:

<table>
<thead>
<tr>
<th>Element</th>
<th>Minimum distance from element</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation reserve</td>
<td>2 metres from the edge of the area</td>
</tr>
<tr>
<td>Scattered tree</td>
<td>Twice the distance between the tree trunk and the edge of the canopy</td>
</tr>
<tr>
<td>Patch of native vegetation</td>
<td>2 metres from the edge of the patch</td>
</tr>
</tbody>
</table>

- Construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:
  - Be located not less than 15 metres from a waterway;
  - Be located outside the required protective fence;
  - Be constructed and designed to ensure that the conservation area, scattered tree or patches of native vegetation are protected from adverse impacts during construction; and
  - Not be undertaken if the qualified ecologist or arborist who is familiar with the requirements of the incorporated Precinct Structure Plan is of the opinion that the various activities presents a risk to any vegetation within a conservation reserve.

Condition - Salvage and translocation

Any permit for subdivision must contain the following condition:

The Salvage and Translocation Protocol for Melbourne’s Growth Corridors (Department of Environment and Primary Industries, 2014) must be implemented in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

Condition - Public Transport

Any permit for subdivision must contain the following condition:

Unless otherwise agreed by Public Transport Victoria, prior to the issue of Statement of Compliance for any subdivision stage, bus stop hard stands with direct and safe pedestrian access to a pedestrian path must be constructed:

- In accordance with the Public Transport Guidelines for Land Use and Development; and compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002.
- At locations approved by Public Transport Victoria, at no cost to Public Transport Victoria, and to the satisfaction of Public Transport Victoria.
Condition - Road Network

Any permit for subdivision or buildings and works must contain the following conditions:

- Prior to the certification of a plan of subdivision, the plan of subdivision must show the land affected by the widening of the road reserve which is required to provide road widening and/or right of way flaring for the ultimate design of any adjacent intersection.

- Land required for road widening, including right of way flaring for the ultimate design of any intersection within an existing or proposed local road, must be transferred to or vested in Council at no cost to the acquiring agency unless funded by the Lindum Vale Infrastructure Contributions Plan.

Condition - Precinct Infrastructure Plan

Any permit for subdivision must contain the following condition:

- Prior to the certification of a plan of subdivision or at such other time which is agreed between Council and the owner, if required by the responsible authority or the owner, the owner must enter into an agreement or agreements under section 173 of the Planning and Environment Act 1987 which provides for:
  - The implementation of the Public Infrastructure Plan approved under this permit.
  - The timing of any payments to be made to a person in respect of any infrastructure project having regard to the availability of funds in the Infrastructure Contributions Plan.

Condition – Use or develop land for a sensitive purpose – Environmental Site Assessment for land at 2040 Mickleham Road, Mickleham

Before a plan of subdivision is certified under the Subdivision Act 1988, the recommendations of the Phase 2 Environmental Site Assessment submitted must be carried out to the satisfaction of the responsible authority.

Upon receipt of the further testing report the owner must comply with any further requirements made by the responsible authority after having regard to the guidance set out in the General Practice Note on Potentially Contaminated Land June 2005 (DSE). The plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

Exemption from notice and review

None specified.

Decision guidelines

None specified.

Signs

Sign requirements are at Clause 52.05. The advertising sign category for the land is the category specified in the zone applied to the land at Clause 2.2 of this schedule. All other land is in Category 3.
OVERLAYS

This section sets out the overlays which apply in this scheme.
ENVIRONMENTAL AND LANDSCAPE OVERLAYS
ENVIRONMENTAL SIGNIFICANCE OVERLAY
Shown on the planning scheme map as ESO with a number.

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify areas where the development of land may be affected by environmental constraints.
To ensure that development is compatible with identified environmental values.

Environmental significance and objectives
A schedule to this overlay must contain:
- A statement of environmental significance.
- The environmental objectives to be achieved.

Permit requirement
A permit is required to:
- Construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Construct a fence if specified in a schedule to this overlay.
- Construct bicycle pathways and trails.
- Subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Remove, destroy or lop any vegetation, including dead vegetation. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - If the table to Clause 42.01-3 specifically states that a permit is not required.
  - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
</tbody>
</table>
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.

### Table of exemptions

#### The requirement to obtain a permit does not apply to:

**Emergency works**
- Vegetation that is to be removed, destroyed or lopped:
  - in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or
  - where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.

**Fire protection**
- Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:
  - fire fighting;
  - planned burning;
  - making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;
  - making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);
  - is ground fuel within 30 metres of a building and is vegetation other than native vegetation;
  - in accordance with a fire prevention notice issued under either:
    - 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 vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*;

- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*.

Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.

<table>
<thead>
<tr>
<th>Geothermal energy exploration and extraction</th>
<th>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <em>Geothermal Energy Resources Act 2005</em>.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenhouse gas sequestration and exploration</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <em>Greenhouse Gas Geological Sequestration Act 2008</em>.</td>
</tr>
<tr>
<td>Land management or directions notice</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <em>Catchment and Land Protection Act 1994</em>.</td>
</tr>
<tr>
<td>Land use conditions</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <em>Catchment and Land Protection Act 1994</em>.</td>
</tr>
</tbody>
</table>
| Mineral exploration and extraction          | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the *Mineral Resources (Sustainable Development) Act 1990*:
|                                            | - that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or |
|                                            | - in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*. |

Note: Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990* specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.

<table>
<thead>
<tr>
<th>Noxious weeds</th>
<th>Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <em>Catchment and Land Protection Act 1994</em>. This exemption does not apply to Australian Dodder (<em>Cuscuta australis</em>).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pest animal burrows</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows. In the case of native vegetation the written agreement of an officer of the department responsible for administering the <em>Flora and Fauna Guarantee Act 1988</em> is required before the vegetation can be removed, destroyed or lopped.</td>
</tr>
<tr>
<td>Planted vegetation</td>
<td>Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.</td>
</tr>
<tr>
<td>Railways</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>).</td>
</tr>
</tbody>
</table>
| Regrowth       | Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:
|                | - bracken (*Pteridium esculentum*); or
|                | - within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. |
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Road safety</td>
<td>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).</td>
</tr>
</tbody>
</table>
| Stone exploration                            | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:  
  - 1 hectare of vegetation which does not include a tree.  
  - 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.  
  - 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.  
  This exemption does not apply to costeasing and bulk sampling activities. |
| Stone extraction                             | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 and authorised by a work authority granted under that Act. |
| Surveying                                    | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the Surveying Act 2004) using hand-held tools to establish a sightline for the measurement of land. |
| Traditional owners                           | Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:  
  - a natural resources agreement under Part 6 of the Traditional Owners Settlement Act 2010; or  
  - an authorisation order made under sections 82 or 84 of the Traditional Owner Settlement Act 2010 as those sections were in force immediately before the commencement of section 24 of the Traditional owners Settlement Amendment Act in 2016 (1 May 2017). |

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The statement of environmental significance and the environmental objective contained in a schedule to this overlay.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- Any other matters specified in a schedule to this overlay.
SCHEDULE 1 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO1.

RURAL WATERWAYS AND ENVIRONS

1.0

Statement of environmental significance

The rural areas of the municipality contain a number of waterways which are significant visual and geological significant features of the rural landscape and which serve important environmental, drainage and recreation functions. These waterways provide a habitat for a range of flora and fauna species and make a significant visual contribution to the overall character, amenity and identity of the municipality.

2.0

Environmental objective to be achieved

Ecological Function

- To ensure the health and vitality of the natural systems of rural waterways and their environs.
- To protect and enhance the diversity, integrity and health of the local native riparian, escarpment and plains vegetation associated with waterways.
- To ensure the suitability of the riparian, escarpment and plains vegetation habitat and in-stream habitats for local native animals.
- To improve the water quality of waterways.
- To provide for the retention, restoration and revegetation of local native plant species.
- To improve soil quality to enable the continuation of suitable land use.

Waterway function

- To sustain flood, regional drainage and waterway function to enable appropriate beneficial land use and water-based activities to be undertaken.
- To improve flood mitigation, drainage works and water quality through the creation of more natural bed and bank treatments where these have been modified from the natural.

Recreation use

- To create a peaceful, passive open space quality in the waterway corridor and surrounding environs.
- To provide a linear open space link along one side of the waterway corridor.
- To provide for links, views and access from surrounding areas to the waterways and open space.

Landscape character

- To protect and enhance the natural and visual character of waterway corridors, deeply incised valleys and their surrounding environs.
- To ensure that the scenic qualities and visual character of waterway corridors, creek valleys and their surrounding environs are not compromised by the inappropriate siting of buildings, the placement of fill, the removal of soil, or lack of screening vegetation.
- To restore those sections of the waterway corridor which have been man modified to create artificial bed, banks and landforms to more natural, visually attractive and ecologically diverse landscapes.
Heritage

- To protect areas of sensitivity for Aboriginal heritage and significant non-Aboriginal heritages sites and areas.
- To protect natural landforms and geological features.

3.0

Permit requirement

A permit is not required to construct a building or carry out works if any of the following apply:

- Buildings and works in a residential zone or on reserved land if they are 6 metres or less above ground level.
- Repairs and routine maintenance to buildings and works.
- Works undertaken by a public authority, or waterway management agency to:
  - sustain the form and stability of stream bed and banks, regulate or control the flow of water in a watercourse, regulate flooding;
  - mitigate flooding, or construct stream habitat works;
  - control or remove non-indigenous plants or carry out revegetation works, including preparatory works associated with the revegetation;
  - maintain the landscape quality, horticultural health or bank stability of areas that have been restored or revegetated; or
  - construct a bicycle or shared pathway provided that the works are to the satisfaction of Melbourne Water

provided that sites archaeological sensitivity, known Aboriginal heritage sites, or areas of remnant vegetation are not disturbed.

A permit is not required to remove, destroy or lop vegetation if it is not native vegetation or if any of the following apply:

- If the vegetation presents an immediate risk of personal injury or damage to property.
- If the removal, destruction or lopping of native vegetation is necessary for emergency access or emergency works by a public authority or municipal council.
- If the removal is in accordance with the fire exemptions listed in Clause 52.17.
- If the removal, destruction or lopping of the minimum extent of native vegetation is necessary for establishing sight-lines for the measurement of land by surveyors in the exercise of their profession, and if using hand held tools.
- If the native vegetation is proclaimed as a noxious weed or is bracken (Pteridium esculentum).
- If the removal, destruction or lopping of native vegetation is in accordance with a notice under the Vermin and Noxious Weeds Act, 1958.

4.0

Application requirements

None specified.

5.0

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:
- The Bulla General Plan, the Rural Areas Strategy Plan and any guidelines or local policies for waterways in rural areas.

- The effect of the proposed removal of any native vegetation on the habitat value, wildlife corridor, and long term viability of remnant and revegetated areas along the waterway corridor.

- The significance of the native vegetation area, including the significance of plant communities or significant plant and animal species supported.

- The reasons for removing the native vegetation and the practicality of alternative options which do not require the removal of the native vegetation.

- The effect of the height, bulk and general appearance of any proposed buildings and works on the environmental values and visual character of the waterway.

- The need for landscaping or vegetation screening.

- The need to ensure that buildings or works do not disturb known sites of Aboriginal heritage or areas likely to contain Aboriginal heritage.

- The need to protect trees with Aboriginal trunk or branch scars.

- The need to retain native vegetation and natural features which contribute to the health and water quality of the waterway and the visual character of the waterway corridor.

- The extent that buildings or works are designed to enhance or promote the environmental values of the waterway and the visual character of the waterway corridor.

References

SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO2.

MERRI CREEK AND MOONEE PONDS CREEK AND ENVIRONS

1.0 Statement of environmental significance

Merri Creek
Merri Creek is a major tributary of the Yarra River with a catchment of 396 square kilometres and a waterway length of some 60 kilometres. The Merri Creek and its immediate surrounds is host to some of the most threatened ecosystems in Australia. The creek has a unique role to play in the preservation of threatened flora and fauna and the maintenance of vegetation communities that in other places have almost been totally destroyed.

The creek and its environs also provide a linear open space and habitat link, which extends from the inner suburbs of Melbourne to rural areas in its upper reaches. This link is a valuable component of the metropolitan wide open space and trail network, and a major habitat corridor for the movement of birds and other wildlife. Revegetation works and parkland development including path and construction works have created a linear park of outstanding quality and landscape character – one which plays an important role in the park system of the metropolitan area.

The creek contains habitats for many flora and fauna species of local, regional and State significance. It also contains many aboriginal and non-Aboriginal cultural heritage sites of significance. The creek is the focus of a large number of pre and post contact archaeological sites which as a group is highly significant. Many unknown sites are likely to exist and the areas likely to have the greatest density of these are sensitive to development.

Moonee Ponds Creek
The Moonee Ponds Creek is also a major tributary, which extends from the inner suburbs of Melbourne to Gellibrand Hill. The Creek and its environs provide an important regional open space and habitat link and contain many Aboriginal cultural heritage sites of significance. Urban development has impacted upon the landscape character, catchment functions and water quality of parts of the Creek, however enormous potential exists for the recreational, aesthetic and ecological functions of these areas to be improved and restored.

2.0 Environmental objective to be achieved

Ecological Function

- To restore and revitalise the creeks and adjoining open space to a more natural and ecologically diverse environment.
- To ensure the health and vitality of the natural systems of the creeks and their environs.
- To protect and enhance the diversity, integrity and health of the local native riparian, escarpment and plans vegetation associated with the creeks.
- To ensure the suitability of the riparian, escarpment and plains vegetation habitat and in-stream habitats for local native animals.
- To improve the water quality of the creek.
- To provide for the retention, restoration and revegetation of local native plant species.

Waterway function

- To sustain flood, regional drainage and waterway function to enable appropriate beneficial land use and water-based activities to be undertaken.
To improve flood mitigation, drainage works and water quality through the creation of more natural bed and bank treatments where these have been modified from the natural.

Recreation use

- To create a peaceful, passive open space quality in the creek parkland and valley.
- To provide a linear open space link, including the provision of a shared pedestrian and cycle use path along one side of the waterway corridor.
- To provide for links, views and access from surrounding areas to the creeks and open space.

Landscape character

- To protect and enhance the natural and visual character of the waterway corridor.
- To ensure that the scenic qualities and visual character of the waterway corridor are not compromised by the inappropriate siting of buildings, the placement of fill, or lack of screening vegetation.
- To restore those sections of the waterway corridor which have been man modified to create artificial bed, banks and landforms to more natural, visually attractive and ecologically diverse landscapes.

Heritage

- To protect areas of sensitivity for Aboriginal heritage.
- To protect natural landforms and geological features.

Permit requirement

The requirements for a permit to construct a building or carry out works does not apply to:

- Buildings and works in a residential zone on reserved land if they are less than 6 metres above ground level.
- Repairs and routine maintenance to buildings and works.
- Works undertaken by a public authority, or waterway management agency to:
  - sustain the form and stability of stream bed and banks, regulate or control the flow of water in a watercourse, regulate flooding;
  - mitigate flooding, or construct stream habitat works;
  - control or remove non-indigenous plants or carry out revegetation works, including preparatory works associated with the revegetation;
  - maintain the landscape quality, horticultural health or bank stability of areas that have been restored or revegetated; or
  - construct a bicycle or shared pathway provided that the works are to the satisfaction of Melbourne Water

provided that sites archaeological sensitivity, known Aboriginal heritage sites, or areas of remnant vegetation are not disturbed.

A permit is not required to remove, destroy or lop vegetation if it is not native vegetation or if any of the following apply:

- If the vegetation presents an immediate risk of personal injury or damage to property.
- If the removal, destruction or lopping of native vegetation is necessary for emergency access or emergency works by a public authority or municipal council.
- If the removal is in accordance with the fire exemptions listed in Clause 52.17.
- If the removal, destruction or lopping of the minimum extent of native vegetation is necessary for establishing sight-lines for the measurement of land by surveyors in the exercise of their profession, and if using hand held tools.

- If the native vegetation is proclaimed as a noxious weed or is bracken (Pteridium esculentum).

- If the removal, destruction or lopping of native vegetation is in accordance with a notice under the Vermin and Noxious Weeds Act 1958.

### Application requirements

None specified.

### Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The Merri Creek Concept Plan or The Moonee Ponds Creek Concept Plan and any guidelines or local policies for the relevant creek.

- The need to assess the impact upon the creek environs and to ensure any impacts are adequately ameliorated.

- The effect of the proposed removal of any native vegetation on the habitat value, wildlife corridor, and long-term viability of remnant and revegetated areas along the creek corridor.

- The significance of the native vegetation area, including the significance of plant communities or significant plant and animal species supported.

- The reasons for removing the native vegetation and the practicality of alternative options which do not require the removal of the native vegetation.

- The effect of the height, bulk and general appearance of any proposed buildings and works on the environmental values and visual character of the creek.

- The need for landscaping or vegetation screening.

- The need to ensure that buildings or works do not disturb known sites of Aboriginal heritage or areas likely to contain Aboriginal heritage.

- The need to protect trees with Aboriginal trunk or branch scars.

- The need to retain native vegetation and natural features which contribute to the health and water quality of the creek and the visual character of the creek corridor.

- The extent that buildings or works are designed to enhance or promote the environmental values of the creek and the visual character of the creek corridor.

- The views of the Merri Creek Management Committee or the Moonee Ponds Creek Association and the Aboriginal Affairs Victoria Heritage Services Branch.

### References


Merri Creek and Environs Strategy (1999)


Cooper Street Precinct Study, including landscape design guidelines and background report (1996).

Moonee Ponds Creek Concept Plan (1992).
SCHEDULE 3 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO3.

EVANS STREET GRASSLAND

1.0

Statement of environmental significance

The four-hectare grassland in Evans Street, Sunbury, is a notable little-disturbed remnant of Plains Grassland, dominated by Themeda triandra and a variety of other grasses, including those not typical of Plains Grassland. The site includes a number of species now rare in the region and supports a high species richness of grassland herbs.

The site is of state significance due to its unusual combination of species, its species richness and its intact condition. The ability to maintain the biodiversity and durability of the grassland is dependent upon retaining and managing existing vegetation and the revegetation of disturbed areas with indigenous species.

2.0

Environmental objective to be achieved

To protect and enhance the unusual combination, species richness and intactness of this site of state significance.

3.0

Permit requirement

A permit is required to remove native vegetation.

4.0

Application requirements

An application to remove native vegetation must indicate:

- The total extent of vegetation on the property and the extent of native vegetation proposed to be cleared.
- The purpose of the proposed clearing and any proposals for revegetation, including proposed species, and ground stabilisation.
- A report by a suitably qualified person which describes the vegetation and habitat significance of the site, to the satisfaction of the responsible authority.

5.0

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The effect of the proposed removal of native vegetation on the habitat value and long-term viability of remnant grasslands in the vicinity.
- The significance of the native vegetation area.
- The reason for removing the vegetation and the practicality of alternative options which do not require removal of the native vegetation.

References

SCHEDULE 4 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO4.

NORTHERN RAILWAY RESERVATION

1.0

Statement of environmental significance

The Northern Railway Reservation contains at least two sites of vegetation significance. The two sites are located north and south of Sunbury and consist of disturbed remnant Plains grassland dominated variously by *Themeda triandra* (Kangaroo grass) *Danthonia caespitosa* (Wallaby grass) and *Stipa aristiglumis* (Spear grass).

The site south of Sunbury is of national significance due to the presence of endangered and vulnerable flora species. The site to the north is of regional significance due to the rarity of this ecosystem type in Victoria.

The ability to maintain the sites and prevent further degradation is dependent upon appropriate management of weed species and the use of fire.

2.0

Environmental objective to be achieved

The objective to protect and enhance the endangered and vulnerable flora species and habitat value of this site of national significance.

3.0

Permit requirement

A permit is required to remove native vegetation.

4.0

Application requirements

An application to remove native vegetation must indicate:

- The total extent of vegetation on the property and the extent of native vegetation proposed to be cleared.
- The purpose of the proposed clearing and any proposals for revegetation, including proposed species, and ground stabilisation.
- A report by a suitable qualified person which describes the vegetation and habitat significance of the site, to the satisfaction of the responsible authority.

5.0

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The effect of the proposed removal of native vegetation on the habitat value and long-term viability of remnant grasslands in the vicinity.
- The significance of the native vegetation area.
- The reason for removing the vegetation and the practicality of alternative options which do not require removal of the native vegetation.

Reference

SCHEDULE 5 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO5.

MOUNT RIDLEY GRASSLAND AND WOODLAND

1.0

Statement of environmental significance

The Mount Ridley locality contains areas of grassland and grassy woodland which are relatively intact. It also contains Red Gum woodland areas which are now very rare on the basalt plains due to their natural grassy understorey and ground flora components.

Red Gum woodland areas are of very high conservation value due to their high species richness, the number of flora and fauna species now rare in the region, and because they support a wide range of faunal habitats. The basalt plains grasslands are also of conservation significance due to the rarity of this ecosystem type in Victoria as a whole. The Mount Ridley site is of state significance due to the high diversity of flora species present and for its habitat values.

2.0

Environmental objective to be achieved

Protect and enhance the species richness, flora and fauna habitat values and intactness of this site of regional and state significance.

3.0

Permit requirement

A permit is required to remove native vegetation.

4.0

Application requirements

An application to remove native vegetation must indicate:

- The total extent of vegetation on the property and the extent of native vegetation proposed to be cleared.
- The purpose of the proposed clearing and any proposals for revegetation, including proposed species, and ground stabilisation.
- A report by a suitable qualified person which describes the vegetation and habitat significance of the site, to the satisfaction of the responsible authority.

5.0

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The effect of the proposed removal of native vegetation on the habitat value and long-term viability of remnant grasses in the vicinity.
- The significance of the native vegetation area.
- The reason for removing the vegetation and the practicality of alternative options which do not require removal of the native vegetation.
- The requirements of the Native Woodland protection Area Guidelines as they apply to land within the Mount Ridley Local Structure Plan.

References

Native Woodland Protection Area Guidelines (1997).
Mount Ridley Local Structure Plan (1997).
Sites of Faunal and Habitat significance in North East Melbourne (1997).
SCHEDULE 6 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO6.

COOPER STREET GRASSLAND

Statement of environmental significance

The 75 hectare site is a contiguous remnant grassland generally dominated by Thnmeda triandra (Kangaroo grass), with other native tussock grasses dominating the more disturbed areas to the south. In some sections an overstorey of Eucalyptus camaldulensis (Red Gum) and Acacia implexa (Lightwood) remains and the site provides a range of habitat niches. It also forms part of an important habitat link extending along Merri Creek to the Craigieburn Grassland.

The grassland is of state significance due to its large size, its floristic values, the number of rare ecosystem types, and the presence of two vulnerable faunal species listed under the Endangered Species Protection Act 1992. It is also of regional significance for its diversity and environmental value in providing a regional habitat link.

The ability to maintain the biodiversity and durability of the grassland is dependent on retaining existing vegetation and encouraging revegetation based on indigenous species.

Environmental objective to be achieved

To protect and enhance the size, floristic and faunal habitat values and diversity of this rare site of regional and state significance.

Permit requirement

A permit is required to remove native vegetation.

Application requirements

An application to remove native vegetation must indicate:

- The total extent of vegetation on the property and the extent of native vegetation proposed to be cleared.
- The purpose of the proposed clearing and any proposals for revegetation, including proposed species, and ground stabilisation.
- A report by a suitable qualified person which describes the vegetation and habitat significance of the site, to the satisfaction of the responsible authority.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The effect of the proposed removal of native vegetation on the habitat value and long-term viability of remnant grasses in the vicinity.
- The significance of the native vegetation area.
- The reason for removing the vegetation and the practicality of alternative options which do not require removal of the native vegetation.

References

Sites of Faunal and Habitat Significance in North East Melbourne (1997).
Remnant Native Grasslands and Grassy Woodlands of the Melbourne area; An action plan for conservation based on biological values (1990).

SCHEDULE 7 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO7.

WESTERN PLAINS GRASSLAND AND GREY BOX GRASSY WOODLAND

1.0

Statement of environmental significance

This triangular-shaped grassland located at the northern end of the former Broadmeadows Military site, is a remnant of Western Plains Grassland, dominated by a variety of grasses, including Themeda triandra (Kangaroo Grass). It contains a number of species, now rare in the region, which are of state or regional botanical significance.

The site also contains scattered patches of remnant Grey Box Grassy Woodland supported by an understorey of predominantly introduced grasses and graminoids. Smaller populations of indigenous species, such as Kangaroo Grass and Common Tussock Grass, also exist amongst this understorey. The woodland areas are of regional botanical significance.

The site is surrounded by urban development, therefore the maintenance of its durability and biodiversity will depend upon land use management and practices which limit disturbance, and the maximum retention of existing vegetation.

2.0

Environmental objective to be achieved

To protect and enhance the diversity, durability, floristic and habitat values of this site of regional and state significance.

3.0

Permit requirement

A permit is required to remove native vegetation.

4.0

Application requirements

An application to remove native vegetation must indicate:

- The total extent of vegetation on the property and the extent of native vegetation proposed to be cleared.
- The purpose of the proposed clearing and any proposals for revegetation, including proposed species, and ground stabilisation.
- A report by a suitable qualified person which describes the vegetation and habitat significance of the site, to the satisfaction of the responsible authority.

5.0

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The effect of the proposed removal of native vegetation on the habitat value and long-term viability of remnant grasses in the vicinity.
- The significance of the native vegetation area.
- The reason for removing the vegetation and the practicality of alternative options which do not require removal of the native vegetation.

References

Assessment of Grasslands, Camp Road, Broadmeadows, Victoria (1996).

Assessment of Remnant Native Vegetation at the Broadmeadows Military Area.
SCHEDULE 8 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO8.

AMAROO CONSERVATION RESERVE AND AMAROO SOUTH CONSERVATION RESERVE (700 HUME HIGHWAY & 650 HUME HIGHWAY)

1.0

Statement of environmental significance

The Amaroo Conservation Reserve supports a mosaic of the endangered Plains Grassland and Plains Grassy Woodland communities that are dominated by a number of large River Red Gums over a mixture of native and exotic understorey species.

The remnant River Red Gums are old, large trees and are important for their landscape and habitat values and as potential sources of seed for revegetation.

The area is of very high environmental significance as it is known to provide habitat for the nationally endangered Golden Sun Moth and Matted Flax-lily. Other significant species may also occur on the site.

The ability to maintain the biodiversity and durability of the plains grassy woodlands and plains grasslands is dependent on retaining existing vegetation and encouraging revegetation based on appropriate indigenous species. Revegetation along the eastern boundary of 700 Hume Highway, including any retarding basins or wetland areas will assist to provide a link to surrounding and similar conservation areas.

The Amaroo South Conservation Reserve supports endangered Plains Grassland and Plains Grassy Woodland dominated by large and very large old remnant River Red Gums in an area of the eastern section of 650 Hume Highway. Revegetation across the site will assist to provide a link to surrounding and similar conservation areas and a continuum with Amaroo Conservation Reserve to the north.

2.0

Environmental objective to be achieved

To protect the range of biodiversity values known to occur on the site, including endangered plants and animals.

To ensure the long-term protection of the endangered Plains Grassy Woodlands and Plains Grassland areas to enhance the diversity, conservation and environmental values of these sites.

To provide habitat links to adjacent areas of conservation value.

To protect and manage the land in accordance with approved Ecological Management Plans for the Amaroo Conservation Reserve and for the adjoining Amaroo South Conservation Reserve at 650 Hume Highway to the satisfaction of the Responsible Authority and the Department of Sustainability and Environment.

To protect the Amaroo Conservation Reserve and Amaroo South Conservation Reserve in perpetuity.

3.0

Permit requirement

A permit is required to remove native vegetation.

4.0

Application requirements

An application to remove native vegetation must:

- Indicate the total extent of vegetation and the extent of native vegetation proposed to be removed.
- Indicate the purpose of the proposed vegetation removal and any proposals for revegetation, including proposed species.
- Prepare a report by a suitably qualified person which describes the vegetation and habitat significance of the site, to the satisfaction of the responsible authority.

- Demonstrate how the removal of vegetation is consistent with the separately approved Ecological Management Plans for the Amaroo Conservation Reserve and Amaroo South Conservation Reserve.

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**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The effect of the proposed removal of native vegetation on the biodiversity value of the area.

- The significance of the Amaroo Conservation Reserve and Amaroo South Conservation Reserve and the purpose and objectives of this schedule to protect the sites biodiversity conservation values in perpetuity.

- The reason for removing the native vegetation and the practicality of alternative options which do not require removal of native vegetation.

- The effect of the proposed removal of native vegetation on any dedicated offset sites.

- The habitat and conservation values of the area and the effects that any native vegetation removal will have on these values.

- The content of any Ecological Management Plan applying to the area and the effect that any vegetation removal will have on the ongoing implementation of the Ecological Management Plan for that area.

### 6.0
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**References**

*Flora, Fauna and Net Gain Assessment, 650 Hume Highway, Craigieburn, Brett Lane & Associates (2008)*


SCHEDULE 9 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO9.

GREENVALE RESERVOIR CATCHMENT PROTECTION

1.0

Statement of environmental significance

The Greenvale Reservoir is a water storage and distribution facility that supplies Melbourne’s north-western suburbs with clean drinking water. Greenvale Reservoir is an off-stream storage facility that receives water via a pipeline from Silvan Reservoir and then directly supplies the water to customers. The Greenvale Reservoir Protection Area, which surrounds the Greenvale Reservoir drains towards the Reservoir however, there is no water harvesting from the catchment.

The Greenvale Reservoir was originally constructed in the 1970’s, at which time the catchment consisted largely of undeveloped farmland. At present the Greenvale Reservoir Protection Area contains a mix of urban, residential, farming, tourist accommodation and public land uses. Surface stormwater run-off from urban development is an established source of contaminant that may be significantly hazardous to the health and quality of drinking water.

Melbourne Water, as the water storage manager, has an obligation to protect Melbourne’s water supply from a range of potential contaminants. This includes ensuring that land use intensity and increased urban development does not lead to a decline in water quality and contamination of the Greenvale Reservoir through stormwater runoff.

The protection of the Greenvale Reservoir is essential to the health of all communities that rely on the Greenvale Reservoir for drinking water. Any infrastructure built to protect the Reservoir (including a bund) also requires protection in order to preserve its function as a Reservoir protection mechanism.

In addition to Melbourne Water’s role as the water storage manager, it is also the regional drainage and floodplain authority with responsibility for ensuring urban development achieves appropriate standards of flood protection and waterway health is protected.

2.0

Environmental objective to be achieved

To protect the Reservoir from impacts of surrounding development, particularly where new development has the potential to increase surface storm water runoff or the potential to reduce the quality of storm water runoff;

To ensure the cumulative effect of development in the Greenvale Reservoir Protection Area maintains or reduces the level of risk to the quality of water supplied from Greenvale Reservoir;

To ensure development and land use is consistent with the Greenvale Reservoir Catchment: Drinking Water Quality Risk Management Plan (March 2008);

To protect the water quality of the Greenvale Reservoir from surface storm water runoff in a 1,000,000 AEP storm event;

To ensure that development is compatible with the protection of the Greenvale Reservoir;

To ensure any Reservoir protection mechanisms (including a bund) are protected from erosion and inappropriate development; and

To ensure co-ordinated urban development in the catchment area, which provides for the integration of protection measures for the Greenvale Reservoir.

3.0

Permit requirements

A permit is not required:

- to subdivide land which is owned by Melbourne Water.
to construct a building or construct or carry out works unless within a waterway management easement shown on the Plan of Subdivision or on the Certificate of Title.

- for the removal, destruction or lopping of any vegetation.

- for any works associated with Aitken Boulevard/E14 undertaken by the Roads Corporation that have been designed to protect the Greenvale Reservoir to the satisfaction of the water storage manager (Melbourne Water) and that have been approved in writing by the water storage manager (Melbourne Water).

**Application requirements**

An application must be accompanied by:

A Catchment Protection Plan to the satisfaction of Melbourne Water which includes as appropriate:

- A site plan identifying the proposed use and development of the land.

- A plan of the drainage system showing what protective measures are to be employed to protect the Greenvale Reservoir from any contamination resulting from effluent disposal, stormwater runoff and other off-site discharges. The plan must outline details of pre-application discussions which may have occurred with Melbourne Water regarding the design and construction of drainage systems and protective measures. The plan must also show flood levels associated with the 1 in 100 and 1 in 1,000,000 AEP storm event, proposed retarding basins, lakes, wetlands, dams, water storage, watercourses, drainage lines and effluent disposal associated with the development.

- Construction plans for the drainage systems to be employed, prepared in consultation with Melbourne Water.

- How the proposed subdivision, development and use of the land responds to the current approved version of the Melbourne Water Greenvale Reservoir Catchment: Drinking Water Quality Risk Management Plan (March 2008).

- Plans and details outlining proposed sewerage reticulation and required drainage control mechanisms.

- Plans and details for the design, establishment, ongoing maintenance and possible transfer to Melbourne Water of the land upon which any proposed reservoir protection mechanisms are located.

- Plans of subdivision which identify overland flow paths associated with the 1 in 100 and 1 in 1,000,000 AEP storm event by way of a waterway management easement in favour of Melbourne Water to the extent required by Melbourne Water to ensure the flow paths are not unreasonably obstructed.

- Modelling of the change in flood flows downstream of Greenvale Reservoir attributable to any proposed reservoir protection measures.

- A plan for the staging of the reservoir protective measures.

**Referral requirements**

An application for subdivision of land, construction of buildings or carrying out of works, must be referred to Melbourne Water 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 Melbourne Water.

**Decision guidelines**

Before deciding on an application for subdivision, buildings or works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:
- The view and recommendations of Melbourne Water regarding drainage networks, sewerage reticulation, proposed protective mechanisms and any drainage strategy;
- The impact of the development and subdivision on the Greenvale Reservoir with respect to drainage, water quality and runoff;
- The relationship between the proposal and any other State Government arrangements for achieving co-ordinated urban development in the locality;
- The current approved version of the Melbourne Water *Greenvale Reservoir Catchment: Drinking Water Quality Risk Management Plan*;
- The location of overland flowpaths including flood levels associated with the 100 and 1,000,000 AEP storm event;
- The design, establishment and ongoing maintenance of the proposed reservoir protection measures;
- The change in flood flows attributable to reservoir protection measures adjacent to and downstream of the Greenvale Reservoir; and
- Any relevant agreement prepared under Section 173 of the *Planning and Environment Act 1987*.
- The Catchment Protection Plan.
SCHEDULE 10 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO10.

RURAL CONSERVATION AREA

1.0

Statement of environmental significance

The development of Melbourne has caused significant impacts to the environment. Melbourne’s footprint has resulted in the removal of most native vegetation, and retained habitat areas only support flora and fauna that can survive in a highly fragmented and urbanised landscape. The overall biodiversity of Melbourne is a fraction of what it was prior to European settlement.

As part of the delivery of Melbourne’s Newest Sustainable Communities Program, the Victorian Government established a process to identify, permanently protect and manage biodiversity assets that are important within the greater Melbourne region.

This process has determined the location of significant biodiversity assets and identified areas where these can be retained and where urban development is not appropriate and to which this overlay has been applied.

The areas covered by this overlay include some existing conservation reserves, areas of significant remnant native vegetation and a number of areas that provide habitat for threatened flora and fauna.

The areas include but are not limited to:

- Important grasslands.
- Grassy eucalypt woodlands.
- Waterways and riparian areas.
- Other important habitat for threatened flora and fauna.

It is important that these areas are retained and managed to ensure that their biodiversity values and any habitat links are protected and enhanced.

2.0

Environmental objective to be achieved

To protect and improve the viability of habitats, ecological communities, flora and fauna and genetic diversity.

To enhance the environmental and landscape values of the area.

To ensure that any use, development or management of land within and adjacent to areas of biological significance are compatible with their long-term maintenance and conservation and will not have detrimental impacts on biodiversity values.

To encourage ecological restoration, regeneration and revegetation with indigenous species within the site.

To maintain and enhance habitat connectivity for listed threatened species.

To prevent a decline in the extent and quality of native vegetation and native fauna habitat.

To ensure that the siting and design of any buildings and works maintains the environmental integrity of the land.

To maintain and enhance the integrity of sites of environmental significance.

To provide for the long term preservation of the flora and fauna and associated habitat of environmentally significant areas.

3.0

Permit requirement

A permit is not required to:
- Construct a building or construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) in accordance with an agreement under Section 69 of the Conservation, Forests and Lands Act 1987.
- Construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) by or on behalf of a public authority or public land manager involving revegetation, or preparatory works associated with revegetation.
- Extend or alter an existing dwelling provided that the gross floor area of that extension or alteration does not exceed 50 square metres and the extension or alteration is more than 5 metres from any existing native vegetation.
- Remove, destroy or lop any vegetation, including dead vegetation:
  - Where the vegetation is a plant proclaimed as a weed under the Catchment and Land Protection Act 1994.
  - In order to enable the use and maintenance of a building constructed or approved by a planning permit granted under this planning scheme or by a building permit granted under the Building Act 1993, before 6 August 2010. This exemption does not apply to vegetation located more than 10 metres from a building.
  - Where the vegetation has been planted or grown for aesthetic or amenity purposes, including agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), shelter belts, woodlots, street trees, gardens or the like. This exemption does not apply if public funding was provided to assist in planting or managing the vegetation for conservation purposes and the terms of the funding did not anticipate removal or harvesting of the vegetation.
  - For the purpose of maintenance, where no more than one third of the foliage is removed from any individual plant. This exemption does not apply to the pruning or lopping of the trunk of a tree or shrub or to native vegetation within a road or railway reservation.
  - To mow or slash grass in a lawn, garden or other planted area for maintenance only.
  - To maintain an existing fence where the removal of vegetation is within a combined maximum width of 4 metres either side of the fence.

Application requirements

An application must be accompanied by:

- A description of any proposed disturbance of surface soil or rocks associated with the proposal.
- The total extent of vegetation on the property and the extent of native vegetation proposed to be cleared.
- A description of the steps that have been taken to avoid and minimise the removal of native vegetation including the practicality of alternative options which do not require removal of the native vegetation.

An application must also be accompanied by, as appropriate:

- A flora and fauna assessment of the land prepared by a suitably qualified and experienced person to the satisfaction of the responsible authority. The assessment must include:
  - A flora and fauna survey.
  - A habitat hectare assessment.
  - Identification of the vegetation and habitat significance of the property.
  - A description of the effect of the proposed development in relation to other areas of native vegetation or native fauna habitat, including any proposed reserves, strategic reserves, conservation reserves, streams and waterways.
- A land and environmental management plan prepared by a suitably qualified person identifying, as appropriate:
  - Any proposals for revegetation, including proposed species, and ground stabilisation.
  - How any vegetation removal will be offset (an offset plan), in accordance with Victoria’s Native Vegetation Management: A Framework For Action (Department of Natural Resources and Environment 2002).
  - Weed management, including species to be targeted and proposed management techniques.
  - Pest animal management, including species to be targeted and proposed management techniques.

If in the opinion of the responsible authority a flora and fauna assessment of the land or a land and environmental management plan is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

5.0
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Referral of applications
In accordance with Section 55 of the Act, an application must be referred to the relevant referral authority specified in the schedule to Clause 66.04.

6.0
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Decision guidelines
The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The conservation significance of any vegetation to be removed and its habitat value for native fauna.
- The reason for removing any vegetation and the practicality of any alternative options.
- Measures to protect and enhance native vegetation and native fauna habitat including the retention of land form, surface soils and rocks.
- Measures to maintain contiguous areas of native vegetation or native fauna habitat.
- Measures to encourage ecological restoration, regeneration and revegetation with indigenous species.
- Any park management plan, including the potential impact of management activities, such as burning, on any proposed development.
- The impact of the development on any proposed or existing conservation reserves, streams and waterways, including the potential impacts of nutrient and water run-off, increased weed and pest invasion or recreational impacts.
- The impact on the integrity of the site from the proposed development, disturbance and removal of rock, indiscriminate weed control, habitat fragmentation and isolation and disturbance and destruction of habitat of threatened species.
- The proposed management practices for the land including:
  - The linking and enlarging of areas of significant flora and fauna habitats.
  - Effective and targeted weed control.
  - Programs to control or eliminate introduced predatory and pest animal species, in particular foxes, rabbits and hares.
  - Rehabilitation of degraded areas through fencing, revegetation with appropriate native species and ongoing management.
- Collection of seed and other plant propagules for rehabilitation projects on and off site.

- The results of any flora and fauna survey and assessment of the land.

- Any Native Vegetation Precinct Plan, Conservation Management Plan, Precinct Structure Plan or other management plan approved for the area by the Minister for Planning or Minister for Environment and Climate Change.

**Reference**

- Delivering Melbourne’s Newest Sustainable Communities: Strategic Impact Assessment Report for the Environment Protection and Biodiversity Conservation Act 1999 (Department of Sustainability and Environment 2009)

- Delivering Melbourne’s Newest Sustainable Communities: Report for Public Consultation, Urban Growth Boundary Review (Department of Planning and Community Development 2009)

- Delivering Melbourne's Newest Sustainable Communities: Background Technical Report 2a: Biodiversity Assessment of Melbourne’s Western Investigation Area (Biosis Research 2009)
SCHEDULE 11 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO11.

RIVER RED-GUM AND GRASSY WOODLANDS

Statement of environmental significance

The development of Melbourne has caused significant impacts to the environment. Melbourne’s footprint has resulted in the removal of most native vegetation, and retained habitat areas only support flora and fauna that can survive in a highly fragmented and urbanised landscape. The overall biodiversity of Melbourne is a fraction of what it was prior to European settlement.

As part of the Delivery of Melbourne’s Newest Sustainable Communities Program, the Victorian Government established a process to identify, permanently protect and manage biodiversity assets that are important within the greater Melbourne region.

The areas included within this overlay have been identified as having a high likelihood of containing significant remnant native vegetation or providing habitat for threatened flora and fauna. It is important that these areas are retained and managed to ensure that their biodiversity values and any habitat links are protected and enhanced.

The areas identified by this overlay form part of the Victorian Volcanic Plain bioregion. The ecosystems of this bioregion are some of the most depleted in the State. Only 4.5 per cent of the bioregion has remnant native vegetation, and less than 1.2 per cent is in formal reserves.

The area to the north-west of Craigieburn covered by this overlay includes the Mount Ridley Flora and Fauna Reserve and the Mickleham Woodlands. These areas are connected to the Merri Creek corridor via local reserves along Malcolm Creek.

Mount Ridley, a broad lava hill, is a dominant landscape feature. The lava from the northern vent of Mount Ridley is the only known example of a nephelinite (analcite) in the Newer Volcanics Province. The site is regionally significant for the uncommon lava type and as an excellent regional example of a lava mound. The current agricultural land use is compatible with maintaining the geological and geomorphological values of the site. The site would be threatened by smaller farm development, subdivision, or extensive quarrying.

East of Craigieburn and north of Epping, the area covered by this overlay contains stony knolls, floodplain grasslands and riparian areas associated with the Merri Creek and Darebin Creek floodplains. The area has a high level of habitat connectivity.

The areas covered by this overlay contain remnants of Plains Grassy Woodland and Plains Grassland Ecological Vegetation Classes, both of which are recognised as endangered at a State and Federal level. They also provide habitat for threatened species listed under the Environment Protection and Biodiversity Conservation Act 1999 (Cth) and the Flora and Fauna Guarantee Act 1988 (Vic).

Environmental objective to be achieved

To protect and improve the viability of habitats, ecological communities, flora and fauna and genetic diversity of key areas within the Urban Growth Boundary.

To enhance the environmental and landscape values of the area.

To protect the unique geological features of the area.

To ensure that any use, development or management of land within and adjacent to areas of biological significance are compatible with their long-term maintenance and conservation and will not have detrimental impacts on biodiversity values.

To encourage ecological restoration, regeneration and revegetation with indigenous species within the area.

To maintain and enhance habitat connectivity for listed threatened species.
To prevent a decline in the extent and quality of native vegetation and native fauna habitat. To ensure that the siting and design of any buildings and works maintains the environmental integrity of the area. To maintain and enhance the integrity of sites of environmental significance. To provide for the long-term preservation of the flora and fauna and associated habitat of environmentally significant areas.

**Permit requirement**

A permit is not required to:

- Construct a building or construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) in accordance with an agreement under Section 69 of the *Conservation, Forests and Lands Act 1987*.
- Construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) by or on behalf of a public authority or waterway management agency involving revegetation, or preparatory works associated with revegetation.
- Extend or alter an existing dwelling provided that the gross floor area of that extension or alteration does not exceed 50 square metres and the extension or alteration is more than 5 metres from any existing native vegetation.
- Remove, destroy or lop any vegetation, including dead vegetation:
  - Where the vegetation is non-native.
  - Where the vegetation is a plant proclaimed as a weed under the *Catchment and Land Protection Act 1994*.
  - In order to enable the use and maintenance of a building constructed or approved by a planning permit granted under this planning scheme or by a building permit granted under the Building Act 1993, before 6 August 2010. This exemption does not apply to vegetation located more than 10 metres from a building.
  - Where the vegetation has been planted or grown for aesthetic or amenity purposes, including agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), shelter belts, woodlots, street trees, gardens or the like. This exemption does not apply if public funding was provided to assist in planting or managing the vegetation for conservation purposes and the terms of the funding did not anticipate removal or harvesting of the vegetation.
  - For the purpose of maintenance, where no more than one third of the foliage is removed from any individual plant. This exemption does not apply to the pruning or lopping of the trunk of a tree or shrub or to native vegetation within a road or railway reservation.
  - To mow or slash grass in a lawn, garden or other planted area for maintenance only.
  - To maintain an existing fence where the removal of vegetation is within a combined maximum width of 4 metres either side of the fence.

**Application requirements**

An application must be accompanied by:

- A description of any proposed disturbance of surface soil or rocks associated with the proposal.
- The total extent of vegetation on the property and the extent of native vegetation proposed to be cleared.
A description of the steps that have been taken to avoid and minimise the removal of native vegetation including the practicality of alternative options which do not require removal of the native vegetation.

An application must also be accompanied by, as appropriate:

- A flora and fauna assessment of the land prepared by a suitably qualified and experienced person to the satisfaction of the responsible authority. The assessment must include:
  - A flora and fauna survey.
  - A habitat hectare assessment.
  - Identification of the vegetation and habitat significance of the property.
  - A description of the effect of the proposed development in relation to other areas of native vegetation or native fauna habitat, including any proposed reserves, strategic reserves, conservation reserves, streams and waterways.

- A land and environmental management plan prepared by a suitably qualified person identifying, as appropriate:
  - Any proposals for revegetation, including proposed species, and ground stabilisation.
  - How any vegetation removal will be offset (an offset plan), in accordance with the background document Victoria’s Native Vegetation Management: A Framework for Action (Department of Natural Resources and Environment 2002).
  - Weed management, including species to be targeted and proposed management techniques.
  - Pest animal management, including species to be targeted and proposed management techniques.

If in the opinion of the responsible authority a flora and fauna assessment of the land or a land and environmental management plan is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

### Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The conservation significance of any vegetation to be removed and its habitat value for native fauna.

- Measures to protect and enhance native vegetation and native fauna habitat of the Victorian Volcanic Plain, including the retention of land form, surface soils and rocks.

- Measures to maintain contiguous areas of native vegetation or native fauna habitat.

- Any relevant park management plan or interim management plan.

- The impact of any use, development or management of land on the strategic grassland reserves including the potential impacts of nutrient and water run-off, increased weed and pest invasion or recreational impacts.

- Measures to encourage ecological restoration, regeneration and revegetation with indigenous species.

- The need to adopt a precautionary approach in the absence of scientific certainty.

- The reason for removing any vegetation and the practicality of any alternative options.
The impact on the integrity of the site from the proposed development, disturbance and removal of rock, indiscriminate weed control, habitat fragmentation and isolation and disturbance and destruction of habitat of threatened species.

The proposed management practices for the land including:

- The linking and enlarging of areas of significant flora and fauna habitats.
- Effective and targeted weed control.
- Programs to control or eliminate introduced predatory and pest animal species, in particular foxes, rabbits and hares.
- Rehabilitation of degraded areas through fencing, revegetation with appropriate native species and ongoing management.
- Collection of seed and other plant propagules for rehabilitation projects on and off site.

The results of any flora and fauna survey and assessment of the land.

Any Native Vegetation Precinct Plan, Conservation Management Plan, Precinct Structure Plan or other management plan approved for the area by the Minister for Planning or Minister for Environment and Climate Change.

6.0

Reference

- Delivering Melbourne’s Newest Sustainable Communities: Strategic Impact Assessment Report for the Environment Protection and Biodiversity Conservation Act 1999 (Department of Sustainability and Environment 2009)
- Delivering Melbourne’s Newest Sustainable Communities: Report for Public Consultation, Urban Growth Boundary Review (Department of Planning and Community Development 2009)
- Delivering Melbourne’s Newest Sustainable Communities: Background Technical Report 2b: Biodiversity Assessment of Melbourne's Northern Investigation Area (SMEC 2009)
VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as VPO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To protect areas of significant vegetation.
To ensure that development minimises loss of vegetation.
To preserve existing trees and other vegetation.
To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.
To maintain and enhance habitat and habitat corridors for indigenous fauna.
To encourage the regeneration of native vegetation.

Vegetation significance and objectives

A schedule to this overlay must contain:

- A statement of the nature and significance of the vegetation to be protected.
- The vegetation protection objectives to be achieved.

Permit requirement

A permit is required to remove, destroy or lop any vegetation specified in a schedule to this overlay.
This does not apply:

- If the table to Clause 42.02-3 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Remove, destroy or lop one tree.</td>
<td>Clause 59.06</td>
</tr>
</tbody>
</table>

Table of exemptions

The requirement to obtain a permit does not apply to:

### Emergency works

Vegetation that is to be removed, destroyed or lopped:

- in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or
- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.

### Fire protection

Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:

- fire fighting;
The requirement to obtain a permit does not apply to:

- 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);
- is ground fuel within 30 metres of a building and is vegetation other than native vegetation;
- in accordance with a fire prevention notice issued under either:
  - Section 65 of the Forests Act 1958; or
  - Section 41 of the Country Fire Authority Act 1958.
- keeping vegetation clear of, or minimising risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998;
- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the Road Management Act 2004.

Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.

| Geothermal energy exploration and extraction | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Geothermal Energy Resources Act 2005. |
| Greenhouse gas sequestration and exploration | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008. |
| Land management and directions notice | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the Catchment and Land Protection Act 1994. |
| Land use conditions | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the Catchment and Land Protection Act 1994. |
| Mineral exploration and extraction | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the Mineral Resources (Sustainable Development) Act 1990:
  - that is low impact exploration within the meaning of Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990; or
  - in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990.
  
  Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration. |
| Noxious weeds | Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the Catchment and Land Protection Act 1994. This exemption does not apply to Australian Dodder (Cuscuta australis). |
| Pest animal burrows | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.
  
  In the case of native vegetation the written agreement of an officer of the department responsible for administering the Flora and Fauna Guarantee Act 1988 is required before the vegetation can be removed, destroyed or lopped. |
**The requirement to obtain a permit does not apply to:**

<table>
<thead>
<tr>
<th>Vegetation Type</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Planted vegetation</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.</td>
</tr>
<tr>
<td><strong>Railways</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
</tbody>
</table>
| **Regrowth**        | Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:  
  - bracken (*Pteridium esculentum*); or  
  - within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.  
  This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster. |
| **Road safety**     | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). |
| **Stone exploration** | Vegetation is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.  
  The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:  
  - 1 hectare of vegetation which does not include a tree.  
  - 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.  
  - 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.  
  This exemption does not apply to costeaning and bulk sampling activities. |
| **Stone extraction** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 and authorised by a work authority granted under that Act. |
| **Surveying**       | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the Surveying Act 2004) using hand-held tools to establish a sightline for the measurement of land. |
| **Traditional owners** | Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:  
  - a natural resources agreement under Part 6 of the Traditional Owners Settlement Act 2010; or  
  - an authorisation order made under sections 82 or 84 of the Traditional Owners Settlement Act 2010 as those sections were in force immediately before the commencement of section 24 of the Traditional Owners Settlement Amendment Act in 2016 (1 May 2017). |

**Application requirements**

An application must be accompanied by any information specified in a schedule to this overlay.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:
- The statement of the nature and significance of the vegetation to be protected and the vegetation protection objective contained in a schedule to this overlay.
- The effect of the proposed use, building, works or subdivision on the nature and type of vegetation to be protected.
- The role of native vegetation in conserving flora and fauna.
- The need to retain native or other vegetation if it is rare, supports rare species of flora or fauna or forms part of a wildlife corridor.
- The need to retain vegetation which prevents or limits adverse effects on ground water recharge.
- The need to retain vegetation:
  - Where ground slopes exceed 20 percent.
  - Within 30 metres of a waterway or wetland.
  - On land where the soil or subsoil may become unstable if cleared.
  - On land subject to or which may contribute to soil erosion, slippage or salinisation.
  - In areas where the removal, destruction or lopping of vegetation could adversely affect the integrity or long term preservation of an identified site of scientific, nature conservation or cultural significance.
  - Which is of heritage or cultural significance.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- Any relevant permit to remove, destroy or lop vegetation in accordance with a land management plan or works program.
- Whether the application includes a land management plan or works program.
- Whether provision is made or is to be made to establish and maintain vegetation elsewhere on the land.
- Any other matters specified in a schedule to this overlay.
SCHEDULE 1 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as VPO1.

GRASSY WOODLANDS IN VICINITY OF SPAVIN DRIVE, SUNBURY

1.0

Statement of nature and significance of vegetation to be protected

The grassy woodlands in the vicinity of Spavin Drive, Albert Road, Kismet Road and Winilba Drive, Sunbury, are notable remnants of Box Woodlands, dominated by a variety of tree species, including Yellow Box, Yellow Gum and Manna Gum. The area also supports a diverse and species rich grassy understorey.

The grassy woodlands are significant for their diversity and environmental value in providing a faunal habitat of regional significance.

The ability to maintain the biodiversity and durability of the grassy woodlands is dependent on retaining existing vegetation and encouraging revegetation based on indigenous species.

2.0

Vegetation protection objectives to be achieved

To protect and enhance the diversity and habitat value of this site of regional significance.

3.0

Permit requirement

A permit is required to remove native vegetation.

4.0

Application requirements

An application to remove native vegetation must indicate:

- The total extent of vegetation on the property and the extent of native vegetation proposed to be cleared.
- The purpose of the proposed clearing and any proposals for revegetation, including proposed species, and ground stabilisation.
- A report by a suitable qualified person which describes the vegetation and habitat significance of the site, to the satisfaction of the Responsible Authority.

5.0

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.02, in addition to those specified in Clause 42.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The effect of the proposed removal of native vegetation on the habitat value and long-term viability of remnant grasses in the vicinity.
- The significance of the native vegetation area.
- The reason for removing the vegetation and the practicality of alternative options which do not require removal of the native vegetation.
SCHEDULE 2 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as VPO2.

BURKE HILL SHRUBLAND

1.0

Statement of nature and significance of vegetation to be protected

The open woodland located on the north-west slopes of Burke Hill is dominated by *Acacia melanoxylon*, *Acacia meansii*, *Cassinia* species and *Pultenaea daphnoides*. The site is of local significance due to its substantially intact ground flora. Further assessment is required to ascertain whether the site is of Regional significance.

The ability to maintain the biodiversity and durability of the site is dependent upon retaining and managing existing vegetation and the revegetation of areas disturbed by landfill activity.

2.0

Vegetation protection objectives to be achieved

To protect and enhance the substantially intact ground flora and durability of this site of local significance.

3.0

Permit requirement

A permit is required to remove native vegetation.

4.0

Application requirements

An application to remove native vegetation must indicate:

- The total extent of vegetation on the property and the extent of native vegetation proposed to be cleared.
- The purpose of the proposed clearing and any proposals for revegetation, including proposed species, and ground stabilisation.
- A report by a suitable qualified person which describes the vegetation and habitat significance of the site, to the satisfaction of the responsible authority.

5.0

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.02, in addition to those specified in Clause 42.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The effect of the proposed removal of native vegetation on the habitat value and long-term viability of remnant grasslands in the vicinity.
- The significance of the native vegetation area.
- The reason for removing the vegetation and the practicality of alternative options which do not require removal of the native vegetation.
SCHEDULE 3 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as VPO3.

KALKALLO GRASSLANDS

1.0

Statement of nature and significance of vegetation to be protected

The grassland in Kalkallo is a remnant of Plains Grassland, dominated by a number of threatened plant species, and containing a diversity of reptiles and amphibians. It contains one of the largest concentrations of Common Spadefoot Toads recorded in the area, and serves as a partial habitat link between the Merri Creek and grassland sites near Bald Hill and Craigieburn.

The grassland is significant for its diversity and environmental value in providing a habitat of regional significance.

The ability to maintain the biodiversity and durability of the grassland is dependent on retaining existing vegetation and the revegetation of disturbed areas with indigenous species.

2.0

Vegetation protection objectives to be achieved

To protect and enhance the diversity, concentration and environmental values of this site of regional significance.

3.0

Permit requirement

A permit is required to remove native vegetation.

4.0

Application requirements

An application to remove native vegetation must indicate:

- The total extent of vegetation on the property and the extent of native vegetation proposed to be cleared.
- The purpose of the proposed clearing and any proposals for revegetation, including proposed species, and ground stabilisation.
- A report by a suitable qualified person which describes the vegetation and habitat significance of the site, to the satisfaction of the responsible authority.

5.0

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.02, in addition to those specified in Clause 42.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The effect of the proposed removal of native vegetation on the habitat value and long-term viability of remnant grasses in the vicinity.
- The significance of the native vegetation area.
- The reason for removing the vegetation and the practicality of alternative options which do not require removal of the native vegetation.

References

- Sites of Biological Significance in the Merri Corridor - An investigation.
- Sites of Faunal and Habitat Significance in North East Melbourne.
- Remnant Native Grasslands and Grassy Woodlands of the Melbourne area: An action plan for conservation based on biological values.
SCHEDULE 4 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as VPO4.

GREENVALE RISE - RIVER REDGUMS

This schedule applies to land on the ‘Greenvale Rise’ development site, situated on the eastern side of Mickleham Road between Somerton and Craigieburn West Roads, Greenvale.

1.0

19/01/2006 VC37

Statement of nature and significance of vegetation to be protected

Four large Red Gums have been identified within the Greenvale Rise Development Site. These are considered to be the last remaining specimens of this species on the property. Although the ground flora below these eucalypts is almost completely exotic, the trees should be considered to be of regional or state significance. In particular, the two Red Gums southern trees have diameter of 2-3 metres and are potentially over 300 years old.

2.0

27/05/2019 C238hume

Vegetation protection objectives to be achieved

To protect the four remaining four Redgums within the Greenvale Rise Estate in sufficient land to protect the ongoing survival and potential regeneration of the species.

3.0

27/05/2019 C238hume

Permit requirement

A permit is required to remove native vegetation.

4.0

27/05/2019 C238hume

Application requirements

An application to remove native vegetation must indicate:

- The total extent of vegetation on the property and the extent of native vegetation proposed to be cleared.
- The purpose of the proposed clearing and any proposals for revegetation, including proposed species, and ground stabilisation.
- A report by a suitable qualified person which describes the vegetation and habitat significance of the site, to the satisfaction of the Responsible Authority.

5.0

27/05/2019 C238hume

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.02, in addition to those specified in Clause 42.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The effect of the proposed removal of native vegetation on the habitat value and long-term viability of remnant grasses in the vicinity.
- The significance of the native vegetation area.
- The reason for removing the vegetation and the practicality of alternative options which do not require removal of the native vegetation.
HERITAGE AND BUILT FORM OVERLAYS
HERITAGE OVERLAY

Shown on the planning scheme map as HO with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To conserve and enhance heritage places of natural or cultural significance.

To conserve and enhance those elements which contribute to the significance of heritage places.

To ensure that development does not adversely affect the significance of heritage places.

To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

Scope

The requirements of this overlay apply to heritage places specified in the schedule to this overlay. A heritage place includes both the listed heritage item and its associated land. Heritage places may also be shown on the planning scheme map.

Permit requirement

A permit is required to:

- Subdivide land.
- Demolish or remove a building.
- Construct a building or construct or carry out works, including:
  - Domestic services normal to a dwelling if the services are visible from a street (other than a lane) or public park.
  - A solar energy facility attached to a building that primarily services the land on which it is situated if the services are visible from a street (other than a lane) or public park.
  - A rainwater tank if the rainwater tank is visible from a street (other than a lane) or public park.
  - A fence, if the fence is visible from a street (other than a lane) or public park.
  - Roadworks which change the appearance of a heritage place or which are not generally undertaken to the same details, specifications and materials.
  - Street furniture other than:
    - traffic signals, traffic signs, fire hydrants, parking meters, post boxes and seating.
    - speed humps, pedestrian refuges and splitter islands.
  - A domestic swimming pool or spa and associated mechanical and safety equipment, if the swimming pool or spa and associated equipment are visible from a street (other than a lane) or public park.
  - A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
  - A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level, if the deck is visible from a street (other than a lane) or public park
  - Non-domestic disabled access, excluding a non-domestic disabled access ramp if the ramp is not visible from a street (other than a lane) or public park.
- An electric vehicle charging station if the charging station is visible from a street (other than a lane) or public park.

- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar, if the works are visible from a street (other than a lane) or public park.

- Externally alter a building by structural work, rendering, sandblasting or in any other way.

- Construct or display a sign.

- Externally paint a building if the schedule to this overlay specifies the heritage place as one where external paint controls apply.

- Externally paint an unpainted surface.

- Externally paint a building if the painting constitutes an advertisement.

- Internally alter a building if the schedule to this overlay specifies the heritage place as one where internal alteration controls apply.

- Carry out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials.

- Remove, destroy or lop a tree if the schedule to this overlay specifies the heritage place as one where tree controls apply. This does not apply:
  - To any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Section 86 of the *Electricity Safety Act 1998*.
  - If the tree presents an immediate risk of personal injury or damage to property.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where the area of either lot is reduced by less than 15 percent and the general direction of the common boundary does not change.</td>
<td>Clause 59.07</td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td></td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td></td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land is approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>Class of application</td>
<td>Information requirements and decision guidelines</td>
</tr>
<tr>
<td>----------------------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>- The construction or carrying out of the approved building or works on the land has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
<tr>
<td>Demolish or remove an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to the Heritage Overlay.</td>
<td></td>
</tr>
<tr>
<td>Demolish or remove a fence unless the fence is specified in the schedule to the Heritage Overlay.</td>
<td></td>
</tr>
<tr>
<td>Externally alter a non-contributory building.</td>
<td></td>
</tr>
<tr>
<td>External painting.</td>
<td></td>
</tr>
<tr>
<td>Construct a fence.</td>
<td></td>
</tr>
<tr>
<td>Construct a carport, garage, pergola, verandah, deck, shed or similar structure.</td>
<td></td>
</tr>
<tr>
<td>Construct and install domestic services normal to a dwelling.</td>
<td></td>
</tr>
<tr>
<td>Construct and install a non-domestic disabled access ramp.</td>
<td></td>
</tr>
<tr>
<td>Construct a vehicle cross-over.</td>
<td></td>
</tr>
<tr>
<td>Construct a domestic swimming pool or spa and associated mechanical equipment and safety fencing.</td>
<td></td>
</tr>
<tr>
<td>Construct a rainwater tank.</td>
<td></td>
</tr>
<tr>
<td>Construct or display a sign.</td>
<td></td>
</tr>
<tr>
<td>Lop a tree.</td>
<td></td>
</tr>
<tr>
<td>Construct or install a solar energy facility attached to a dwelling.</td>
<td></td>
</tr>
<tr>
<td>Construct and install an electric vehicle charging station.</td>
<td></td>
</tr>
<tr>
<td>Construct and install services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.</td>
<td></td>
</tr>
</tbody>
</table>

### Places in the Victorian Heritage Register

A heritage place which is included in the Victorian Heritage Register is subject to the requirements of the *Heritage Act 2017*.

#### Permit requirement

A permit is required under this overlay to subdivide a heritage place which is included in the Victorian Heritage Register. This includes the subdivision or consolidation of land including any building or airspace.

#### Referral of applications

An application to subdivide a heritage place which is included in the Victorian Heritage Register must be referred to the relevant referral authority under Section 55 of the Act in accordance with Clause 66 of this scheme.
No permit required

No permit is required under this overlay:

- For anything done in accordance with an incorporated plan specified in a schedule to this overlay.
- To internally alter a church for liturgical purposes if the responsible authority is satisfied that the alterations are required for liturgical purposes.
- For interments, burials and erection of monuments, re-use of graves, burial of cremated remains and exhumation of remains in accordance with the *Cemeteries and Crematoria Act 2003*.
- To develop a heritage place which is included in the Victorian Heritage Register, other than an application to subdivide a heritage place of which all or part is included in the Victorian Heritage Register.

Exemption from notice and review

An application under this overlay for any of the following classes of development is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act:

- Demolition or removal of an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to this overlay.
- Demolition or removal of a fence unless the fence is specified in the schedule to this overlay.
- External alteration of a building.
- External painting.
- Construction of a fence.
- Construction of a carport, garage, pergola, verandah, deck, shed or similar structure.
- Domestic services normal to a dwelling.
- Carry out works, repairs and routine maintenance.
- Internally alter a building.
- Non-domestic disabled access ramp.
- Construction of a vehicle cross-over.
- Construction of a domestic swimming pool or spa and associated mechanical equipment and safety fencing.
- Construction of a tennis court.
- Construction of a rainwater tank.
- Construction or display of a sign.
- Lopping of a tree.
- Construction of seating, picnic tables, drinking taps, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure, bollards, telephone boxes.
- Roadworks.
- An electric vehicle charging station.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.
Statements of significance

The schedule to this overlay must specify a statement of significance for each heritage place included in the schedule after the commencement of Amendment VC148. This does not apply to:

- a heritage place included in the schedule to this overlay by an amendment prepared or authorised by the Minister under section 8(1)(b) or section 8A(4) of the Act before or within three months after the commencement of Amendment VC148.
- a registered heritage place included in the Victorian Heritage Register established under Part 3 of the Heritage Act 2017.

Heritage design guidelines

The schedule to this overlay may specify heritage design guidelines for any heritage place included in the schedule. A heritage design guideline must not contain any mandatory requirements.

Application requirements

An application must be accompanied by any information specified in the schedule to this overlay.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.
- Any applicable heritage design guideline specified in the schedule to this overlay.
- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.
- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.
- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed subdivision will adversely affect the significance of the heritage place.
- Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.
- Whether the lopping or development will adversely affect the health, appearance or significance of the tree.
- Whether the location, style, size, colour and materials of the proposed solar energy facility will adversely affect the significance, character or appearance of the heritage place.
Use of a heritage place

A permit may be granted to use a heritage place (including a heritage place which is included in the Victorian Heritage Register) for a use which would otherwise be prohibited if all of the following apply:

- The schedule to this overlay specifies the heritage place as one where prohibited uses may be permitted.
- The use will not adversely affect the significance of the heritage place.
- The benefits obtained from the use can be demonstrably applied towards the conservation of the heritage place.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the effect of the use on the amenity of the area.

Aboriginal heritage places

A heritage place specified in the schedule to this overlay as an Aboriginal heritage place is also subject to the requirements of the *Aboriginal Heritage Act 2006*. 
SCHEDULE TO 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>
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<td>HO4</td>
<td>Manor House 1 Eldon Street, Broadmeadows</td>
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<td>Yes Ref No. H1181</td>
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<td>Will Will Rook Cemetery 220-240 Camp Road, Broadmeadows</td>
<td>No</td>
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<td>H0206</td>
<td>Commonwealth Serum Laboratories Water Tower 115 Camp Road, Broadmeadows</td>
<td>No</td>
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<td>Penola College (Pasture Hill Farm / Kerrsland / St Joseph's Foundling Home) 445-465 Camp Road, Broadmeadows</td>
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<td>HO10</td>
<td>Bluestone road bridge &amp; cutting (over Deep Creek) Bulla Road, Bulla</td>
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<td>HO12</td>
<td>Former Bulla Shire Hall 96-98 Bulla Road, Bulla</td>
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<td>HO13</td>
<td>War Memorial 96 Bulla Road, Bulla</td>
<td>Yes</td>
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<td>St Marys (Anglican) Church 100-102 Bulla Road, Bulla</td>
<td>Yes</td>
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<td>HO15</td>
<td>Gilbert Alston’s Cottage 105 Bulla Road, Bulla</td>
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<td>Catenary Bridge (over deep Creek behind former State School) East of School Lane, Bulla</td>
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<td>HO18</td>
<td>Former State School No. 46, 11 School Lane, Bulla</td>
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<td>Yes</td>
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<td>Sunnyside 20 Loemans Road, Bulla</td>
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<td>Glen Loeman 65 Loemans Road, Bulla</td>
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<td>Bulla Presbyterian(Uniting) Church and Manse 1 Uniting Lane, Bulla</td>
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<td>Lochton and Lochton Steam Mill 145 Green Street, Bulla</td>
<td>Yes</td>
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<td>HO23</td>
<td>Wildwood</td>
<td>Yes</td>
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### HUME PLANNING SCHEME

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<td>Wildwood Road Bridge (over Deep Creek) Wildwood Road, Bulla</td>
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<td>Bulla Cemetery 30 Cemetery Lane, Bulla</td>
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<td>Ritchies Ruin 285 Loemans Road, Bulla</td>
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<td>Scots Uniting Church 1702-1708 Sydney Road, Campbellfield</td>
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<td>HO215</td>
<td>Pipe Crossing and Cobbled Road End of Barry Road, Campbellfield</td>
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<td>Barry Farm Ruins (east building) 2-126 Barry Road, Campbellfield</td>
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<td>HO217</td>
<td>Seth Raistrick Reserve 1678-1700 Sydney Road, Campbellfield</td>
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<td>Ford Complex (Three storey Administration Building and Sign only, single storey additions are excluded) 1727-1787 Sydney Road, Cambellfield</td>
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<td>HO222</td>
<td>House (former Thompson) 550 Konagaderra Road, Clarkefield</td>
<td>Yes</td>
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<td>Signal Box  South of Somerton Road, Coolaroo/Somerton</td>
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<td>Olrig 5-15 Windrock Avenue, Craigieburn</td>
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<td>HO224</td>
<td>Electricity Sub Station and Wall 420 Craigieburn Road West, Craigieburn</td>
<td>No</td>
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<td>Craigie Burns Hotel Site (ruins) East side of Hume Highway, south of Malcolm Creek, Craigieburn</td>
<td>No</td>
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<td>Cloverlea Cottage 505 Mt Ridley Road, Craigieburn</td>
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<td>HO227</td>
<td>Our Lady of Fatima Catholic Church</td>
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<td>Former Craigieburn Wall (Brunskills Factory) 55 Potter Street, Craigieburn</td>
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<td>HO229</td>
<td>Craigieburn Hall (Cathouse Theatre) 75 Potter Street, Craigieburn</td>
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<td>Railway Bridge (over Merri Creek) North of Kinloch Court, Craigieburn</td>
<td>No</td>
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<td>HO231</td>
<td>Railway Bridge (over Malcolm Creek) East of Hume Highway, Craigieburn</td>
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<td>Turkish Mosque 45-55 King Street, Dallas</td>
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<td>Holden Ford &amp; Bridge (over Jacksons Creek) Bulla-Diggers Rest Road, Diggers Rest</td>
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<td>Duncan’s Lane Bridge (over tributary of Jacksons Creek) Duncan’s Lane Diggers Rest</td>
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<td>Oakbank (barn, dairy, tank) 185 Bulla-Diggers Rest Road, Diggers Rest</td>
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<td>Glencoe 250 Duncans Lane, Diggers Rest</td>
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<td>Shipley Bank</td>
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<td>Tate’s Ford &amp; Bridge (over Jacksons Creek)</td>
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<td>East of McLeods Road, Diggers Rest</td>
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<td>HO237</td>
<td>Sunbury Rock Festivals Site (Jacksons Creek)</td>
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<td></td>
<td>North of Glencoe Drive, Diggers Rest</td>
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<td>HO238</td>
<td>House (former Little)</td>
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<td>No</td>
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<td>25 McLeods Road, Diggers Rest</td>
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**Greenvale**

<p>| HO27       | Oaklands Road bridge (unused) | Yes                           | No                                 | No                  | No                                                  | No                                           | No                       | No                       |
|            | Oaklands Road, Greenvale     |                          |                                    |                     |                                                     |                                              |                          |                          |
| HO31       | Dunhelen House &amp; Barn        | Yes                           | No                                 | No                  | No                                                  | No                                           | Yes                      | No                       |
|            | 1240 Mickleham Road, Greenvale |                          |                                    |                     |                                                     |                                              |                          |                          |
| HO32       | Primitive Methodist (Uniting) Church | Yes                           | No                                 | No                  | No                                                  | No                                           | No                       | No                       |
|            | 30 Providence Road, Greenvale |                          |                                    |                     |                                                     |                                              |                          |                          |
| HO25       | Woodlands Homestead, Stables &amp; Outbuildings | Yes                           | No                                 | No                  | No                                                  | Yes Ref No. H1612 | No                       | No                       |
|            | 100 Oaklands Road, Greenvale |                          |                                    |                     |                                                     |                                              |                          |                          |
| HO239      | Cumberland                  | No                            | No                                 | Yes                 | No                                                  | No                                           | No                       | No                       |
|            | Woodlands Historic Park, Greenvale |                          |                                    |                     |                                                     |                                              |                          |                          |
| HO240      | Dundonald                   | No                            | No                                 | Yes                 | No                                                  | No                                           | No                       | No                       |
|            | Woodlands Historic Park, Greenvale |                          |                                    |                     |                                                     |                                              |                          |                          |</p>
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<td>Prospect Cottage 70 Providence Road, Greenvale</td>
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<td>Victoria Bridge (over Merri Creek) Donnybrook Road, Kalkallo</td>
<td>Yes</td>
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<td>HO2</td>
<td>Presbyterian Church, 3-9 Cameron Street, Kalkallo</td>
<td>Yes</td>
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<td>Nelsons Farmhouse 705-725 Donnybrook Road, Kalkallo</td>
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<td>Kalkallo Hotel (former Donnybrook) 1324 Hume Highway, Kalkallo</td>
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<td>Sydney Road Bridge Hume Highway, Kalkallo</td>
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<td>St Barnabas Anglican Church (ruin) 1220 Hume Highway, Kalkallo</td>
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<td>Donnybrook Racecourse 1200 Hume Highway, Kalkallo</td>
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<td>Bluestone &amp; Iron Bridge (over rocky waterholes) Malcolm Street, Kalkallo</td>
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<td>Donnybrook Cemetery (later Kalkallo) 100-110 Malcolm Street, Kalkallo</td>
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<td>Tulloch Outbuilding (former Cheese Factory, ruin)</td>
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<td>Bleak House (ruin)</td>
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<td>Mickleham Uniting Church (former Methodist)</td>
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<td>Mickleham Cemetery (and site of Wesleyan Church)</td>
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<td>Hume &amp; Hovell Memorial</td>
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<td>St John's Hill Ruin (former Branigan Homestead)</td>
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<td>Plover Plains (ruins) 350 Konagaderra Road, Oaklands Junction</td>
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<td>Brookville 65 Konagaderra Road, Oaklands Junction</td>
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<td>Oaklands 380 Oaklands Road, Oaklands Junction</td>
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<td>Oaklands Quarry 380 Oaklands Road, Oaklands Junction</td>
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<td>Oaklands (Sherwood) Hunt Club 1060 Somerton Road, Oaklands Junction</td>
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<td>Mudbrick Cottage (Wayletts Cottage) 1100 Somerton Road, Oaklands Junction</td>
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<td>House (Ponderosa) 1220 Somerton Road, Oaklands Junction</td>
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<td>Ballater Park 960 Somerton Road, Greenvale</td>
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<td>Dunalister/ Balbethan Stud Farm Complex 290 – 310 Oaklands Road, Oaklands Junction</td>
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<td>20-30 Whiltshire Drive, Roxburgh Park</td>
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<td>HO38</td>
<td>Caloola (Former Sunbury Mental Hospital)</td>
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<td>HO39</td>
<td>Methodist (Uniting) Church 62 Barkly Street, Sunbury</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO40</td>
<td>St Andrews Presbyterian (Uniting) Church Corner Brook &amp; Barkly Streets, Sunbury</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO41</td>
<td>Water Tower (Sunbury Railway Station) 1 Brook Street, Sunbury</td>
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<td>Ben Eadie Mill (ruin on Jacksons Creek) Harker Street, Sunbury</td>
<td>Yes</td>
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<td>Sunbury Park Jackson Street, Sunbury</td>
<td>No</td>
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<td>Yes</td>
<td>No</td>
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<td>HO44</td>
<td>Road over Rail Bridge Macedon Street (Riddell Road), Sunbury</td>
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<td>Rupertswood 3-5 Macedon Street, Sunbury</td>
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<td>Aitken Gap Lock-Up Macedon Street, Sunbury</td>
<td>Yes</td>
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<td>Former Sunbury Courthouse 43 Macedon Street, Sunbury</td>
<td>Yes</td>
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<td>HO48</td>
<td>Our Lady of Mt Carmel, Church and Presbytery 45-51 Macedon Street, Sunbury</td>
<td>Yes</td>
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<td>Bridge (over Jacksons Creek) Disused Section of Macedon Street Sunbury Road), Sunbury</td>
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<td>Former Riddell – Sunbury Road Bridge (environs) Over Jacksons Creek, Sunbury</td>
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<td>No</td>
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<td>Korroit Creek (Corkscrew) Bridge Old Calder Highway, Sunbury</td>
<td>Yes</td>
<td>No</td>
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<td>St Mary the Virgin (Anglican) Church 7-19 O’Shanassy Street, Sunbury</td>
<td>Yes</td>
<td>No</td>
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<td>HO52</td>
<td>Kismet 45 Racecourse Road, Sunbury</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<td>Yes</td>
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<td>HO53</td>
<td>Emu Bottom 410 Racecourse Road, Sunbury</td>
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<td>Yes Ref No. H274</td>
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<td>HO54</td>
<td>Old Riddell Road Pavement</td>
<td>No</td>
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<td>Priorswood&lt;br&gt;96 Station Street, Sunbury</td>
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<td>Yes</td>
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<td>HO56</td>
<td>Memorial Hall&lt;br&gt;Stawell Street, Sunbury</td>
<td>Yes</td>
<td>Yes</td>
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<td>War Memorial&lt;br&gt;Stawell Street, Sunbury</td>
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<td>Craiglee Winery&lt;br&gt;796 Sunbury Road, Sunbury</td>
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<td>Yes&lt;br&gt;Ref No. H677</td>
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<td>Goonawarra Terraces (Council Reserve)&lt;br&gt;Sunbury Road, Sunbury</td>
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<td>HO60</td>
<td>Rail Bridge (over Kismet Creek – Blind Creek)&lt;br&gt;450m west of Rupertswood, Sunbury</td>
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<td>HO61</td>
<td>Rail Bridge (over Jacksons Creek)&lt;br&gt;350m north of Rupertswood, Sunbury</td>
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<td>Yes&lt;br&gt;Ref No. H1692</td>
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<td>HO200</td>
<td>Sunbury Ring AA&lt;br&gt;(AAV 7822-0097 Aboriginal place)&lt;br&gt;Yellowgum Boulevard&lt;br&gt;Sunbury Map 1:25,000</td>
<td>No</td>
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<td>Reservoir Rd Ring 1</td>
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<td>Ardlcloney House</td>
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<td>House (Glen Ayr) 80 Barkly Street, Sunbury</td>
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<td>House 41 Brook Street, Sunbury</td>
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<td>HO299</td>
<td>Railway Station Precinct Brook and Horne Streets, Sunbury</td>
<td>Yes</td>
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<td>HO300</td>
<td>House (Ben Eadie) 108 Brook Street, Sunbury</td>
<td>Yes</td>
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<td>Glenluce 320 Dalrymple Road, Sunbury</td>
<td>Yes</td>
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<td>HO302</td>
<td>Olive Tree Hotel (former Railway Hotel) 111 Evans Street, Sunbury</td>
<td>Yes</td>
<td>No</td>
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<td>House 6 Harker Street, Sunbury</td>
<td>Yes</td>
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<td>HO305</td>
<td>Springvale Winery (ruins) Harker Street (Springvale Treatment Plant), Sunbury</td>
<td>No</td>
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<td>HO308</td>
<td>Former Butter Factory 14 Horne Street, Sunbury</td>
<td>Yes</td>
<td>No</td>
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<td>House 17 Jackson Street, Sunbury</td>
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<td>House 33 Jackson Street, Sunbury</td>
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<td>House (Dunblane) 38-40 Jackson Street, Sunbury</td>
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<td>Jacksons Ford (over Jacksons Creek), End of Vaughan Street, Sunbury</td>
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<td>HO324</td>
<td>Jacksons Creek Irrigation Works At Jacksons Creek, Sunbury</td>
<td>No</td>
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<td>Former (O’Briens) Stone Stream Farm (ruins) 170 Lancefield Road, Sunbury</td>
<td>No</td>
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<td>Goondannah 330 Lancefield Road, Sunbury</td>
<td>Yes</td>
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<td>HO327</td>
<td>Bristol Shearing Shed 445 Lancefield Road, Sunbury</td>
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<td>HO328</td>
<td>House 25 Ligar Street, Sunbury</td>
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<td>HO330</td>
<td>Former Sunbury State School 12-28 Macedon Street, Sunbury</td>
<td>Yes</td>
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<td>House (former Forbes) 32 Macedon Street, Sunbury</td>
<td>Yes</td>
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<td>HO332</td>
<td>St Joseph’s Convent 37 Macedon Street, Sunbury</td>
<td>Yes</td>
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<td>Ball Court Hotel 60 Macedon Street, Sunbury</td>
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<td>Cannon Gully Eastern escarpment of Jacksons Creek near Rupertwood, Sunbury</td>
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<td>Railway Bridge, Sunbury Hill (over Jacksons Creek tributary south of Sunbury) Off Vineyard Road, Sunbury</td>
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<td>Former Foresters Hall 107-109 Raleigh Street, Westmeadows</td>
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<td>Harpsdale 860 Craigieburn Road, Yuroke</td>
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<td>Farmhouse and Outbuilding 800 Craigieburn Road West, Yuroke</td>
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<td>Belmont 830 Craigieburn Road, Yuroke</td>
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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>
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<tbody>
<tr>
<td>Construct a fence.</td>
<td>Clause 59.05</td>
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<tr>
<td>Construct a building or construct or carry out works for:</td>
<td>Clause 59.05</td>
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<tr>
<td>- A carport, garage, pergola, verandah, deck, shed or similar structure.</td>
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<tr>
<td>- An outdoor swimming pool.</td>
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<td>The buildings and works must be associated with a dwelling.</td>
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HUME PLANNING SCHEME

### Information requirements and decision guidelines

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<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
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<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>
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<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is 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>
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</table>

### Exemption from notice and review

A schedule to this overlay may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

### Subdivision

#### Permit requirement

A permit is required to subdivide land.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

Subdivision must occur in accordance with any lot size or other requirement specified in a schedule to this overlay.

A permit may be granted to subdivide land which is not in accordance with any lot size or other requirement in a schedule to this overlay, unless the schedule specifies otherwise.

#### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
</tbody>
</table>
Information requirements and decision guidelines

Class of application

- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
- Has started lawfully.

- The subdivision does not create a vacant lot.

Exemption from notice and review

A schedule to this overlay may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

43.02-4
31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05 unless otherwise specified in a schedule to this overlay.

43.02-5
31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

43.02-6
31/07/2018
VC148

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The design objectives of the relevant schedule to this overlay.
- The provisions of any relevant policies and urban design guidelines.
- Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.
- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking.
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Any other matters specified in a schedule to this overlay.
SCHEDULE 1 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO1.

HUME FREEWAY – METROPOLITAN RING ROAD TO NORTH OF CRAIGIEBURN

1.0

19/01/2006

VC37

Design objectives

To ensure that the development of land near the future alignment of the Hume Freeway between the Northern Ring Road and Mount Ridley Road is undertaken with appropriate noise attenuation measures to minimise the impact of traffic noise on noise sensitive activities.

2.0

19/01/2006

VC37

Buildings and works

Any development within the area defined on Maps 4DDO1 and 11DDO1 which is associated with a use listed below must include noise attenuation measures to the satisfaction of the Roads Corporation. In considering whether any measures proposed are to its satisfaction, the Roads Corporation will consider any appropriate Australian Standard in relation to road traffic noise intrusion.

- Accommodation
- Child care centre
- Education centre
- Indoor recreation facility
- Office
- Place of assembly
- Retail premises
- Warehouse
- Art and craft centre
- Brothel
- Display home
- Funeral parlour
- Hospital
- Research centre
- Veterinary centre
- Winery

3.0

27/05/2019

C238hume

Subdivision

None specified.

4.0

27/05/2019

C238hume

Signs

None specified.

5.0

27/05/2019

C238hume

Application requirements

None specified.
Decision guidelines

None specified.
SCHEDULE 2 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO2.

HORNE STREET AND GAP ROAD, SUNBURY

1.0

Design objectives

To ensure the design and layout of new development protects the amenity of existing buildings and adjoining residential areas.

To encourage development and design outcomes that enhance the ‘rural town’ character theme of Sunbury as interpreted by the Horne Street Urban Design Guidelines.

To encourage ‘book end’ siting for all buildings located on corner sites and ‘set back’ siting for all other developments.

Maintain a 3 metre wide buffer strip to the rear of all properties.

2.0

Design Response

Built Form

- Break the length and scale of buildings by varying setbacks every 7-10 metres of facade. Vary the height of facia every 7-10 metres.
- Avoid continuous frontages greater than 10 metres with no variation in facia or parapet.
- Vary the set back of buildings frontages from the front title boundary and recess entry doors 0.5 metres from front building facade.
- Incorporate verandas to front of buildings, with a maximum ‘continuous’ length of 15 metres to avoid repetition in form.
- Break continuous form of verandah by either including gable inserts, gabled entries, or by introducing building facades that break the line of verandah.
- All verandas are to be between 2.2 to 2.8 metres wide and posts are to be protected from vehicle impact.
- Front facia of building including parapet to be a minimum of 1.5 metres above the height of verandah.
- Incorporate traditional roof forms by designing pitched, hipped and gabled roofs.
- Use vertical rectangular windows.
- A minimum of 50% of facade to consist of windows to maximise light and pedestrian visibility and interest.
- Use traditional building materials to entire building facades such as red brick-work, rendered brick-work and include contrasting colour and finish to all facia/parapet and window detail.
- Use corrugated iron roofing, timber and metal verandahs, doors and timber window joinery.
- Use traditional, earthy, muted colour tones to building facade.

Front Boundary

- Front fences are optional but when constructed are to be a maximum 1.2 metres in height.
- Fencing to be traditional building materials and colours consistent with the building on site.

Interface with lots fronting Pasley Street

- Maintain a 3-metre buffer area to rear of property to be protected from all forms of building, foundations and service equipment.
- Buildings are to be a maximum of 3 metres in height for a minimum of 5 metres at the rear of properties, the remaining building to have a maximum height of 4 metres.

- Rear fence is to be a minimum height of 2.5 metres. Fence materials to be either timber or colourbond using soft muted colours.

- Locate machinery, service equipment, exhaust flues to side or front of building and within suitably screened enclosures. Screening to blend in with style and character of building.

Site Layout

- Apply ‘Book End’ siting of all buildings located at corner sites by extending building frontages to street frontage title boundary.

- A new building should be set back from side or rear of adjoining residential properties 1 metres, plus 0.3 metres for every metre of height over 3.6 metres, plus 1 metre for every metre of height over 6.9 metres.

- Sunblinds, verandahs, porches, eaves, facias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the 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 side and rear setbacks

Landscaping

- Retain large trees on site wherever possible.

- Plant trees within car park area and all landscaped areas to provide shade and visual amenity.

- Provide a 2.5-metre-wide landscaped area to the front title boundary. All other landscaped areas to be a minimum of 2 metres wide.

- Nature strip to include street tree planting consistent with Council Streetscape theme.
Advertising

- Consolidate advertising to a single panel above verandah and incorporated within facia.
- Dimensions of advertising panel to be maximum of 3.2m length x 0.7m height.
- Advertising to be consistent with colour and design of building.
- Advertising excluded to all other areas including below facia, windows, landscape areas, pedestrian walk areas, etc.

Building and works

A permit is required to construct a building or carry out works.

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 Horne Street and Gap Road, Sunbury Local Policy.
- The Horne Street Urban Design Guidelines.
- The interface with adjoining uses, in particular residential areas.
SCHEDULE 3 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO3.

HORNE STREET, SUNBURY (NORTH OF GAP ROAD)

1.0

Design objectives

To ensure the design and layout of new development protects the amenity of existing buildings and adjoining residential areas.

To encourage development and design outcomes that enhance the ‘rural town’ character theme of Sunbury as interpreted by the Horne Street Urban Design Guidelines.

To encourage ‘book end’ siting for all buildings located on corner sites and ‘set back’ siting for all other developments.

Maintain a 3 metre wide buffer strip to the rear of all properties.

2.0

Design Response

Built Form

- Break the length and scale of building by introducing detail to the frontage of buildings as detailed in the Horne Street Urban Design Guidelines.
- Incorporate verandahs to buildings located on ‘Book End’ sites. Verandahs are optional for setback sites.
- Verandahs to be either 1 or 2 levels and have a maximum ‘continuous’ length of 15 metres to avoid repetition in form.
- Break continuous form of verandah by including gable inserts.
- Verandahs to be a minimum of 2.8 metres in width to ‘Book End’ sites and a minimum of 2 metres wide to ‘Set-Back’ sites.
- All buildings to include articulated facias/parapet, defined string lines, quoin and plinth treatment.
- Incorporate traditional roof form by designing pitched hipped and gabled roofs for 2 storey buildings and optional for 3 storey buildings.
- Use vertical rectangular windows at a ratio of (2H x 1W) for all windows. A minimum width between windows no less than the width of windows.
- A minimum of 30% of Horne/Cornish Street frontage to consist of windows.
- All windows to have sills, timber panes and contrasting window surrounds.
- Use traditional building materials to entire building façade such as red-brick work, rendered brick-work and include contrasting colour and finish to all facia/parapet, window detail, plinth, stringline and quoin treatment.
- Use corrugated iron roofing, timber and metal verandahs, doors and timber window joinery.
- Use traditional, earthy, muted colour tones to building facade.

Front Boundary

- Front fences to be a maximum 1.2 metres in height.
- Fencing to be traditional building materials and colours consistent with the building on site

Interface with lots fronting Pasley Street

- Maintain a 3-metre buffer area to rear of property to be protected from all forms of buildings, foundations and service equipment.
- Provide security lighting to rear car parking area which does not impact on the amenity of adjoining residential properties.

- Rear fence is to be a minimum height of 2 metres. Fence materials to be either timber or colourbond using soft muted colours.

**Site Layout**

- All buildings to have a maximum width of 40 metres not including the verandah treatment.

- Car parking to be provided to the rear of property.

- A new building should be set back from side or rear of adjoining residential properties 1 metres, plus 0.3 metres for every metre of height over 3.6 metres, plus 1 metre for every metre of height over 6.9 metres.

- Sunblinds, verandahs, porches, eaves, facias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the 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 side and rear setbacks**

![Diagram](image)

**Book End Sites**

- Maximum of 2 storeys in height

- Building to be located to front title boundary.

- Verandah treatment is to be located beyond the title boundary and sited above the public footpath.

**Set Back Sites**

- Maximum of 3 storeys in height

- Buildings to be set back a minimum of 6 metres from Horne Street Frontage title boundary. Optional 3rd storey to be set-back a further 5 metres.
Landscaping
- Retain existing large trees on site wherever possible.
- Plant trees within car park area and all landscaped area to provide shade and visual amenity.
- Provide a 6-metre minimum wide garden area from the Horne Street title boundary to front of building.

Advertising

Book End Sites
- Consolidate advertising to a single panel above verandah and incorporated within the facia.
- Dimensions of advertising panel restricted to 3.2 metres length x 0.7 metres height.
- Advertising consistent with colour and design of building.
- Discourage the need for ‘A’ frame signage.

Set-Back Sites
- Consolidate advertising to one single panel/board to maximum dimensions of 2.2 metres high x 1.8 metres wide at ground level.
- Advertising Board to be set back a minimum of 2.5 metres from front title to all ‘Set-Back’ sites.
- Advertising to be framed in period style consistent with colour and design of Building.
- Consideration of advertising content to eliminate the need for ‘A’ frame signage.

Building and works
A permit is required to construct a building or carry out works.

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 Horne Street and Gap Road, Sunbury Local Policy.
- The Horne Street Urban Design Guidelines.
- The interface with adjoining uses, in particular residential areas.
SCHEDULE 4 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO4.

WESTMEADOWS NEIGHBOURHOOD ACTIVITY CENTRE

1.0

Design objectives
To ensure that development is integrated with adjacent commercial land.
To ensure that development complements the built form and character of the area.
To ensure ground floor building frontages provide adequate weather protection, are pedestrian oriented and add interest and vitality to the area.
To ensure the amenity of the surrounding residential area is not adversely affected.

2.0

Buildings and works
All buildings and works must comply with the following standards, unless it can be demonstrated that an alternative approach achieves the design objectives of this overlay control.

- Finishes of external walls facing residential areas must be constructed using domestic type materials.
- Built form shall provide a sense of address and association with Bent Street.
- All vehicle access shall be obtained from only 15-23 Fawkner Street.
- Pedestrian access should be provided linking Bent Street with the Westmeadows Neighbourhood Activity Centre.
- All driveways and car parking areas must be constructed with an impervious all-weather seal coat such as concrete or bitumen.
- External storage areas and garbage receptacles must be screened and adequately distanced from residential uses.
- A landscaping plan must be provided which shall include a 4.5 metre landscape screening provided in the setback facing Bent Street and a 2.6 metre buffer between the site and adjacent residential uses.
- An acoustic fence constructed to the satisfaction of the Responsible Authority must be erected adjoining all residential areas.
- Light glare from proposed buildings should be minimised to ensure that neighbouring residential uses are not affected.
- Baffled lighting must be provided throughout the development.
- Any equipment required for refrigeration, air-conditioning, heating and the like must be suitably screened from view and adequately distanced from residential uses.
- Built form must not adversely affect the amenity of the surrounding residences.

3.0

Subdivision
None specified.

4.0

Signs
None specified.

5.0

Application requirements
None specified.
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 integration of the development with the existing adjoining commercial development.
- The integration of the development with the adjacent residential area.
- The appearance of the proposed development and any impacts on the adjacent creek corridor.
- The design layout of the proposed development including setbacks from property boundaries.
- The type and colour of building materials to be used and the proposed landscape treatment.
- The contribution of the development to the character and amenity of the area.
SCHEDULE 5 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO5.

LAND AT 1 COOPER STREET CAMPBELLFIELD

1.0

Design Objectives

To ensure that the development of the land provides for appropriate setback of buildings and landscaping from the adjoining Merri Creek.

To provide an appropriate interface with the adjoining Merri Creek.

To ensure adequate bushfire protection to the land.

2.0

Buildings and works

No Permit Required

A permit is not required for fencing constructed in black colour plastic coated chain wire to a maximum height of 2 metres with a top and bottom rail.

Mandatory Requirements

The following requirements apply, as appropriate, to all buildings and works, whether or not a permit is required. These requirements cannot be varied with a permit.

- Buildings and landscaping must be setback at least 10 metres from the north eastern boundary of the land (measured parallel to the boundary) where the land abuts the Merri Creek, this being Crown Allotments 1, Section 1 and Allotment 2020 Parish of Wollert.

- A vehicle accessway must be provided along the north eastern boundary of the site. The accessway must be constructed with an all-weather seal and capable of accommodating emergency vehicle access.

- Black colour plastic coated chain wire vehicle access gates must be provided at the front of the site (north boundary), and rear of the site (east or south boundary) in order to allow for an appropriate access route for emergency vehicles between Cooper Street and the Cooper Street Grasslands. The gates must allow for emergency vehicles to connect to the vehicle accessway along the north eastern boundary of the site.

3.0

Mandatory conditions

Any permit issued must include the following conditions:

No permanent or temporary storage of any goods, materials, waste or flammable matter within 10 metres of the north eastern boundary of the land where the land abuts the Merri Creek is to occur.

The accessway along the north eastern boundary where the land abuts the Merri Creek must be maintained free of obstructions to allow emergency vehicle access at any time.

4.0

Exemption from notice and review

An application which complies with the building and works requirements in 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.

5.0

Subdivision

None specified.
6.0

Signs
None specified.

7.0

Application requirements
None specified.

8.0

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:

- Whether the setbacks of buildings and landscaping comply with the requirements of Section 2.0 of this Schedule.

- Whether landscaping located between the buildings and the north eastern and eastern boundaries has been designed to minimise bushfire risk.

- The views of the Department of Environment and Primary Industries.
INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which require:

- The form and conditions of future use and development to be shown on an incorporated plan before a permit can be granted to use or develop the land.
- A planning scheme amendment before the incorporated plan can be changed.

To exempt an application from notice and review if it is generally in accordance with an incorporated plan.

Requirement before a permit is granted

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until an incorporated plan has been incorporated into this scheme.

This does not apply if a schedule to this overlay specifically states that a permit may be granted before an incorporated plan has been incorporated into this scheme.

A permit granted must:

- Be generally in accordance with the incorporated plan, unless a schedule to this overlay specifies otherwise.
- Include any conditions or requirements specified in a schedule to this overlay.

Exemption from notice and review

An application under any provision of this planning scheme which is generally in accordance with the incorporated plan is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application under any provision of this scheme which is not generally in accordance with the incorporated plan, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The incorporated plan.
- Any other matters specified in a schedule to this overlay.

Preparation of the incorporated plan

The incorporated plan may consist of plans or other documents and may, with the agreement of the planning authority, be prepared and implemented in stages.

An incorporated plan that provides for residential subdivision in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone, Township Zone, Comprehensive Development Zone and Priority Development Zone must meet the requirements of Clause 56 as specified in the zone.

The incorporated plan must describe:

- The land to which the plan applies.
- The proposed use and development of each part of the land.
- Any other requirements specified for the plan in a schedule to this overlay.
SCHEDULE 1 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO1.

LOCKERBIE PRECINCT STRUCTURE PLAN

Purpose

The purpose of this Incorporated Plan Overlay is to give effect to the objectives, requirements, guidelines and conditions of the Lockerbie Precinct Structure Plan.

1.0

Requirement before a permit is granted

Development on land in the Conservation Management Plan Area shown on Map 1 of this Schedule and Plan 6 - Biodiversity and Threatened Species Action Plan in the Lockerbie Precinct Structure Plan must be undertaken in accordance with the relevant management actions as outlined in the approved Conservation Management Plan.

The Lockerbie Conservation Management Plan may be amended to the satisfaction of the Department of Sustainability and Environment.

The subdivision of land within or adjoining the Conservation Management Plan area must accord with the Conservation Management Plan boundary as shown on Map 1 to this Schedule and Plan 6 - Biodiversity and Threatened Species Action Plan in the Lockerbie Precinct Structure Plan.

An application for development of land in the Conservation Management Plan area as shown on Map 1 to this Schedule and Plan 6 – Biodiversity and Threatened Species Action Plan in the Lockerbie Precinct Structure Plan, must demonstrate that it is in accordance with the approved Lockerbie Conservation Management Plan.

2.0

Permits not generally in accordance with incorporated plan

None specified.

3.0

Conditions and requirements for permits

Conditions - all permits

Growling Grass Frog

Works on land in the Conservation Management Plan area shown on Map 1 of this Schedule and Plan 6 – Biodiversity and Threatened Species Action Plan in the Lockerbie Precinct Structure Plan must be undertaken in accordance with the approved Lockerbie Conservation Management Plan (CMP).

Unless the land included within the Conservation Management Plan area as shown on Plan 6 - Biodiversity and Threatened Species Action Plan of the Lockerbie Precinct Structure Plan has been voluntarily transferred into the Crown Reserve System, the Owner must:

- Enter into a legally, binding on-title agreement with the Secretary of the Department of Sustainability and Environment under Section 69 of the Conservation Forest and Lands Act 1987 before the Commencement of Works on the land. The agreement must provide for the following:
  - Protection of the conservation area
  - The landowner to undertake all pre-construction maintenance and monitoring (Phase One) actions in accordance with the approved Conservation Management Plan
  - The landowner granting Department of Sustainability and Environment (or its nominee) rights of access to undertake habitat works (Phase Two) and any additional actions as required.
The landowner to undertake ongoing maintenance and monitoring activities (Phase Three) in perpetuity as outlined in the approved Conservation Management Plan.

The land owner must pay the reasonable costs of preparation, execution and registration of the agreement.

**Conditions - permits relating to land described as potential habitat for Striped Legless Lizard on Map 1 to the Schedule to Clause 43.03**

Before, during and after the carrying out of any construction of any buildings or carrying out of works or removal of native vegetation, the requirements of the Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Strategic Approach (DSE 2011); and Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Operational Plan (DSE 2011) must be implemented and complied with to the satisfaction of the Secretary of the Department of Sustainability and Environment.

**Requirements**

The layout and design of the drainage corridors must be to the satisfaction of Melbourne Water and the Responsible Authority.

A shared trail of at least three metres in width must be provided along the drainage corridors and the Merri Creek corridor.

Design of paths, bridges and boardwalks in the drainage corridors (both the Merri Creek and the constructed waterways) must be above the 1:100 year flood level (if running parallel to the corridor). Pedestrian bridges across the Merri Creek and constructed drainage corridors must be above the 1:100 year flood level. Where a 1:100 year flood level is not achievable, measures on the approach of the creek or constructed drainage corridors must be installed to the satisfaction of Melbourne Water.

The scattered trees identified on Plan 6 of the Lockerbie Precinct Structure Plan must be retained within the Merri Creek linear corridor and passive open space areas.

Landscape master planning of open space adjacent to the Merri Creek corridor must be designed to protect areas of environmental significance (i.e. habitat zones) from pedestrian and vehicle access.

Any passive open space areas within the Merri Creek must be designed to minimise disturbance to any habitat zones or existing or created Growling Grass Frog habitat.

**Decision guidelines**

How the application implements and complies with an approved Conservation Management Plan applying to the land pursuant to an approval to take a controlled action in accordance with the Delivering Melbourne’s Newest Sustainable Communities Program Report, December 2009 under Part 10 of the Environment Protection and Biodiversity Act 1999 (Commonwealth).

**Preparation of the incorporated plan**

None specified.
Map 1 to the Schedule to Clause 43.03

Note:
- Refer to Lockerbie NVPP for details in native vegetation
- The entire Precinct is identified as potential for Striped Legless Lizard
- The land covered by the PAO (for the OMRR) requires a separate approval process for threatened species
SCHEDULE 2 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO2.

CRAIGIEBURN NORTH EMPLOYMENT AREA PRECINCT STRUCTURE PLAN

Purpose
To conserve parts of Merri Creek for functioning, sustainable populations of Growling Grass Frog. To facilitate development of recreation and infrastructure associated with adjoining urban land uses.

1.0 Requirement before a permit is granted
None specified.

2.0 General accordance with incorporated plans
A permit granted must be generally in accordance with the incorporated plan as it apply to the land unless otherwise agreed in writing by the Department of Environment, Land, Water and Planning.

3.0 Conditions and requirements for permits
The requirements of the incorporated plan must be included in a permit.

3.1 Protection of conservation areas and native vegetation during construction
Where a precinct structure plan applying to the land shows any part of the land as a conservation area or any type of native vegetation a permit allowing any type of buildings or works on that land must ensure that:

- Before the start of construction or carrying out of works the developer of the land must erect a fence that is:
  - highly visible
  - at least 2 metres in height
  - sturdy and strong enough to withstand knocks from construction vehicles
  - in place for the whole period of construction
  - located the following minimum distance from the element to be protected:

<table>
<thead>
<tr>
<th>Element</th>
<th>Minimum distance from element</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation area</td>
<td>2 metres</td>
</tr>
<tr>
<td>Patch of native vegetation</td>
<td></td>
</tr>
<tr>
<td>Scattered native tree</td>
<td>Twice the distance between the trunk and the edge of the tree canopy</td>
</tr>
</tbody>
</table>

- During construction or works, construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:
  - be located not less than 15 metres from a waterway;
  - be located outside the vegetation protection fence;
  - be constructed and designed to ensure that the conservation area or native vegetation is protected from adverse impacts during construction;
- not be undertaken if it presents a risk to any vegetation within a conservation area; and
- be carried out under the supervision of a suitable qualified ecologist or arborist.

### Land Management Co-operative Agreement

A permit to subdivide land shown in the incorporated Craigieburn North Employment Area Precinct Structure Plan as including a conservation area must ensure that, before the issue of a statement of compliance for the last stage of the subdivision, the owner of the land:

- Enters into an agreement with the Secretary to the Department of Environment, Land, Water and Planning under section 69 of the *Conservation, Forests and Lands Act 1987*, which:
  - must provide for the conservation and management of that part of the land shown as a conservation area in the Craigieburn North Employment Area Precinct Structure Plan; and
  - may include any matter that such an agreement may contain under the *Conservation, Forests and Lands Act 1987*.

- Makes application to the Registrar of Titles to register the agreement on the title to the land.

- Pays the reasonable costs of the Secretary to the Department of Environment, Land, Water and Planning in the preparation, execution and registration of the agreement.

The requirement for a Land Management Co-operative Agreement in this condition does not apply to land or any lot or part of a lot within a conservation area identified in the Precinct Structure Plan that:

- is identified in a Precinct Structure Plan as public open space and is vested, or will be vested, in the council as a reserve for the purposes of public open space; or

- is identified in a Precinct Structure Plan as a drainage reserve and is vested, or will be vested, in Melbourne Water Corporation or the council as a drainage reserve; or

- is within a Conservation Area identified in a Precinct Structure Plan for nature conservation and is vested, or will be vested, in the Secretary to the Department of Environment, Land, Water and Planning for conservation purposes; or

- is the subject of an agreement with the Secretary to the Department of Environment, Land, Water and Planning to transfer or gift that land to:
  - the Secretary to the Department of Environment, Land, Water and Planning;
  - the Minister administering the *Conservation, Forests and Lands Act, 1987*; or
  - another statutory authority.

to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

### Decision guidelines

Any endorsed program report applying to the land under Part 10 of the Environment Protection and Biodiversity Conservation Act 1999 (Cth).

### Preparation of the incorporated plan

None specified.
SCHEDULE 3 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO3.

SUNBURY SOUTH PRECINCT STRUCTURE PLAN AND LANCEFIELD ROAD PRECINCT STRUCTURE PLAN

1.0

Requirement before a permit is granted

None specified.

2.0

Permits not generally in accordance with incorporated plan

A permit granted must be generally in accordance with the incorporated plans as they apply to the land unless otherwise agreed in writing by the Secretary to the Department of Environment, Land, Water and Planning, and the responsible authority is satisfied that the development will not prejudice the orderly planning of the area having regard to the objectives of the Sunbury South Precinct Structure Plan or Lancefield Road Precinct Structure Plan.

3.0

Conditions and requirements for permits

The following conditions and/or requirements apply to permits.

Conditions – Biodiversity Conservation Strategy Conservation Areas

A permit granted for subdivision of land which includes a conservation area within the Biodiversity Conservation Strategy for Melbourne's Growth Corridors (Department of Environment and Primary Industries, 2013) must include the following conditions:

Protection of conservation areas and native vegetation during construction

A permit granted to subdivide land where construction or works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, where the Lancefield Road Precinct Structure Plan or Sunbury South Precinct Structure Plan shows the land, or abutting land, including a conservation area or a patch of native vegetation or a scattered tree must ensure that:

- Before the start of construction or carrying out of works in or around a conservation area, scattered native tree or patch of native vegetation the developer of the land must erect a vegetation protection fence that is:
  - highly visible
  - at least 2 metres in height
  - sturdy and strong enough to withstand knocks from construction vehicles
  - in place for the whole period of construction
  - located the following minimum distance from the element to be protected:

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<td>Patch of native vegetation</td>
<td>2 metres</td>
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</tbody>
</table>

- Construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:
  - be located not less than 15 metres from a waterway;
- be located outside the vegetation protection fence;
- be constructed and designed to ensure that the conservation area, scattered tree or patches of native vegetation are protected from adverse impacts during construction;
- not be undertaken if it presents a risk to any vegetation within a conservation area; and
- be carried out under the supervision of a suitable qualified ecologist or arborist.

Environmental Management Plans

A planning permit for subdivision, buildings or works on land shown as a conservation area in the Lancefield Road Precinct Structure Plan or Sunbury South Precinct Structure Plan must include the following condition:

- The subdivision, buildings or works must not commence until an Environmental Management Plan for the relevant works has been approved to the satisfaction of the Department of Environment, Land, Water and Planning, unless otherwise agreed by the Department of Environment, Land, Water and Planning.

Salvage and translocation

Salvage and Translocation of threatened flora and fauna species and ecological communities must be undertaken in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

Land Management Co-operative Agreement

Conservation area categorised as Growling Grass Frog

A permit to subdivide land shown in the incorporated Lancefield Road Precinct Structure Plan or Sunbury South Precinct Structure Plan as including the conservation area shown on the precinct structure plans as Conservation Area 21 must ensure that, before the issue of a statement of compliance for the last stage of the subdivision, the owner of the land:

- Enters into an agreement with the Secretary to the Department of Environment, Land, Water and Planning under section 69 of the Conservation Forests and Lands Act 1987, which:
  - Must provide for the conservation and management of that part of the land shown as Conservation Area 21 in the Lancefield Road Precinct Structure Plan or Sunbury South Precinct Structure Plan; and
  - May include any matter that such an agreement may contain under the Conservation Forests and Lands Act 1987.
  - Makes application to the Registrar of Titles to register the agreement on the title to the land.
  - Pays the reasonable costs of the Secretary to the Department of Environment, Land, Water and Planning in the preparation, execution and registration of the agreement.

- The requirement for a Land Management Co-operative Agreement in this condition does not apply to land or any lot or part of a lot within the conservation area 21 shown in the Lancefield Road Precinct Structure Plan or Sunbury South Precinct Structure Plan that:
  - is identified in a Precinct Structure Plan as public open space and is vested, or will be vested, in the council as a reserve for the purposes of public open space; or
  - is identified in a Precinct Structure Plan as a drainage reserve and is vested, or will be vested, in Melbourne Water Corporation or the council as a drainage reserve; or
  - is the subject of an agreement with the Secretary to the Department of Environment, Land, Water and Planning to transfer or gift that land to:
    - the Secretary to the Department of Environment, Land, Water and Planning;
Conservation area categorised as nature conservation or open space

A permit to subdivide land shown in the incorporated *Lancefield Road Precinct Structure Plan* as including the conservation areas shown in these precinct structure plans as conservation areas 18,19 & 20 must ensure that, prior to the issue of statement of compliance for the last stage of subdivision, the owner of the land:

- Enters into an agreement with the Secretary to the Department of Environment, Land, Water and Planning under section 69 of the Conservation Forests and Lands Act 1987, which must:
  - provide for the conservation and management of that part of the land shown as a conservation area in the *Lancefield Road Precinct Structure Plan*; and
  - may include any matter that such an agreement may contain under the *Conservation Forests and Lands Act 1987*.
  - Makes application to the Registrar of Titles to register the agreement on the title to the land.
  - Pays the reasonable costs of the Secretary to the Department of Environment, Land, Water and Planning in the preparation, execution and registration of the agreement.

The requirement for a Land Management Co-operative Agreement in this clause does not apply to land of any lot or part of a lot within the conservation areas 18,19 & 20 shown in the Lancefield Road Precinct Structure Plan that:

- is identified in a Precinct Structure Plan as public open space and is vested, or will be vested, in the council as a reserve for the purposes of public open space; or
- is identified in a Precinct Structure Plan as a drainage reserve and is vested, or will be vested, in Melbourne Water Corporation or the council as a drainage reserve; or
- is the subject of an agreement with the Secretary to the Department of Environment, Land, Water and Planning to transfer or gift that land to:
  - the Secretary to the Department of Environment, Land, Water and Planning;
  - the Minister for Environment and Climate Change; or
  - another statutory authority.

Permit Note: Operation of Commonwealth Environmental Laws

- On 5 September 2013 an approval under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) was issued by the Commonwealth Minister for Environment, Heritage and Water. The approval applies to all actions associated with urban development in growth corridors in the expanded Melbourne 2010 Urban Growth Boundary as described in page 4 in the *Biodiversity Conservation Strategy for Melbourne’s Growth Corridors* (Department of Environment and Primary Industries, 2013). The Commonwealth approval has effect until 31 December 2060. The approval is subject to conditions specified at Annexure 1 of the approval.

- Provided the conditions of the *EPBC Act* approval are satisfied individual assessment and approval under the *EPBC Act* is not required.

Decision guidelines

- *The responsible authority must consider as appropriate:*
- Any endorsed program report applying to the land under Part 10 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).
- The *Lancefield Road Precinct Structure Plan*.
- The *Sunbury South Precinct Structure Plan*.

### 5.0 Preparation of the incorporated plan

None specified.
SCHEDULE 4 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO4.

SUNBURY SOUTH PRECINCT STRUCTURE PLAN AND LANCEFIELD ROAD PRECINCT STRUCTURE PLAN

1.0

Requirement before a permit is granted

None specified.

2.0

Permits not generally in accordance with incorporated plan

A permit granted must be generally in accordance with the incorporated plans as they apply to the land unless the responsible authority is satisfied that the development will not prejudice the orderly planning of the area having regard to the objectives of the Sunbury South Precinct Structure Plan or Lancefield Road Precinct Structure Plan.

3.0

Conditions and requirements for permits

Conditions – Biodiversity Conservation Strategy Conservation Areas

A permit granted for subdivision of land which includes a conservation area identified within the Biodiversity Conservation Strategy for Melbourne's Growth Corridors (Department of Environment and Primary Industries, 2013) must include the following conditions:

Protection of conservation areas and native vegetation during construction

A permit granted to subdivide land where construction or works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, where the Lancefield Road Precinct Structure Plan or Sunbury South Precinct Structure Plan shows the land, or abutting land, including a conservation area or a patch of native vegetation or a scattered tree must ensure that:

- Before the start of construction or carrying out of works in or around a conservation area, scattered native tree or patch of native vegetation the developer of the land must erect a vegetation protection fence that is:
  - highly visible
  - at least 2 metres in height
  - sturdy and strong enough to withstand knocks from construction vehicles
  - in place for the whole period of construction
  - located the following minimum distance from the element to be protected:

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- Construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:
  - be located not less than 15 metres from a waterway;
  - be located outside the vegetation protection fence;
- be constructed and designed to ensure that the conservation area, scattered tree or patches of native vegetation are protected from adverse impacts during construction;
- not be undertaken if it presents a risk to any vegetation within a conservation area; and
- be carried out under the supervision of a suitable qualified ecologist or arborist.

Salvage and translocation
Salvage and Translocation of threatened flora and fauna species and ecological communities must be undertaken in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

Land Management Co-operative Agreement

Conservation area categorised as Growling Grass Frog

- A permit to subdivide land shown in the incorporated Lancefield Road Precinct Structure Plan or Sunbury South Precinct Structure Plan as including the conservation area shown on the precinct structure plans as Conservation Area 21 must ensure that, before the issue of a statement of compliance for the last stage of the subdivision, the owner of the land:
- Enters into an agreement with the Secretary to the Department of Environment, Land, Water and Planning under section 69 of the Conservation Forests and Lands Act 1987, which:
  - Must provide for the conservation and management of that part of the land shown as Conservation Area 21 in the Lancefield Road Precinct Structure Plan or Sunbury South Precinct Structure Plan; and
  - May include any matter that such an agreement may contain under the Conservation Forests and Lands Act 1987.
  - Makes application to the Registrar of Titles to register the agreement on the title to the land.
  - Pays the reasonable costs of the Secretary to the Department of Environment, Land, Water and Planning in the preparation, execution and registration of the agreement.

The requirement for a Land Management Co-operative Agreement in this condition does not apply to land or any lot or part of a lot within the conservation area 21 shown in the Lancefield Road Precinct Structure Plan or Sunbury South Precinct Structure Plan that:
- is identified in a Precinct Structure Plan as public open space and is vested, or will be vested, in the council as a reserve for the purposes of public open space; or
- is identified in a Precinct Structure Plan as a drainage reserve and is vested, or will be vested, in Melbourne Water Corporation or the council as a drainage reserve; or
- is the subject of an agreement with the Secretary to the Department of Environment, Land, Water and Planning to transfer or gift that land to:
  - the Secretary to the Department of Environment, Land, Water and Planning;
  - the Minister for Environment and Climate Change; or
  - another statutory authority.

to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

Conservation area categorised as nature conservation or open space

A permit to subdivide land shown in the incorporated Lancefield Road Precinct Structure Plan as including the conservation areas shown in these precinct structure plans as conservation areas 18,19 & 20 must ensure that, before the issue of a statement of compliance for the last stage of the subdivision, the owner of the land:
Enters into an agreement with the Secretary to the Department of Environment, Land, Water and Planning under section 69 of the Conservation Forests and Lands Act 1987, which must:

- provide for the conservation and management of that part of the land shown as a conservation area in the Lancefield Road Precinct Structure Plan; and
- may include any matter that such an agreement may contain under the Conservation Forests and Lands Act 1987.
- Makes application to the Registrar of Titles to register the agreement on the title to the land.
- Pays the reasonable costs of the Secretary to the Department of Environment, Land, Water and Planning in the preparation, execution and registration of the agreement.

The requirement for a Land Management Co-operative Agreement in this clause does not apply to land of any lot or part of a lot within the conservation areas 18, 19 & 20 shown in the Lancefield Road Precinct Structure Plan that:

- is identified in a Precinct Structure Plan as public open space and is vested, or will be vested, in the council as a reserve for the purposes of public open space; or
- is identified in a Precinct Structure Plan as a drainage reserve and is vested, or will be vested, in Melbourne Water Corporation or the council as a drainage reserve; or
- is the subject of an agreement with the Secretary to the Department of Environment, Land, Water and Planning to transfer or gift that land to:
  - the Secretary to the Department of Environment, Land, Water and Planning;
  - the Minister for Environment and Climate Change; or
  - another statutory authority.

to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

**Permit Note: Operation of Commonwealth Environmental Laws**

On 5 September 2013 an approval under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) was issued by the Commonwealth Minister for Environment, Heritage and Water. The approval applies to all actions associated with urban development in growth corridors in the expanded Melbourne 2010 Urban Growth Boundary as described in page 4 in the Biodiversity Conservation Strategy for Melbourne's Growth Corridors (Department of Environment and Primary Industries, 2013). The Commonwealth approval has effect until 31 December 2060. The approval is subject to conditions specified at Annexure 1 of the approval.

Provided the conditions of the EPBC Act approval are satisfied individual assessment and approval under the EPBC Act is not required.

**Decision guidelines**

The responsible authority must consider as appropriate:

- Any endorsed program report applying to the land under Part 10 of the Environment Protection and Biodiversity Conservation Act 1999 (Cth).
- The Lancefield Road Precinct Structure Plan.
- The Sunbury South Precinct Structure Plan

**Preparation of the incorporated plan**

None specified.
SCHEDULE 5 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO5.

LINDUM VALE PRECINCT STRUCTURE PLAN

1.0 Requirement before a permit is granted
None specified.

2.0 Permits not generally in accordance with incorporated plan
A permit granted must be generally in accordance with the incorporated plans as they apply to the land unless otherwise agreed in writing by the Secretary to the Department of Environment, Land Water and Planning and the responsible authority is satisfied that the development will not prejudice the orderly planning of the area having regard to the objectives of the Lindum Vale Precinct Structure Plan.

3.0 Conditions and requirements for permits
The following conditions and/or requirements apply to permits:

Development applications on land within the conservation reserve
All applications must be accompanied by the following information to the satisfaction of the responsible authority:

- A written statement, conducted by a suitably qualified and experienced person, demonstrating how the proposal will ensure that there is no net loss of habitat for ecological communities and species.
- Natural features including trees and other significant vegetation, habitat for protected species, drainage lines, water courses, wetlands, ridgelines and hill tops.
- Recreation facilities to be provided within public open space.
- Storm water facilities that are compliant with the relevant approved drainage strategy.
- The retention and removal of vegetation and any re-vegetation.
- A Conservation Management Plan, prepared to the satisfaction of the responsible authority, the plan must provide for:
  - Early securing, fencing and establishment of interpretive signage of the land from subdivision construction activity,
  - Protection of all areas proposed for conservation rehabilitation, re-vegetation and landscaping, pest plant and animal control, soil stabilisation, on-going maintenance and timing and staging of all works.
  - Where land is to be used for vegetation offset purposes the Conservation Management Plan must define the biodiversity improvement works and actions.
  - Where applicable, the Plan shall quantify the extent offset gain to be achieved commensurate with the Permitted Clearing of Native Vegetation – Biodiversity Assessment Guidelines.

Conditions – Subdivision where land is shown as a conservation reserve
A permit for subdivision where land is required for a conservation reserve must include the following conditions:
The costs associated with effecting the transfer or vesting of land required for a conservation reserve must be borne by the permit holder.

Land required for a conservation reserve must be transferred to or vested in Hume City Council with any designation (e.g. conservation reserve) nominated by Hume City Council.

**Conditions - Biodiversity and threatened species**

Any permit for subdivision, or to construct a building or carry out works must contain the following conditions:

**Salvage and translocation**

The *Salvage and Translocation Protocol for Melbourne’s Growth Corridors* (Department of Environment and Primary Industries, 2014) must be implemented in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

**Protection of conservation areas and native vegetation during construction**

A permit granted to subdivide land or a permit granted to construct a building or carry out works, where the *Lindum Vale Native Vegetation Precinct Plan* shows the land, or abutting land, including a conservation reserve or a patch of native vegetation or a scattered tree must contain the following conditions:

- Prior to the commencement of works in or around a conservation area, scattered native tree or patch of native vegetation, the developer of the land must erect a protective fence that is:
  - Highly visible;
  - At least 2 metres in height;
  - Sturdy and strong enough to withstand knocks from construction vehicles;
  - Kept in place for the whole period of construction; and
  - Located the following minimum distance from the element to be protected:

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<tr>
<td>Patch of native vegetation</td>
<td>2 metres from the edge of the patch</td>
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</tbody>
</table>

- Construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:
  - Be located not less than 15 metres from a waterway;
  - Be located outside the required protective fence;
  - Be constructed and designed to ensure that the conservation area, scattered tree or patches of native vegetation are protected from adverse impacts during construction; and
  - Not be undertaken if the qualified ecologist or arborist who is familiar with the requirements of the incorporated Precinct Structure Plan is of the opinion that the various activities presents a risk to any vegetation within a conservation reserve.

**Decision guidelines**

Before deciding on an application to remove, destroy or lop vegetation the responsible authority must consider, as appropriate:
- The *Lindum Vale Precinct Structure Plan*.
- The *Lindum Vale Native Vegetation Precinct Plan*.
- The conservation significance of any vegetation to be removed and its habitat value for native fauna.
- Measures to protect and enhance native vegetation and native fauna habitat.
- Measures to maintain contiguous areas of native vegetation or native fauna habitat.

### 5.0 Preparation of the incorporated plan

None specified.
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 CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO1.

SPAVIN DRIVE AND ENVIRONS

1.0

Objectives
None specified.

2.0

Requirement before a permit is granted
Before deciding on any application the Responsible Authority must consider:

- The purposes of the zone
- The approved Development Plan

3.0

Conditions and requirements for permits
None specified.

4.0

Requirements for development plan
A Development Plan must be prepared to the satisfaction of the responsible authority, and must show:

- the proposed use of each part of the land;
- the relationship of the land to the existing or proposed land uses on adjoining land;
- provision for water, drainage, electricity and, where applicable, sewerage;
- an appropriate building envelope for each allotment which is large enough to accommodate a house and associated outbuildings, and effluent disposal areas;
- the pattern and location of a road system based on a safe and practical hierarchy of roads;
- major drainage lines, water features, proposed retarding basins and floodways, and the means by which these will be managed and water quality maintained;
- sites of cultural and natural heritage significance and the means by which they will be managed;
- location of existing native vegetation and measures aimed at its preservation;
- areas proposed for revegetation, including tree species and density; and
- the staging and anticipated timing of development.
SCHEDULE 2 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO2**.

RIDDELL ROAD DEVELOPMENT PLAN

1.0

Objectives
None specified.

2.0

Requirement before a permit is granted
Before deciding on any application the Responsible Authority must consider:
- The purposes of the zone
- The approved Development Plan

3.0

Conditions and requirements for permits
None specified.

4.0

Requirements for development plan
A Development Plan must be prepared to the satisfaction of the responsible authority, and must show:
- the proposed use of each part of the land;
- the relationship of the land to the existing or proposed land uses on adjoining land;
- provision for water, drainage, electricity and sewerage;
- the pattern and location of a road system based on a safe and practical hierarchy of roads;
- major drainage lines, water features, proposed retarding basins, and floodways and the means by which these will be managed and water quality maintained;
- sites of cultural and natural heritage significance and the means by which they will be managed;
- location of existing vegetation and measures aimed at preserving this vegetation;
- areas proposed for revegetation, including tree species and density; and
- the staging and anticipated timing of development.
SCHEDULE 3 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO3.

HORNE STREET DEVELOPMENT PLAN

1.0 Objectives
None specified.

2.0 Requirement before a permit is granted
Before a permit for buildings and works associated with a Discount Department Store (shop) Supermarket (shop) and Cinema can be granted for the land known as Crown Allotments 35, 35A, 36 and 37 and abutting railway land, Horne Street Sunbury, a development plan must be prepared to the satisfaction of the responsible authority. The development plan must be generally in accordance with plans prepared by Flint Architects Pty Ltd. referenced 9720/SK13/F dated 3.8.98 and 9720/SK14O dated 1.5.98.

3.0 Conditions and requirements for permits
None specified.

4.0 Requirements for development plan
A development plan must show

- a cinema complex with no more than 792 seats.
- a minimum of 817 car parking spaces unless otherwise reduced by Agreement with the responsible authority, including a minimum of 348 spaces reserved for commuter parking during normal business hours.
- appropriate architectural treatments finishes and colours to the exterior of buildings facing Horne Street.
- appropriate vehicular access and egress to Horne Street and pedestrian linkages.

The development plan may be amended at the request or with the consent of the owner of the land. Any amendment must be to the satisfaction of the responsible authority.
SCHEDULE 4 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO4.

EVANS STREET DEVELOPMENT PLAN

1.0 Objectives
None specified.

2.0 Requirement before a permit is granted
Before deciding on any application the Responsible Authority must consider:
- The purposes of the zone
- The approved Development Plan

3.0 Conditions and requirements for permits
None specified.

4.0 Requirements for development plan
A Development Plan must be prepared to the satisfaction of the responsible authority and must show:
- the layout of buildings and works;
- the proposed use of each part of the Land;
- the relationship of the land to the existing or proposed land uses on adjoining land;
- car parking and loading areas;
- accessways within and to and from the site;
- provision for rubbish storage and removal facilities; and
- associated landscaping.

The Development Plan may be amended to the satisfaction of the responsible authority. In deciding whether the Development Plan (including any landscape plan or any amendment to these plans is satisfactory), the responsible authority must, where appropriate, consider:
- any structure plan, policy, strategy or guidelines relating to the Land that have been adopted by the responsible authority;
- the urban design, character and visual appearance of the proposed buildings and works;
- the extent to which the plan is consistent with the integrated development of the Sunbury Town Centre;
- the need for the provision of landscape buffers to provide visual screens and soften the appearance of buildings and car parking areas, particularly in the vicinity of residential land uses;
- the need for noise attenuation measures along boundaries adjoining land being used for residential purposes;
- the location of parking spaces for disabled persons, bicycle racks and storage facilities near building entrances;
- the effect of development on the amenity of existing residential properties; and
- the views of VicRoads.
SCHEDULE 5 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO5.

CAMPBELLFIELD SHOPPING CENTRE DEVELOPMENT PLAN

1.0

Objectives

None specified.

2.0

Requirement before a permit is granted

Before deciding on any application the Responsible Authority must consider:

- The purposes of the zone
- The approved Development Plan

3.0

Conditions and requirements for permits

None specified.

4.0

Requirements for development plan

A plan of the overall development of the Land (a Development Plan) must be prepared to the satisfaction of the responsible authority. The Development Plan must be generally in accordance with the Concept Plan appearing as Map 1 to this Schedule and must show:

- the layout of all buildings, structures (including signs) and works;
- associated landscaping;
- car parking and loading areas;
- provision made for car parking in the ratio of at least 4.8 spaces to each 100 square metres of leaseable floor area for Shop; and
- accessways within, to and from the site.

Traffic, parking and landscape plans

Before commencing development in accordance with an approved Development Plan, the following plans must be prepared to the satisfaction of the responsible authority:

- a Landscape Plan giving details of the landscaping to be provided;
- an Access, Egress and Parking Plan showing the location of all vehicular and pedestrian access and egress ways within, to and from the development, the location of areas set aside for parking of vehicles and provision for loading and unloading of vehicles, including the location of rubbish storage and removal facilities; and
- a Traffic Plan addressing the impact of traffic generated by the development on an arterial road network prepared to the satisfaction of the responsible authority.

The Landscape Plan, Access, Egress and Parking Plan, and the Traffic Plan may be amended at the request of and with the consent of the owner of the Land. Any amendment must be to the satisfaction of the responsible authority.
SCHEDULE 6 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO6.

MT. HOLDEN DEVELOPMENT PLAN

1.0

Objectives

None specified.

2.0

Requirement before a permit is granted

Before deciding on any application the Responsible Authority must consider:

- The purposes of the zone
- The approved Development Plan

3.0

Conditions and requirements for permits

Any permit issued for the overall subdivision of the land must include conditions in relation to the following matters:

- only land below the 340 metre contour is subdivided into allotments of minimum 0.4 hectares to maximum 2.5 hectares;
- the land as shown hatched in Map 2, is retained as one lot only with an area greater than 2.5 hectares, and which provides for the erection thereon of one dwelling only at such elevation and location as approved by Council; and
- land shown east of the hatched area and above the 340-metre contour line is retained as public open space.
- Provision of reticulated sewerage to all allotments, with the exception of the land shown hatched in Map 1.
- Preservation of the existing Gas and Fuel easement or provision of alternative access to the satisfaction of the Gas and Fuel Corporation.
- Provision of pedestrian access to the proposed reserve on Mt. Holden through the subdivision road system.
- A subdivision road pattern which follows contours where possible.

4.0

Requirements for development plan

A permit must not be granted until a plan of the overall development of the land (a development plan) has been prepared to the satisfaction of the responsible authority. A development plan may include one or more plans, reports and diagrams as well as any supporting documentation, which assists to clarify the nature of development, proposed. The development plan must show:

- the relationship of the proposed subdivision to the existing or likely use or development of nearby land;
- location of existing trees and measures aimed at preserving these trees;
- areas proposed for revegetation, including tree species and density;
- for lots adjoining a main road, a landscape scene which screens development and provided a wildlife habitat;
- an appropriate building envelope for each lot which is large enough to accommodate a house and associated outbuildings, as well as effluent disposal area envelopes; and
- a drainage scheme including an analysis of the impacts, including recommendations in relation to erosion, siltation and the extent of drainage works.
Map 1 to the Schedule to Clause 43.04: Mt Holden Development Plan
SCHEDULE 7 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO7.

URBAN DEVELOPMENT AREA: RESIDENTIAL AREA

1.0

Objectives

None specified.

2.0

Requirement before a permit is granted

Before deciding on any application the Responsible Authority must consider:

- The purposes of the zone
- The approved Development Plan

3.0

Conditions and requirements for permits

None specified.

4.0

Requirements for development plan

A Development Plan must show, where appropriate:

- The proposed development and use of each part of the land.
- A proposed major road layout pattern.
- Population and lot yield targets.
- Open space, recreation and leisure facilities including where relevant proposed walking and cycling links.
- Proposed retarding basins, lakes, watercourses and drainage lines.
- Physical and community infrastructure, including the arrangements for the provision and funding of development contributions.
- Proposed public transport facilities.
- Overall landscaping proposals.
- Sites of vegetation, landscape and heritage significance.
- Any other matters which relate to the development of the land.

Specific area development plans

The responsible authority may require a Development Plan for specific areas. Where such plans are required they shall include the following:

- Building envelopes and site layout including setbacks.
- Building height/setback requirements (in particular if they differ from the requirements of Clause 54 and Clause 55).
- The location of easements.
- Car parking.
- The location of crossovers.
- The location of footpaths.
- Any other matters which relate to the development of the land.
No approved development plans?

Where a Development Plan has not been approved the responsible authority may permit the subdivision of land provided not more than 300 residential lots are created in any twelve months period.
SCHEDULE 8 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO8.

RURAL RESIDENTIAL AREA

1.0

Objectives

None specified.

2.0

Requirement before a permit is granted

Before deciding on any application the Responsible Authority must consider:

- The purposes of the zone
- The approved Development Plan

3.0

Conditions and requirements for permits

None specified.

4.0

Requirements for development plan

Before deciding whether a Development Plan submitted is satisfactory or can be amended, the responsible authority must consider the following matters:

- Approved development plan for Mount Ridley Estate and Handon holdings
- Whether the proposal will contribute to the integrated development of the area
- The proposed development and use of each part of the land.
- A proposed road layout pattern.
- Population targets.
- Open space, recreation and leisure facilities including where relevant proposed walking and cycling links.
- Proposed retarding basins, lakes, watercourses and drainage lines.
- Physical infrastructure, including arrangements for the provision and funding of development contributions.
- Overall landscaping proposals.
- Sites of vegetation, landscape and heritage significance.

Urban Break at Craigieburn Local Policy

- The objectives of the Inter Urban Break at Craigieburn Local Policy.
- The protection and enhancement of the natural environment and character of the area.
- The requirements of all relevant servicing authorities and other public authorities or municipalities that may have an interest in the proposal given the Inter Urban Break Local Policy principles that discourage the provision of urban services such as reticulated sewers.
- The relationship of the development to the existing or likely use and development of adjoining land.
- The permanent access of new lots onto main roads should be limited where possible.
- Points of access to and from the land, and whether they are suitably located.
- Provision of useable areas of public open space, and associated pedestrian and bicycle path systems as set out in the Inter Urban Break at Craigieburn Local Policy.
Standards adopted by the responsible authority for the planning and construction of roads being provided by the developer.

**Specific area development plans**

A Development Plan for specific areas may be prepared to the satisfaction of the responsible authority and may include the following:

- Building envelopes and site layout including setbacks.
- Building height requirements.
- Building design requirements including building materials and colours, house styles, fencing and roof forms.
- Landscaping requirements.
- Any other matters which relate to the development of the land.
SCHEDULE 9 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO9.

MITCHELLS LANE EAST

1.0

Requirement before a permit is granted

Before deciding on any application the Responsible Authority must consider:

- The purposes of the zone
- The approved Development Plan
- Sunbury HIGAP Spatial Strategy and Delivery Strategy
- The Sunbury Strategy Plan
- The Mitchells Lane framework Plan

2.0

Requirements for development plan

A Development Plan must be prepared to the satisfaction of the responsible authority, and must show:

- The overall pattern of use and development of a sufficient area to demonstrate that development of the area is integrated with the surrounding region so that the region provides:
  - A variety of housing types, styles and densities.
  - The opportunity to maximise population densities and afford reasonable access to public transport systems.
  - A hierarchy of shopping and service facilities to meet the needs of residents.
  - A range of adequate public and privately financed community facilities appropriately located as development occurs.
- The proposed use of each part of the Zone.
- The pattern and location of a road system based on a safe and practical hierarchy of roads.
- Adequate access to the existing or proposed routes of an integrated public transport system.
- The location of regional and local open space networks, which demonstrate that provision, can be made for a wide range of recreational opportunities for future residents.
- The staging of development of the area to take into account of the effective provision of physical and social services having regards to the Government’s infrastructure program and the forecast demand for residential land.
- A landscaping concept plan for the area, which recognises Vineyard Road as a local approach road and gateway to the Sunbury township.
- The identification and treatment of any areas of cultural, historic, social or environmental significance.

In deciding whether the Development Plan (including any landscape plan or any amendment to these plans is satisfactory), the responsible authority must where appropriate, consider:

- The urban design, character and visual appearance of the proposed buildings and works.
- The extent to which the plan is consistent with the integrated development of the Sunbury Town Centre.
- The views of VicRoads, Western Water and Powercor.
Activity Centre

Development plan design objectives

- To provide for a mix of compatible land uses which together create an attractive and integrated centre.
- To create a high quality built form outcome which responds to topography and provides permeability, legibility and street activation.
- To ensure built form creates a consistent and defined street edge, activates streets and public spaces, and provides weather protection to the public realm.
- To demarcate the corner of Elizabeth Drive and Vineyard Road to provide a gateway to the activity centre and surrounding development.
- To ensure built form at street corners is visually interesting. Ensure signage is cohesive, visually interesting and integrated with the built form.
- To provide a high quality public realm that connects different land parcels and provides a focal point for community interaction which maximises solar orientation.
- To establish a strong landscape interface to Vineyard Road and to residential development north of the centre.
- To establish a landscape interface to Harpers Creek which integrates with the creek environs.
- To provide for the safe and efficient movement of pedestrians and cyclists across Elizabeth Drive, through the centre and to surrounding development at all times.
- To ensure car parking does not dominate the streetscape and view lines along Elizabeth Drive and Vineyard Road.
- To ensure efficient and functional vehicular movement within the centre which protects the amenity of surrounding residential development with priority to the movement of pedestrian and cyclists.

Requirements for development plan

An Activity Centre Plan in accordance with the indicative plan in Map 1 must be prepared to the satisfaction of the Responsible Authority and should provide details on:

- Proposed use(s) and development of each part of the centre in the short and longer term.
- General building footprints and location of car parking areas, showing how the centre integrates with adjoining development, Harpers Creek and the adjacent road network.
- Cross-sections through the centre showing how development and roads address slope and avoid the use of retaining walls on public streets.
- Built form and development principles demonstrating:
  - How development will provide legibility to the centre and provide for an active, accessible and high quality public realm, including the surveillance of car parking areas.
  - How development will respond to topography.
  - How development will interface and address public and private access ways and the community focal point.
  - How the centre addresses the corner of Vineyard Road and Elizabeth Drive.
  - How architectural and design treatments to facades at key corner locations will achieve visually interesting built form outcomes.
  - How the design and location the signage will be managed.
The location and details of frontages that are activated by building entries, and those that are activated by architectural treatments.

The provision of public space within the centre including details on how it will integrate the mixed use and commercial land parcels, provide a functional space for a community focal point, and maximise solar orientation. Details must also be provided on how it will be delivered and managed.

A Landscape Concept Plan showing:
- The location and design principles for the gateway treatment at the corner of Elizabeth Drive and Vineyard Road.
- The location of landscaping treatment to the Vineyard Road frontage and how it will contribute to the landscape character of Vineyard Road.
- The location of landscaping treatment to the northern edge of the centre and how it will provide a sound and visual buffer to residential development to the north.
- The location of landscaping treatment to Harpers Creek and how it integrates the centre with the creek environs.
- How landscaping will be used to buffer car parking areas on Elizabeth Drive.
- How landscaping will be used to integrate the mixed use and commercial land parcels.

Anticipated traffic volume and car parking requirements.

Circulation and permeability throughout the centre, including:
- The location and form of servicing arrangements of the centre and how conflict with pedestrian and cycle movement will be minimised.
- The location of pedestrian and cycle routes and how these relate to anticipated desire lines.
- The location and ownership arrangements of private access ways and car parking.
- Cross-sections of public and private roads.
- How the design of the centre addresses the principles and objectives of any activity centre, safer design or other relevant design guidelines incorporated or referenced in the planning scheme.

Access arrangements to and from the wider area including:
- The location of vehicular access and egress arrangements and how vehicle movements to and from the areas to the west of the centre will be achieved.
- Provision for public transport including location and arrangements for future bus stops.

Staging of public and private roads, including:
- The construction and delivery of Elizabeth Drive between its current point to Vineyard Road (including its intersection with Vineyard Road), to the satisfaction of the Responsible Authority prior to the opening of the activity centre.
Requirements before a permit is granted

Before deciding on any application the Responsible Authority must consider the purpose of the zone and how the proposal accords with the indicative plan in Map 1 to this schedule and the approved Development Plan, including:

- How the proposed use and development contributes to the function of the centre.
- The building footprints and the total area of net floor area.
- Details of setbacks, scale and massing of built form and how this responds to topography, provides legibility to the centre, and contributes to creating a defined street edge and high quality public realm.
- Details of built form and architectural treatments at corner locations in the centre and if it achieves the desired corner and gateway effects.
- Details of any interface treatments, including how development integrates with and responds to adjoining land parcels and existing/anticipated built form.
- The design of elevations and use of materials and colour treatments.
- How built form addresses and activates the community focal point, and provides weather protection to the public realm.
- The location and treatment of signage.
- The provision of public realm opportunities which maximise solar orientation.
- Details of landscaping.
- Provision for car parking including the size and location, how vehicle access points will integrate with the road network and how this ensures good pedestrian access and movement.
- Proposals for ownership arrangements of private roads.
- Provision for servicing arrangements in the site and how this ensures good pedestrian access and movement.
- Details of proposed environmental sustainability initiatives including integrated water management and energy conservation.
SCHEDULE 10 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO10.

WESTERN AVENUE DEVELOPMENT PLAN

1.0

Objectives

None specified.

2.0

Requirement before a permit is granted

A permit must not be granted to use or subdivide land, construct a building or carry out works, and no use or development of land can commence, until a Development Plan showing the overall use and development of all land affected by this clause has been prepared to the satisfaction of the responsible authority.

3.0

Conditions and requirements for permits

Any permit granted must be generally in accordance with the Development Plan.

4.0

Requirements for 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.

The Development Plan must be in accordance with the Greenvale/Attwood Strategy Plan - Towards 2011 (June 1993) and must show, describe or specify:

- The land to which the plan applies.
- The proposed use and development of each part of the land.
- The location of major road reserves, and the general form of roadways, access ways, footways and common car parking areas.
- Provision for reticulated services, major drainage and floodways.
- Extension of the existing Melbourne Water Drainage Reserve, where required, to ensure a minimum offset for any buildings and works of 30 metres from the top of the stream bank.
- Installation of a wetland system, including partitioned sediment and water quality improvement ponds, to the satisfaction of Melbourne Water.
- The proposed overall landscape treatment concept for the land including the landscape treatment of common areas and areas adjoining the land which may be affected, or impacted upon, by works associated with construction of the development.
- A proposed maintenance regime for all landscaped areas, including details of the maintenance of any areas outside the subject land that will be disturbed during construction of the development.
- The staging of development.

The Development Plan may be amended to the satisfaction of the Responsible Authority.

Site Development Plan

A permit must not be granted to use land affected by this clause, or to construct a building or construct or carry out works on land affected by this clause, and no use or development of land can commence, until a Site Development Plan showing the use and development of the land, or any lot on the land, has been prepared to the satisfaction of the responsible authority.
A Site Development Plan must be in accordance with the Greenvale/Attwood Strategy Plan - Towards 2011 (June 1993) and the approved Development Plan, and must show, describe or specify:

- A development prescription which refers to the control of buildings and their surrounds including:
  - height, setback and general form of buildings;
  - colour and texture of the external cladding and roofs of buildings;
  - signage, bunting, flags, messages and structures to promote compatible styles and prevent clutter; and
  - maximum site coverage.

- Proposals for landscaping of sites on the land to produce a single, or set of, landscaping themes, in accordance with the requirements of the responsible authority.

The Site Development Plan may be amended to the satisfaction of the responsible authority.

**Decision Guidelines**

Before deciding whether a Development Plan or Site Development Plan submitted to it is satisfactory or can be amended, the responsible authority must consider:

- The views of the operator of Melbourne Airport in relation to the following matters:
  - potential hazards to air navigation, including attraction of birds into the flight path area;
  - height and location of buildings in relation to the Obstacle Limitation Surface;
  - lighting;
  - aircraft noise, and whether any noise attenuation measures in accordance with Section 3 of Australian Standard AS 2021 - 1994, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction, issued by the Standards Association of Australia, are required: and
  - potential for radio interference.

- The impacts of the location, design and construction of the extension of Western Avenue over easement of carriageway D991658 on the operations of Melbourne Airport including environmental and building provisions applicable to those operations, provided that any decision of the responsible authority shall not affect the rights of the grantee over the carriageway easement.

and, where appropriate:

- The development standards and objectives of the Greenvale/Attwood Strategy Plan - Towards 2011 (June 1993) or any other strategic planning policy for the area that is in force at the time.

- Whether development as proposed within the Development Plan or Site Development Plan will protect and enhance the visual amenity of Moonee Ponds Creek and the Woodlands Historic Park in terms of subdivision layout, building design, height and setback, and the filling of land.

- Whether development as proposed within the Development Plan or Site Development Plan makes adequate provision for the treatment of stormwater to ensure that the water quality of Moonee Ponds Creek is adequately protected.

- Whether the landscaping as proposed within the Outline Development Plan or Site Development Plan will contribute to an attractive garden appearance along Moonee Ponds Creek and is generally in accordance with the requirements of the Moonee Ponds Creek Concept Plan.

- The views of Solaris Power in relation to the de-energised power lines within the land.

- The views of Melbourne Water.
- The view of Department of Natural Resources and Environment.
- The views of surrounding land owners, including the Commonwealth of Australia.
SCHEDULE 11 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO11.

This schedule applies to the eastern side of land known as ‘Greenvale Rise’. The Development Plan is to provide for an integrated and properly coordinated residential development of the land. The plan is also intended to ensure that the development of the site is responsive to the physical and environmental issues affecting the site and surrounding land.

1.0 Objectives
None specified.

2.0 Requirement before a permit is granted
Before deciding on any application the responsible authority must consider:

- The purposes of the zone
- The approved Development Plan

3.0 Conditions and requirements for permits
None specified.

4.0 Requirements for development plan
The Development Plan, including accompanying report, must show and include where appropriate:

4.1 General
- The proposed development and use of each part of the land.
- A proposed road layout that responds to environmental factors including stormwater, natural features and views to natural landmarks.
- Population and lot yield targets.
- Open space, recreation and leisure facilities including where relevant proposed playgrounds, walking and cycling links.
- Proposed retarding basins, watercourses and drainage lines.
- Physical and community infrastructure, including the arrangements for the provision and funding of development contributions.
- Proposed public transport routes and facilities.
- Sites of landscape and heritage significance.
- Overall landscaping proposals.
- Sites of landscape and heritage significance.
- Any other matters which relate to the development of the land.

4.2 Open Space
- Subdivision will not occur above the 245 AHD Contour line or as determined by the responsible authority.
- External views from prominent roads and vistas must be considered to the satisfaction of the responsible authority with respect to the Development Plan.
- Prominent significant patches of native vegetation or grassland that contribute to the natural character of Mount Aitken must be protected to the satisfaction of the responsible authority.
- Prominent rocky outcrops or significant Geological features must be protected.
- The layout of streets must address topography and minimise visual impacts both external and from lookout points on Mount Aitken and surrounding areas.

### Neighbourhood Character

- Open space networks to enable regional links and connectivity to surrounding areas.
- Pedestrian and cycle paths to be identified and located in the Development Plan.
- Integration with the adjoining Craigieburn and Roxburgh Park neighbourhoods
- Building envelopes (3 dimensional) and site layout including setbacks to manage visual impact at Mount Aitken slopes.
- Car parking.
- The location of easements.
- Fencing between the Greenvale Reservoir and development site requirements of Melbourne Water.
- Relationship of the development to the existing or likely use and development of adjoining land.
- The staging of the area to take into account the effective provision of physical and social services.
- Traffic management plans detailing the anticipated vehicle movements generated internally and externally to the area, including links to Roxburgh Park, Craigieburn and the sub-regional community facilities of Roxburgh Park.

### Agreement

The owner must enter into an agreement or agreements under Section 173 of the Act to the satisfaction of the responsible authority to provide for:

- The landscaping of all public open space areas in accordance with the responsible authority’s objectives for the area, including the provision of playgrounds.
- Levies towards the appropriate provision of community facilities.
- Levies toward the upgrade and/or provision of arterial road networks.
- The gifted transfer of land within the Special Use Zone to Melbourne Water.
SCHEDULE 12 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO12.

MERRI GROWTH CORRIDOR: ADAMS LOCAL STRUCTURE PLAN – SOUTH WEST CORNER

1.0 Objectives

None specified.

2.0 Requirement before a permit is granted

Before deciding on any application the Responsible Authority must consider:

- The purpose of the zone
- The approved Development Plan

3.0 Conditions and requirements for permits

None specified.

4.0 Requirements for development plan

A Development Plan must show, where appropriate:

- The proposed development and use of each part of the land.
- A proposed major layout pattern, including the location of the pipe-track which traverses the site.
- Population and lot yield targets.
- The relationship of the land to the Greenvale Reservoir catchment.
- The alignment of the proposed E14 arterial road.
- The relationship of any proposed development to existing or approved adjacent land.
- The location of the Melbourne Water pipe-track.
- Open space, recreation and leisure facilities including where relevant proposed walking and cycling links.
- Proposed retarding basins, lakes, watercourses and drainage lines.
- Physical and community infrastructure, including the arrangements for the provision and funding of development contributions.
- Proposed public transport facilities.
- Overall landscaping proposals.
- Sites of vegetation, landscape and heritage significance.
- Any other matters which relate to the development of the land.

In deciding whether the Development Plan (including any landscape plan or any amendment to these plans) is satisfactory, the responsible authority must consider:

- The approved Local Structure Plan for the area.
- The views of VicRoads and Melbourne Water.
- The location of the existing pipe-track, and the integration of development either side.
Section 173 Agreement

Prior to the approval of any development plan, the owner must enter into and execute an agreement with the Responsible Authority and Melbourne Water, pursuant to Section 173 of the Planning and Environment Act 1987. This agreement must provide for:

- The surface stormwater infrastructure which drains the land within the Greenvale Catchment to be designed to cater for flows from a 1 in 1 million average recurrence interval (ARI) storm event to the satisfaction of Melbourne Water. The system is to be gravity based and designed so that stormwater pumps, pondages etc will not be required. Pondages outside of the Greenvale Catchment to attenuate stormwater flows to the stormwater system would be considered.

- Areas that are designated Public Open Space to be bunded and fenced securely consistent with the requirements outlined above.

- All sewers within the Greenvale Catchment to be gravity flow and no emergency relief structure to be located within the Greenvale Catchment.

- The estimation of the 1 in 1 million peak, the proposed construction design and final siting of the drainage and sewage systems to be to Melbourne Water’s satisfaction.

- Development within the Greenvale Catchment to only occur in those areas that are incorporated in the 1 in 1 million year bund.

- All properties are to be connected to a reticulated sewage system and no septic tanks or similar on-site waste water treatment systems will be allowed within the Greenvale Catchment.
SCHEDULE 13 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO13.

RESERVOIR ROAD DEVELOPMENT PLAN (VOLUME 4356, FOLIO 123)

1.0

Objectives

None specified.

2.0

Requirement before a permit is granted

Where no Development Plan has been approved, the Responsible Authority may grant a permit to construct a building or to construct or carry out works, provided it is satisfied that the buildings or works will not prejudice the preparation of the Development Plan.

3.0

Conditions and requirements for permits

None specified.

4.0

Requirements and conditions for 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. The Development Plan must show and include:

- A site analysis plan.

- The proposed use and development of each part of the land, and details of the relationship of the land to existing or proposed use and development on surrounding land.

- The proposed subdivision layout for the development, including details of lot mix, orientation and any areas proposed for medium density development.

- The proposed road layout pattern, including all vehicular access points to the land. The development plan should also include details for the construction of Phillip Drive, and associated intersection treatments.

- Details of any proposed public open space. The siting and layout of the public open space should be planned, where possible, in response to the location of any significant remnant vegetation on the site.

- Details of the treatment of the proposed interface between the development and the adjacent Aboriginal Earth Ring.

- Design Guidelines showing building envelopes and the details of building envelopes on sites affected by slope and native vegetation.

- A servicing report for the new lots for the connection to all reticulated services.

Section 173 Agreement

Prior to the commencement of any development the owner of the land must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 to provide for:

- A contribution for the construction of Phillip Drive and associated intersection treatments. No additional development contributions will apply.

Native Vegetation and Fauna

A flora and fauna assessment of the subject site, including a tree survey and report, shall be submitted to the Responsible Authority, assessing the quality and significance of the flora and fauna on the site and retention values of any remnant vegetation. The report should include details
on how the development will comply with the objective of achieving a net gain in native vegetation, as expressed in the SPPF, and should be consistent with the requirements of the background document Victoria’s Native Vegetation Management – A Framework for Action, including the preparation of a habitat hectare assessment.

**Environmental Report**
An Environmental desktop study shall be submitted to the Responsible Authority to assess any potential soil contamination affecting the site.

**Cultural Heritage Study**
A Cultural Heritage Study to assess the cultural significance of the adjoining Aboriginal Earth Ring and to provide appropriate guidelines and recommendations in relation to enhancing the setting and context of the site of the ring and the subject site shall be submitted to the Responsible Authority.

**Traffic Management Report**
A Traffic Management Report including an assessment of the proposed road layout and the expected traffic impacts associated with the development is to be provided to the satisfaction of the Responsible Authority.

**Slope and Land Hazard Assessment**
A geotechnical assessment of any slope or soil/land hazards associated with the development of the land must be prepared, to the satisfaction of the Responsible Authority.
SCHEDULE 14 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO14.

COOPER STREET, CAMPBELLFIELD

The development plan provides criteria for future development of the land known as the Huitt property on the south side of Cooper Street in an area between Rex Road and the Cooper Street Grasslands. The plan is intended to ensure that the development of the site is responsive to the site and its surrounds, especially the Cooper Street Grasslands.

1.0 Objectives

None specified.

2.0 Requirement before a permit is granted

Before deciding on any application the responsible authority must consider:

- The purposes of the zone.
- The approved Development Plan.

3.0 Conditions and requirements for permits

Prior to the commencement of any development on this site, the Department of Sustainability and Environment (DSE) will access the site to organise for the salvage and translocation of flora and fauna that is considered to be of value. This exercise will be conducted at no expense to the landowner and will not impede the development of the site.

4.0 Requirements for development plan

The Development Plan (and any accompanying reports) must be prepared to the satisfaction of the Responsible Authority and must include:

- A Site Analysis, prepared to the satisfaction of the Responsible Authority, including considerations of:
  - Topography and other natural features.
  - Significant trees.
  - Views to and from the land including the identification of any landmarks.
  - The environmental features, use and development of surrounding land.
  - Vehicle access to and within the site.
  - Stormwater.
- A plan of the overall development of the site. This plan must show:
  - A proposed lot and road layout pattern.
  - The proposed development and use of each part of the land.
  - How the layout pattern and proposed development respond to the Site Analysis.
  - A dedicated Estate entrance located to the satisfaction of VicRoads and the Responsible Authority.
  - The existing stand of Red Gums near Cooper Street to be retained where possible.
Access and means of internal circulation. It is expected that this will incorporate a service lane abutting Cooper Street to the satisfaction of VicRoads and the Responsible Authority, and a road along the eastern boundary of the land adjacent to the Cooper Street Grasslands to the satisfaction of Parks Victoria and the Responsible Authority.

Provision for drainage and services.

The plan need not show public open space given that public open space contributions have previously been made in respect of this land.

- A traffic plan and report including consideration of traffic management and traffic control works in Cooper Street, proposed development on the land and surrounding development and use. It is expected that this is likely to incorporate a signalised intersection for the site at Cooper Street.

- A Landscape Concept Plan for the site that:
  - Identifies all trees to be retained or removed, including the retention of Red Gums and all trees within 5m of the boundaries of the land where possible.
  - Identifies perimeter fence specifications. It is expected that this will incorporate a rural-type fence along the eastern boundary of the land adjacent to the Cooper Street Grasslands.
  - Identifies any management requirements for the retention of significant trees during construction.

5.0 Decision guidelines

In assessing a Development Plan or an amendment to a Development Plan, the responsible authority should consider the:

- Purposes of the zone and any other relevant provisions of the planning scheme.

- Findings of the Site Analysis.

- How the Development Plan responds to the features of the site including stormwater, natural features and views to natural landmarks including the Cooper Street Grasslands.

- Movement network both internal and external to the site.

- Interface of the site with adjoining development and uses.

- Views of VicRoads.

- Views of Parks Victoria.
SCHEDULE 15 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO15.

1040 – 1090 MICKLEHAM ROAD GREENVALE

This schedule applies to land known as 1040-1090 Mickleham Road, Greenvale. The Development Plan is to provide for the integrated and properly coordinated residential development of the land.

1.0 Objectives

None specified.

2.0 Requirement before a permit is granted

Before deciding on any application the responsible authority must consider:

- The purpose of the zone
- Any approved Development Plan
- The relevant Melbourne 2030 Growth Area Plan
- Any relevant agreement prepared under Section 173 of the Planning and Environment Act 1987.

Any application to subdivide land must be in accordance with the approved Development Plan. Any planning permit for subdivision must be in accordance with the approved Development Plan.

Where no Development Plan has been approved, the responsible authority may grant a permit to construct a building or to construct or carry out works, provided it is satisfied that the buildings or works will not prejudice the preparation of the Development Plan.

3.0 Conditions and requirements for permits

None specified.

4.0 Requirements for 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. The Development Plan must show and include to the satisfaction of the responsible authority:

- A site analysis plan.
- The proposed use and development of each part of the land including details of the relationship of the land to existing or proposed use and development on surrounding land.
- The proposed subdivision layout for the development which:
  - Provides a wide variety of lot sizes and a wide range of densities allowing for a variety of housing types and other compatible land uses;
  - Takes into consideration the topography of the land, particularly with regard to the provision of open space.
  - Provides an appropriately designed interface to the Greenvale Reservoir and Aitken College including pedestrian and cycling links where appropriate.
  - Assessment and provision where appropriate of connections to the Greenvale Reservoir including consideration of the views of Parks Victoria and Melbourne Water.
  - Provides for vehicle, pedestrian and cycling links to the land to the north.
- Seeks to achieve a development density of 15 lots per hectare on the net developable residential land. The net developable residential land excludes land set aside for open space, schools, community facilities, roads, public utilities, drainage reserves and the like.

- Details of lot mix, orientation and any areas proposed for medium density development.

- An assessment of all proposed residential subdivision against the requirements of Clause 56 as specified in the zone.

- The proposed road layout pattern, including all vehicular access points to the land which:
  - Provides convenient internal and external access for residents;
  - Allows for the provision of public transport
  - Provides road links to adjoining areas
  - Incorporates the views of VicRoads with respect to Mickleham Road, including provision of appropriate intersection treatments and any other works and/or contributions required.

- Provision of well distributed local open space which is not flood affected or constrained.

- Details of any proposed public open space, recreation and leisure facilities, including where relevant, proposed playgrounds, walking and cycling links.

- Provision and development of land in accordance with any relevant agreement prepared under Section 173 of the Planning and Environment Act 1987.

- Details of vegetation proposed for retention including a condition report and management recommendations from a qualified arborist on any trees identified for retention.

- A drainage plan including Q100 flood levels, proposed retarding basins and wetlands, watercourses and drainage lines including creek reserves including consideration of the views of Melbourne Water.

- Proposed physical and community infrastructure.

- Proposed accessible public transport routes and facilities developed in conjunction with the Public Transport Division of the Department of Infrastructure, including demonstration that 95% of dwellings can be located within 400m of a bus stop.

- Any potential overall landscaping proposals.

- A servicing report to show the connection of all lots to reticulated services, including consideration of the views and land requirements of the relevant authorities.

- Any other matters which relate to the development of the land.

**Environmental Report**

An Environmental desktop study, to the satisfaction of the responsible authority, must be submitted to the responsible authority that assesses any potential soil contamination affecting the site.

**Traffic Management Report**

A traffic management report to the satisfaction of the responsible authority must be submitted to the responsible authority. The report must include:

- An assessment of the proposed road layout and expected traffic and safety impacts of the development.

- An assessment of the design and operation of a service road along the frontage to Mickleham Road.

- Assessment of the impacts of the development on the existing traffic associated with the operation of Aitken College to the south and associated impacts on the intersection of Mickleham and Somerton Roads.
**SCHEDULE 16 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as **DPO16**.

**650 AND 700 HUME HIGHWAY, CRAIGIEBURN**

1.0

**Objectives**

None specified.

2.0

**Requirement before a permit is granted**

The Responsible Authority may grant a permit for subdivision, use or development prior to approval of a development plan provided that the Responsible Authority and the Department of Sustainability and Environment are satisfied that the subdivision, use or development will not prejudice the preparation of the development plan.

3.0

**Conditions and requirements for permits**

None specified.

4.0

**Requirements for development plan**

A development plan may consist of plans or other documents and must show or include the following:

- a site analysis that identifies the key attributes of the land and its context;
- the proposed use(s) of each part of the land including any stormwater detention basins;
- the location of areas to be retained in perpetuity for conservation purposes, including the Amaroo Conservation Reserve and the Amaroo South Conservation Reserve;
- the proposed road layout, including vehicular access points to the land the realignment of any existing roads and the provision of vehicle access to neighbouring lots via the land;
- a traffic engineering analysis in respect of expected volumes, which gives guidance on any necessary treatments of intersections to surrounding external streets, the internal street functional hierarchy and the location of any proposed traffic management devices;
- urban design guidelines indicating preferred siting and built form outcomes for the site including the interface with the Hume Highway, Hume Freeway and conservation areas;
- retention and protection of the River Red Gums in the south-west corner of the land adjacent to the Hume Highway and Amaroo Road intersection and in the adjoining conservation area on 650 Hume Highway;
- a plan indicating the location and type of existing vegetation;
- a plan indicating the location of any vegetation to be removed and retained;
- an aboriginal and historical archaeological assessment;
- a flora and fauna assessment including:
  - an assessment of all flora and fauna on the site;
  - an assessment of the ecological significance of the site including any waterways where appropriate.
- should the development plan indicate the removal, destruction or lopping of native vegetation, a net gain assessment should be provided in accordance with the background document Native Vegetation Management Framework (NRE 2002) and must include:
  - a response to the net gain three step process;
- an estimate of the vegetation loss and required offsets;
- a summary of potential offsets;
- the delivery of any required offsets to be prescribed within the Ecological Management Plans prepared for the management of the retained vegetation within the Amaroo Conservation Reserve and the Amaroo South Conservation Reserve.

- Ecological Management Plans (EMP’s) must be prepared for areas including the Amaroo Conservation Reserve and identified Net Gain offset sites and the adjoining Amaroo South Conservation Reserve and identified Net Gain offset sites on 650 Hume Highway. The EMPs must be prepared to the satisfaction of the Responsible Authority and the Department of Sustainability and Environment prior to the removal, destruction or lopping of native vegetation on the land. The EMPs must provide:
  - prescriptions for the management of areas of retained vegetation in the Amaroo Conservation Reserve and Amaroo South Conservation Reserve, including any areas identified as Net Gain off-set sites;
  - prescriptions for the ten year environmental management required for any Net Gain offset sites in the form of an Offset Management Plan prescribed year by year;
  - an implementation outline that prescribes yearly management actions beyond the first ten years into perpetuity;
  - an indication of appropriate species and planting densities for revegetation and prescriptions for ongoing management;
  - location and type of fencing to protect the Amaroo Conservation Reserve and Amaroo South Conservation Reserve and any offset sites;
  - location and type of any maintenance access tracks within the Amaroo Conservation Reserve and Amaroo South Conservation Reserve;
  - recommendations for regular auditing of the achievements of the vegetation management program.

These EMPs can be amended and extended with the approval of the Responsible Authority and the Department of Sustainability and Environment.

In addition to the above requirements, a development plan for 650 Hume Highway must show or include the following:

- the proposed use(s) of each part of the land including details of the Malcolm Creek interface and proposed landscaping, pedestrian and bicycle path linkages along this interface incorporating the requirements from the background document *Melbourne Water’s Shared Pathway Guidelines*;
- urban design guidelines indicating preferred siting and built form outcomes for the site including the interface with the Hume Highway, Hume Freeway, Malcolm Creek, conservation areas, and any other identified waterways;
- water sensitive urban design with measures to maximise water capture on site (tanks and rain gardens) and treatment of all stormwater according to best practice, prior to its entry into the waterway.
- A hydraulic report that identifies all flow paths, flood extents, flood levels and velocities for existing and proposed conditions. The report should include plans, sections and computations and be accompanied by the relevant hydraulic models used in the preparation of the report.

In deciding whether a Development Plan or an amendment to a Development Plan is satisfactory, the responsible authority must consider the:
- impact on the environmental values of the site (primarily the retained woodland reserves and the bio-retention wetland areas);
- need to provide an adequate buffer and interface with the retained woodland reserves;
- views of the Department of Sustainability and Environment.

In addition, in deciding whether a Development Plan or an amendment to a Development Plan for 650 Hume Highway, Craigieburn is satisfactory, the responsible authority must consider the:

- Need to provide an adequate buffer and interface with reserves and waterways.
- Impact on the environmental values of the site including the waterway riparian zones.
- Views of VicRoads.
- Views of Melbourne Water
SCHEDULE 17 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO17.

EMPLOYMENT PRECINCT, 135 – 285 DONNYBROOK ROAD, MICKLEHAM

1.0

Objectives

None specified.

2.0

Requirement before a permit is granted

Before deciding on any application the responsible authority must consider:

- The purpose of the zone
- The approved Development Plan
- The relevant Melbourne 2030 Growth Area Plan
- The Native Vegetation Precinct Plan at Clause 52.16
- Any relevant agreement prepared under Section 173 of the Planning and Environment Act 1987.

The Responsible Authority may grant a permit for subdivision, to construct a building or to construct or carry out works prior to approval of a development plan provided that the Responsible Authority is satisfied that the subdivision, building or works will not prejudice the preparation of the development plan.

3.0

Conditions and requirements for permits

None specified.

4.0

Requirements for 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. The Development Plan must have regard to the views and requirements of the Department of Sustainability and Environment, Department of Planning and Community Development, Department of Infrastructure and VicRoads. The Development Plan must show and include to the satisfaction of the Responsible Authority:

General Requirements

- The land to which the Development Plan applies;
- Generally in accordance with the Schematic Concept Plan SP0134 Revision 1 prepared by Taylors, Development Strategists;
- Consistency with any relevant approved structure plan or Native Vegetation Precinct Plan for the site;
- The relationship of the development of the land to the existing and proposed land uses on adjoining land;
- The proposed development and use of each part of the land;
- The indicative sequence of development and infrastructure provision;
- An overall landscape strategy for the site;
- Proposed retarding basins, lakes, water features, water courses and drainage lines and the means by which these will be managed and water quality maintained incorporating the principles of Water Sensitive Urban Design;
A servicing concept plan detailing how service infrastructure will be provided and integrated with other infrastructure such as roads, drainage, streets, lighting and landscaping;


**Integrated Transport Plan**

An Integrated Transport Plan must be prepared having regard to the views of the Department of Infrastructure and VicRoads and must report on the following to the satisfaction of the Responsible Authority:

- The proposed street and pedestrian movement network;
- The needs for non-motorised travel, including access by walking and cycling and links to the Principle Bicycle Network (PBN) and Metropolitan Trail Network (MTN), facilities for cyclists and internal circulation of cyclists and pedestrians;
- How the proposal makes better use of existing transport assets including arterial roads, public transport or new pedestrian links or cycle paths;
- The integration of land use with transport provision;
- How the proposal will promote and facilitate the use of public transport;
- A road layout that facilitates efficient and effective public transport to the site;
- Linkages between key destinations and trip generating activities for vehicles, pedestrians and cyclists;
- The requirements of freight and commercial vehicles;
- The proposed arterial and neighbourhood connector street network including proposed linking points to surrounding land;
- How the plan responds to State government transport objectives;
- The details relating to the upgrading of Donnybrook Road and the construction of Aitken Boulevard (E14);
- Road layout and design, including road reserve widths and indicative cross-sections.

**Neighbourhood Activity Centre**

A Specific Area Plan for land contained within the Commercial 1 Zone must be prepared to the satisfaction of the Responsible Authority and should include:

- The use and development of the land including building envelopes, design objectives and site layout, including setbacks;
- Detail on the interface, and integration between, the neighbourhood activity centre, child minding facility and surrounding land uses including the pocket park, open space links, and Aitken Boulevard (E14);
- Car parking;
- Location of crossovers and footpaths;
- Consideration of the vision, principles and directions for Activity Centres contained within *Melbourne 2030: Planning for sustainable growth, October 2002*, including the performance criteria for activity centres;
Native Vegetation

All native vegetation on the site to be retained, removed and relocated is to be in accordance with the Native Vegetation Precinct Plan. The following plans must be prepared to the satisfaction of the Responsible Authority and the Department of Sustainability and Environment;

- a Vegetation Management Plan, incorporating a vegetation offset plan, detailing management of the vegetation to be retained;

Open Space

A plan which details the open space network on the site is to be provided. The plan is to show all Councils open space requirements which include:

- open space networks which integrate with the Department of Sustainability and Environment managed Mt Ridley Grasslands and Woodlands to the east and south including, the provision of a 2.5m linear shared path for walking and cycling within the Council 15 metre unencumbered open space adjacent to the woodlands and road reserve;
- an open space link between Council unencumbered open space adjacent to the woodlands and road reserve and the Merrifield Employment Precinct to the north including, the provision of a 2.5m linear shared path for walking and cycling;
- the pocket park located within the neighbourhood activity centre and how it integrates with the surrounding land uses and links with the open space networks;
- open space networks including the provision of a 2.5m shared path for walking and cycling along drainage reserves and how these link with other areas within the site.

Urban Design

- Urban design guidelines indicating preferred siting and built form outcomes for the site including Donnybrook Road, open space areas and different uses and zones;
- Detail of how the transmission line easement to the south of the site will be integrated with the Mt Ridley Grasslands and surrounding existing and proposed land uses;

Residential Interface

- Specific plans and urban design guidelines are to be prepared for the southern boundary of the site with interface with existing Rural Living properties to the south including:
  - preferred siting and built form outcomes;
  - Landscaping treatments including land forming to buffer and minimise the visual impact of development on adjoining residential properties generally in accordance with Figure 2 or 3 of the urban design report for the Folkestone Business Park prepared by Hassell Ltd dated April 2008.

Cultural Heritage

- Any sites of cultural or heritage significance and the means by which they will be managed;
- Completion of further investigations to locate any physical evidence of the former road that extended through the site east of the Newgrove Ruins and the completion of any management measures that may result from these investigations;
- An assessment of the need to prepare a Cultural Heritage Management Plan under the Aboriginal Heritage Regulations 2007 and preparation of a Plan if required.

Other Matter

- Any other matters that relate to the development of the land.
SCHEDULE 18 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO18.

ROXBURGH PARK SHOPPING CENTRE

This schedule applies to the Roxburgh Park Shopping Centre, corner Somerton Road and David Munroe Drive, Roxburgh Park.

1.0

Objectives

None specified.

2.0

Requirement before a permit is granted

Before deciding on any application the Responsible Authority must consider:

- The purposes of the zone
- The approved Development Plan

Where no Development Plan has been approved, the responsible authority may grant a permit to construct a building or to construct or carry out works, provided it is satisfied that the buildings or works will not prejudice the preparation of the Development Plan.

3.0

Conditions and requirements for permits

None specified.

4.0

Requirements for development plan

A development plan must be prepared to the satisfaction of the responsible authority and must show:

- A layout of the building and car park areas which is generally in accordance with, or deliver the principles of ‘Plan V07-062 Roxburgh Park Redevelopment – MASTERPLAN’ (dated 19 May 2008 prepared by i2C Design and Management).
- The use, location and approximate retail floorspace of existing and proposed buildings and car parking areas on the site.
- No more than one full line Discount Department Store at the site prior to 2014.
- A high-quality built form which is responsive to the site, provides high amenity interfaces between buildings and adjacent uses and builds on and further complements the existing character of the centre.
- Active frontages to key pedestrian interfaces where appropriate.
- Development which provides appropriate weather protection for pedestrians at key entry points.
- Activation of the David Munroe Drive, Thomas Brunton Parade and Somerton Road streetscapes through the siting of built form and landscaping where practicable and appropriate.
- A built form which encourages natural surveillance of the surrounding streets, car parks, Roxburgh Park Train Station and primary pedestrian linkages through the site.
- Safe, direct and attractive pedestrian linkages through the site from key access points including connections to car parking, public transport, residential land (where practicable and appropriate) and the Roxburgh Park Railway Station.
- The development of a ‘street’ or ‘mall’ environment that promotes good pedestrian connections and accessibility throughout the centre.
Consideration of the vision, principles and directions for Activity Centres contained within *Melbourne 2030: Planning for sustainable growth, October 2002*, including the performance criteria for activity centres.

- The staging and anticipated timing of development.
- The use of environmentally sustainable principles into the design of new built form, car parks and landscapes.
- Linkages from car parks to the shops they serve by pedestrian routes which are landscaped and lined by active frontages.
- The use of design features for people of all abilities in compliance with the Disability Discrimination Act standards.

**Traffic Management Plan**

A traffic management plan to be approved by the responsible authority must be submitted with a development plan and indicate:

- Vehicle, pedestrian and bicycle access through the site and to the surrounding transport and footpath network.
- Ingress and egress points and the estimated levels of usage.
- Any proposed off-site traffic management treatments.
- The level, allocation and location of car parking on the land.
- Provision for the loading and unloading of vehicles.
- Access to public transport, pedestrian and bicycle movement and connections.
- An integrated approach to accessible public transport, pedestrian, bicycle connections and other private vehicular transport.

A copy of the traffic management plan must be provided to VicRoads and the responsible authority must consider any comments in deciding whether the development plan (including the traffic management plan or any amendment to these plans) is satisfactory.

**Landscape Concept Plan**

A landscape concept plan to be approved by the responsible authority must be submitted with a development plan and include:

- Identification of any native vegetation to be retained and to be removed. The plan should specify how a ‘net gain’ outcome, as defined in the background document Victoria’s Native Vegetation Management Framework, can be implemented having regard to the high conservation value of scattered old trees and the small patches of understorey. A ‘Net Gain Offset Management Plan’ is required for the removal of existing Red Gum Trees.
- Proposed landscape treatments with a view to incorporating landscaping into the centre to create attractive site interfaces and encourage a pedestrian scale to the centre.
- Protection of the existing River Red Gum Trees identified as those numbered 3, 5, 6 and 7 in accordance with Figure 2 of the Ecology Partners Report, October 2007, unless with the consent of the responsible authority.
SCHEDULE 19 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO19.

CATHOLIC EDUCATION SCHOOL SITE, GREENVALE

This schedule applies to land known as part Lot 1 & part Lot 2 on Title Plan 830923G Volume 08263 Folio 589. The Development Plan is to provide for the coordinated development of the land for a private secondary school.

1.0

Objectives

None specified.

2.0

Requirement before a permit is granted

A permit for development of the land may only be granted if the catchments risk assessment undertaken by Melbourne Water demonstrates that there will be no additional risk to the water quality within the Greenvale Reservoir and Melbourne Water has approved the proposed works.

Before deciding on any application the responsible authority must consider:

- The purpose of the zone;
- The approved Development Plan:
  - The Hume Growth Area Plan (DSE 2005);
  - The requirements of Melbourne Water with regard to runoff and stormwater management as identified in the *Greenvale Reservoir Catchment: Drinking Water Quality Risk Management Plan (March 2008)*;
- Any relevant agreement prepared under Section 173 of the Planning and Environment Act 1987; and

Any application to subdivide land must be in accordance with the approved Development Plan. Any planning permit for subdivision must be in accordance with the approved Development Plan.

Where no Development Plan has been approved, the Responsible Authority may grant a permit to construct a building or to construct or carry out works, provided it is satisfied that the buildings or works will not prejudice the preparation of the Development Plan and that Melbourne Water and VicRoads have approved any such works.

3.0

Conditions and requirements for permits

None specified.

4.0

Conditions for development plan

Before approving the Development Plan (including any landscape plan or any amendment to these plans) the responsible authority must consider:

- The views of VicRoads with regard to Aitken Boulevard (E14)
- The views of Melbourne Water and in particular the requirements identified in the *Greenvale Reservoir Catchment: Drinking Water Quality Risk Management Plan (March 2008)*
- Any relevant agreement prepared under Section 173 of the Planning and Environment Act 1987.
Requirements for development plan

The Development Plan may consist of plan and/or other documents and, with the agreement of the Responsible Authority, may be implemented in stages. The Development Plan must show and include to the satisfaction of the responsible authority:

- A site analysis plan.
- Details of how the development will interface with the existing escarpment habitat along the south-eastern boundary of the site.
- The proposed use and development of each part of the land including details of the relationship of the land to existing or proposed use and development on surrounding land.
- The provision of a parking and transport plan, including:
  - The provision of adequate infrastructure to support pedestrian, cycle, car and public transport access to the school.
  - The provision of adequate on-site car parking, drop off and pick up areas for all proposed uses on the site.
  - A traffic management plan demonstrating that the proposed uses will not adversely impact on the operation of the surrounding roads or future roads, including details of road design.
- An overall landscaping strategy.
- A servicing report showing the connection of all lots to reticulated services.
- Details of an appropriate interface between the school site and Aitken Boulevard.
- Details of any staging proposal for the development of the school.
- The provision of open space including adequately sized sporting fields.
- Details of the maximum number of students permitted at the school.
- Any other matters which relate to the development of the land.
- Any protection mechanism for the Greenvale Reservoir catchment identified in the Greenvale Reservoir Catchment: Drinking Water Quality Risk Management Plan (March 2008)
SCHEDULE 21 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO21.

810 COOPER STREET, SOMERTON

The development plan provides criteria for future development of the land known as 810 Cooper Street, Somerton on the north side of Cooper Street in an area between Freight Drive and the Merri Creek. The plan is intended to ensure that the development of the site is responsive to the site and its surrounds, especially the Merri Creek environs.

1.0 Objectives

None specified.

2.0 Requirement before a permit is granted

Before deciding on any application, the responsible authority must consider:

- The purpose of the zone.
- The approved Development Plan.

3.0 Conditions and requirements for permits

Prior to the commencement of any development on this site, the Department of Sustainability and Environment will access the site to organise for the salvage and translocation of flora and fauna that is considered to be of value. This exercise will be conducted at no expense to the landowner and will not impede the development of the site.

4.0 Requirements for development plan

The Development Plan (and any accompanying reports) must be prepared to the satisfaction of the Responsible Authority and must include:

- A site analysis prepared to the satisfaction of the responsible authority, including considerations of:
  - Topography and other natural features.
  - Significant trees.
  - Views to and from the and including the identification of any landmarks.
  - The environmental features, use and development of surrounding land.
  - Vehicle access to and within the site.
  - Stormwater management on the site.

- A plan of the overall development of the site. This plan must show:
  - A proposed lot and layout pattern.
  - The proposed development and use of the land.
  - How the layout pattern and proposed development respond to the site analysis.
  - Appropriate building setbacks and active interface with the adjoining open space area for the development, including the lot located to the north of the site.
  - A dedicated entrance to the development located to the satisfaction of VicRoads and the responsible authority.
- Access arrangement and means of internal circulation. It is expected that this will incorporate a service lane abutting north of Cooper Street to the satisfaction of VicRoads and the responsible authority, and a road through the centre of the site and long the eastern boundary of the land adjacent to the Merri Creek Reserve to the satisfaction of Parks Victoria and the responsible authority.

- Any water sensitive urban design elements and seating/picnic areas.

- Identifies the alignment of the Merri Creek Regional Path through the site.

- A traffic plan and report including consideration of traffic management and traffic control works in Cooper Street, proposed development on the land and surrounding development and use.

- A Landscape Concept Plan for the site that:
  - Identifies all trees to be retained or removed.
  - Identifies reserve perimeter fence specifications.
  - Identifies any management requirements for the retention of significant trees during construction.
  - Specifies street trees and any additional landscaping that is required.

- An Environmental Management Plan (EMP) must be prepared for the reserve area to the satisfaction of the responsible authority. The EMP must provide:
  - Prescriptions for the management of areas of retained native vegetation.
  - An implementation plan that prescribes yearly management.
  - An indication of appropriate species and planting densities for revegetation.

This EMP can be amended and extended with the approval of the responsible authority.

**Decision Guidelines**

In assessing a Development Plan or an amendment to a Development Plan, the responsible authority must consider the:

- Purposes of the zone and any other relevant provisions of the planning scheme.

- Findings of the site analysis.

- How the Development Plan responds to the features of the site including stormwater, natural features and views to natural landmarks.

- Movement network both internal and external to the site.

- Interface of the site with adjoining development and uses.

- Approved Environmental Management Plan.

- Views of VicRoads.

- Views of Parks Victoria.
SCHEDULE 22 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO22.

GREENVALE LAKES EAST

This schedule applies to the land known as ‘Greenvale Lakes East’. The Development Plan is to provide for an integrated and coordinated residential development of the land. The plan is also intended to ensure that the development of the site is responsive to the physical and environmental issues affecting the site and surrounding land.

1.0

Objectives

None specified.

2.0

Requirement before a permit is granted

Before deciding on any application the responsible authority must consider:

- The purpose of the zone;
- The approved Development Plan;
- The Hume Growth Area Plan (DSE 2005);
- Any relevant agreement prepared under Section 173 of the Planning and Environment Act 1987; and

Any application to subdivide land must be in accordance with the approved Development Plan. Any planning permit for subdivision must be in accordance with the approved Development Plan.

Where no Development Plan has been approved, the Responsible Authority may grant a permit to construct a building or to construct or carry out works, provided it is satisfied that the buildings or works will not prejudice the preparation of the Development Plan.

Where no Development Plan has been approved, a permit of development of land that falls west of the current (June 2007) natural ridgeline (toward the Greenvale Reservoir) and lies east of Aitken Boulevard (E14) may only be granted if Melbourne Water has approved the design of the bund and construction of Aitken Boulevard (E14).

3.0

Conditions and requirements for permits

None specified.

4.0

Requirements for development plan

The Development Plan may consist of plan and/or other documents and may, with the agreement of the Responsible Authority, be prepared and implemented in stages. The Development Plan must show and include to the satisfaction of the responsible authority:

- A site analysis plan.
- The proposed use and development of each part of the land including details of the relationship of the land to existing or proposed use and development on surrounding land.
- For land within the Greenvale Reservoir catchment that falls west of the current (June 2007) natural ridgeline, toward Greenvale Reservoir, written approval from Melbourne Water for the construction of a protective bund for Greenvale Reservoir and construction of Aitken Boulevard (E14) roadway including plans as required. The written approval and plans for the roadway must also be to the satisfaction of the Responsible Authority, and VicRoads.
- The proposed subdivision layout for the development which:
- Provides a wide variety of lot sizes and a wide range of densities allowing for a variety of housing types and other compatible land uses.
- Takes into consideration the topography of the land and other constraints, particularly with regard to the provision of open space.
- Indicates measures to protect the Greenvale Reservoir from storm water runoff, as required by Melbourne Water.
- Provides for regional open space connections to Roxburgh Park and connections south to Somerton Road and beyond.
- Details of how the land interfaces with Greenvale Reservoir.
- Provides for vehicle, pedestrian and cycling links to adjoining land.
- Provides population and lot yields.
- Seeks to achieve a development density of 15 lots per hectare on the net developable residential land. The net developable residential land excludes land set aside for open space, schools, and community facilities, roads, public utilities, drainage reserves and the like.

- Details of lot mix, orientation and any areas proposed for medium density development including alternative accommodation.
- An assessment of all proposed residential subdivision against the requirements of Clause 56 as specified in the zone.
- Proposed retarding basins, lakes, watercourses and drainage lines.
- The proposed road layout, including all vehicular access points to the land which:
  - Provides convenient internal and external access for residents
  - Allows for the provision of public transport
  - Provides road links to adjoining areas

- Provision of well distributed open space which is not flood affected or constrained consistent with the Hume City Council Development Principles for Recreation and Community Facilities.
- Details of any proposed public open space, recreation and leisure facilities, including where relevant, proposed playgrounds, walking and cycling links.
- Provision and development of land in accordance with any relevant agreement prepared under Section 173 of the Planning and Environment Act 1987.
- Details of vegetation proposed for retention including a condition report and management recommendations from a qualified arborist on any trees identified for retention.
- A drainage plan including Q100 flood levels, proposed retarding basins and wetlands, watercourses and drainage lines including creek reserves including consideration of the views of Melbourne Water.
- Proposed physical and community infrastructure.
- Proposed public transport routes and facilities including how the site can be provided with access to public transport within reasonable walking distance of each dwelling developed in conjunction with the Public Transport Division of the Department of Infrastructure.
- Any potential overall landscaping proposals.
- A servicing report to show the connection of all lots to reticulated services.
- Sites of vegetation, landscape, heritage and archaeological significance.
- How the development addresses the draft E14 Urban Design Guidelines, Version: October 2005 or any other guidelines produced for the Aitken Blvd (E14).
Any other matters which relate to the development of the land.

Traffic Management Report

A traffic management report to the satisfaction of the responsible authority must be submitted to the responsible authority. The report must include:

- An assessment of the proposed road layout and expected traffic and safety impacts of the development.

Precinct Structure Planning Guidelines (DSE 2006)

The Development Plan must take into account the Precinct Structure Planning Guidelines. The Development Plan must include a report to the satisfaction of the responsible authority outlining how the development plan has demonstrated the following analysis has taken place and been documented:

- Regional context analysis – transport / land use / environment.
- Transport assessment – integrated transport needs.
- Social impact assessment and demographic profiles and projections.
- Native vegetation assessment, as required.
- Heritage assessments – European and Aboriginal.
- Landscape assessments – including precinct feature plan (topography).
- Land capability assessment (as relevant including land stability and urban salinity risk).
- Environmental audit – contaminated land.
- Land capability assessment (as relevant including land stability and urban salinity risk).
- Environmental audit – contaminated land.
- Surface water management assessment.
- Existing and approved development – buffers, interfaces and constraints.
- An economic assessment for activity centres and employment land.
- An economic assessment of residential density necessary to support viable public transport, activity centres and services.
- Assessment of consistency with the Growth Area Framework Plan.

Melbourne 2030 Neighbourhood Principles

The Development Plan must take into account Melbourne 2030 Neighbourhood Principles. The Development Plan must include a report to the satisfaction of the responsible authority outlining how the development plan represents the characteristics of liveable neighbourhoods including how development:

- Contributes to an urban structure of networks of neighbourhoods clustered to support larger activity centres.
- Supports the creation of compact neighbourhoods orientated around walkable distances between activities and Neighbourhood centres.
- Fosters reduced dependence on car use.
- Provides a range of lot sizes.
- Provides for the integration of housing, workplaces, shopping, recreation and community services.
- Provides a range of open spaces.
- Creates a strong sense of place.
- Is environmentally friendly.
- Protects and enhances native habitat.

5.0

Decision Guidelines

Before approving the Development Plan (including any landscape plan or any amendment to these plans) the responsible authority must consider:

- The Comprehensive Development Plan for the area
- The views of VicRoads
- The views of Melbourne Water

- For land within the Greenvale Reservoir catchment that falls west of the current (June 2007) natural ridgeline, toward Greenvale Reservoir Melbourne Water’s written approval and approved plans for:
  - The bund required for protection of Greenvale Reservoir and construction of the Aitken Boulevard/(E14) roadway before any development commences in the catchment that falls west of the current (June 2007) natural ridge line, towards the Greenvale Reservoir, within the Greenvale Lakes East site.

- Any relevant agreement prepared under Section 173 of the Planning and Environment Act 1987.
SCHEDULE 23 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO23.

182-200 HUME HIGHWAY, SOMERTON

The Development Plan is intended to provide for coordinated development of the office, industry and warehouse uses allowed on the site and to ensure that overall development is responsive to the site and surrounds, especially the Merri Creek environs and identified native vegetation on site.

1.0

Objectives

None specified.

2.0

Requirement before a permit is granted

None specified.

3.0

Conditions and requirements for permits

Where no Development Plan has been approved, the Responsible Authority may grant a permit to construct a building or to construct or carry out works provided it is satisfied that the buildings or works will not prejudice the Development Plan.

4.0

Requirements for development plan

In deciding whether a Development Plan or an amendment to a Development Plan is satisfactory, the Responsible Authority must where appropriate consider:

- The views of the Merri Creek Management Committee, Aboriginal Affairs Victoria, Parks Victoria, Melbourne Water, Department of Sustainability and Environment and VicRoads;
- How the Development Plan responds to the features of the site including stormwater, natural features, buffer from Merri Creek, and the environmental values of the creek corridor.

The Development Plan may consist of a plan and/or other documents. The Development Plan must show and include to the satisfaction of the Responsible Authority:

- A site analysis including, but not limited to, considerations of:
  - Topography and other natural features including the location of the Merri Creek escarpment;
  - The location of all native vegetation including existing River Red Gums;
  - Significant trees;
  - The environmental features, use and development of surrounding land;
  - Vehicle access to and within the site; and
  - Any cultural heritage features identified on site;
- How the layout pattern and proposed development respond to the site analysis;
- The proposed use and floor areas of each part of the land, including any stormwater detention basin/s;
- The relationship of the land to the existing or proposed land uses on adjoining land;
- A traffic management report, including an assessment of the expected traffic impacts associated with the development such as traffic volumes, car parking location, loading and unloading of vehicles, and collection of garbage and waste;
- A flora and fauna assessment including:
- an assessment of all flora and fauna on the site; and
- an assessment of the ecological significance of the site.

- Should the development plan indicate the removal, destruction or lopping of native vegetation, a net gain assessment should be provided in accordance with the background document Native Vegetation Management Framework (NRE 2002) and must include:
  - a response to the net gain three step process;
  - an estimate of the vegetation loss and required offsets; and
  - details of how any offsets will be provided and managed.

- An assessment of the need to prepare a Cultural Heritage Management Plan in accordance with the *Aboriginal Heritage Act* 2006 and preparation of a Plan if required.

- A stormwater management plan.

- Location, alignment and management of a proposed reserve or conservation area along the Merri Creek which incorporates the following to the satisfaction of the Responsible Authority:
  - Existing remnant native vegetation along the escarpment and creek margin;
  - Existing habitat for threatened species;
  - The Merri Creek Regional Path;
  - Consideration of the option to transfer the reserve into public ownership.

- Urban design guidelines indicating preferred siting and built form outcomes for the interface with Merri Creek that ensures appropriate screening of the development from the creek corridor and considers the interface with the Merri Creek Regional Path and any native vegetation buffer areas.
SCHEDULE 24 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO24.

2-26 KING WILLIAM STREET, BROADMEADOWS AND 33-59 KING WILLIAM STREET, BROADMEADOWS

The Development Plan is intended to provide for the coordinated development of the precinct and to ensure that development is responsive to surrounding land uses.

1.0

Objectives

None specified.

2.0

Requirement before a permit is granted

A permit may be granted to construct or carry out minor works including site preparation works and related activities before a development plan has been approved.

Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the preparation and approval of the Development Plan.

3.0

Conditions and requirements for permits

None specified.

4.0

Requirements for development plan

The Development Plan may consist of a plan and/or other documents. The Development Plan should show and include to the satisfaction of the responsible authority:

- A site analysis that identifies the key attributes of the land, its context, the surrounding area and its relationship with existing and/or proposed uses on adjoining land;
- How the layout pattern and proposed development responds to the site analysis;
- The proposed mix of uses and floor areas on each part of the land;
- The provision of public open space;
- The relationship of a proposal to the existing or proposed land uses on adjoining land;
- How a proposal responds to any adopted Broadmeadows Structure Plan, any adopted Eastmeadows Masterplan and any adopted Meadowlink Masterplan;
- Details of the developer contributions (monetary, building or public spaces) towards the upgrading or extension of existing facilities and/or infrastructure, or provision of new facilities and/or infrastructure in the surrounding local area. This may include a range of costs, works and/or land proportionate to the scale and impact of development. The timing of the provision of any required developer contribution must be coordinated with the development of the sites.
- An Integrated Transport Plan prepared by a suitably qualified person(s) to the satisfaction of the responsible authority. The Integrated Transport Plan must include and demonstrate the following:
  - an assessment of the expected traffic impacts associated with a development such as traffic volumes, car parking location, loading and unloading of vehicles, and collection of garbage and waste; and
  - how a proposal responds to the preferred street network for the Eastmeadows Precinct as outlined in the Broadmeadows Structure Plan.
- Urban design guidelines including, but not limited to, building siting, heights and setbacks;
- Details of how the proposal will demonstrate best practice Environmentally Sustainable Design principles;
- The provision of active frontages to key pedestrian routes, where appropriate.

Preparation of the Development Plan must have regard to the operation of Melbourne Airport. The Development Plan must provide for a mix of residential and non-residential uses through development stages.
SCHEDULE 25 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO25.

DEVELOPMENT PLAN – VALLEY PARK REDEVELOPMENT – RESIDENTIAL COMPONENT

This schedule applies to land located north and south of Erinbank Crescent in Westmeadows which was formerly known as the Erinbank Campus of Hume Secondary College, the Westmeadows Heights Primary School and the Westmeadows Heights Reserve. The Development Plan is to provide for an integrated and properly coordinated residential development that responds to the physical and environmental issues including noise from aircraft using the Melbourne Airport.

1.0 Objectives

To provide architectural and urban design outcomes for the redevelopment of the former school and public open space sites that contribute positively to the local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.

To provide an efficient movement network for pedestrians, cyclists and vehicles that provides connections to open space areas, the existing street network and facilitates connections through to the Broadmeadows Central Activities District.

To provide development that contributes positively to existing and proposed public open spaces and provides passive surveillance opportunities.

To provide appropriate measures to address any potential noise impacts from aircraft using Melbourne Airport.

2.0 Requirement before a permit is granted

None specified.

3.0 Conditions and requirements for permits

None specified.

4.0 Requirements for development plan

The Development Plan must be prepared to the satisfaction of the responsible authority must include:

- A site analysis that demonstrates the opportunities and constraints of the site and that includes consideration of:
  - How the site sits within the wider neighbourhood context;
  - Topography;
  - Significant vegetation;
  - Views toward the Broadmeadows Valley Park;
  - The use and development of surrounding land;
  - Vehicle, pedestrian and bicycle access to the site including consideration of the existing pedestrian connections that the site provides to the surrounding residential and public open space areas;
  - The electricity transmission easement that runs north-south near the western boundary of the site;
Any other features identified as important to the site.

- A design response demonstrating how the plan responds to the opportunities and constraints of the site, including:
  - A proposed lot layout and movement network that:
    - Provides a convenient and safe internal road network designed to Councils Standards with all public roads being contained within a road reserve.
    - Provides a convenient and safe pedestrian and cycle network.
    - Provides convenient and safe pedestrian, cycle and road linkages to surrounding residential and public open space areas and towards the Broadmeadows Central Activities District.
  - Responds to the Melbourne Airport Environ Overlay
  - A built form arrangement that:
    . Provides a sensitive residential interface with adjoining residential and public open space land.
    . Provides for appropriate scale, bulk and form to provide reasonable built form integration with the surrounding area;
    . Optimises opportunity for outlook towards areas of existing and proposed public open space.
    . Optimises passive surveillance of adjoining open space areas.
    . Orient buildings to address open space areas and avoids, where possible, dwellings backing onto to public open space and roads.

- A written analysis demonstrating how the plan responds to the Victorian Planning Provisions, the Municipal Planning Strategy and Planning Policy Framework of the Hume Planning Scheme and that describes how the Development Plan has responded to this Development Plan Overlay Schedule.

- A flora and fauna study covering the whole site, prepared by a suitably qualified expert, which includes, but is not limited to;
  - the identification of vegetation on site (including species),
  - current health,
  - significance in the local, regional, state and national context,
  - measures required to protect any significant vegetation, and
  - the identification of any vegetation to be removed

- The provision of useable public open space that is clearly visible and accessible to residents within the site and from surrounding areas, provides a safe and convenient area to serve the recreational needs of future residents and includes:
  - A Neighbourhood Park of at least 0.75ha in area;
  - Pedestrian links to the surrounding street network, including links to Yarck, Haven, Ninda, Alvie and Nyora Courts.
  - A north-south pedestrian link along the western proposed public open space area;
  - Pedestrian link towards Broadmeadows Valley Park.

- A Landscape Masterplan that shows landscaping details for:
  - The entire Development Plan area;
The proposed upgrade of the Erinbank Crescent Park north of the site;  
The proposed new park within Broadmeadows Valley Park south of the site.  
Detailed Landscape Concept Plans must also be provided showing proposed new/upgraded recreational facilities for the above areas.

- A traffic impact assessment that includes consideration of:
  - Traffic generation and distribution;  
  - Vehicle, pedestrian and bicycle access through the site and to the surrounding transport network;  
  - Any required intersection and traffic treatments;  
  - Parking;  
  - Public transport access;

- A staging plan that incorporates the proposed neighbourhood park within the earliest stages of development at a standard to the satisfaction of the responsible authority.

5.0

Section 173 Agreement

Prior to the approval of a development plan, the owners of the land to which the development plan applies must enter into an agreement under section 173 of the Planning & Environment Act 1987 with the responsible authority and the airport lessee company of Melbourne Airport. The Agreement must be registered on title and make provision for the following:

- An acknowledgement that the land is in an area affected by aircraft noise.
- Following the initial subdivision of the land to create the lots for accommodation use, the land must not be further subdivided to create additional lots for accommodation use.
- All buildings on the land subject to this overlay which are to be used for accommodation must be attenuated in accordance with the Australian Standard AS 2021-2000, Acoustics – Aircraft Noise Intrusion-Building Siting and Construction.

6.0

Decision guidelines

Before approving the Development Plan (or any amendment to the plan) the responsible authority must consider:

- The need for safe and attractive pedestrian linkages within the site and to the surrounding area;
- The need for passive surveillance of public open space;
- Whether the proposal responds appropriately to the existing context of the site in terms of scale and form of development, external finishes and materials of any proposed buildings and works;
- The visual impact of the development’s detailed design (including fences), form and height on adjoining public open spaces.
- The views of the airport lessee company of Melbourne Airport.
- The views of the relevant electricity authority in regards to the electricity transmission easement.
SCHEDULE 26 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO26.

DEVELOPMENT PLAN – VALLEY PARK REDEVELOPMENT – AGED CARE PRECINCT

This schedule applies to residential land in Westmeadows bounded by Broadmeadows Valley Park to the north, south and east and Dimboola Road/existing residential development to the west. The Development Plan is to provide for an integrated and properly coordinated aged care residential development that responds to the physical and environmental issues affecting the site and surrounding land, in particular the adjoining residential and public open space areas, the identified site of Aboriginal Cultural Heritage Significance, threatened species, the slope of the site and noise from aircraft using the Melbourne Airport.

1.0

Objectives

To achieve architectural and urban design outcomes of the former public open space area that contribute positively to the local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.

To provide an efficient movement network for pedestrians, cyclists and vehicles throughout the site that connects to the wider network.

To provide development that contributes positively to existing and proposed public open spaces and provides passive surveillance opportunities.

To provide appropriate measures to address any potential noise impacts from aircraft using Melbourne Airport.

To provide development sensitive to the habitat requirements of the Growling Grass frog - *Litoria raniformis* (considered vulnerable nationally under the Environment Protection and Biodiversity Conservation Act 1999 and listed as a threatened species under the state Flora and Fauna Guarantee Act 1988) along Yuroke Creek.

2.0

Requirement before a permit is granted

None specified.

3.0

Conditions and requirements for permits

None specified.

4.0

Requirements for development plan

A Development Plan must be prepared to the satisfaction of the responsible authority, and must show:

- The use of the land for the purpose of residential aged care including accommodation for aged persons in independent living units.

- A site analysis that demonstrates the opportunities and constraints of the site and that includes consideration of:
  - How the site fits within the wider neighbourhood context;
  - Topography and slope of land;
  - Significant vegetation;
  - Threatened species including the Growling Grass Frog (*Litoria raniformis*)
  - Views towards the Broadmeadows Valley Park;
  - The use and development of surrounding land;
• Vehicle, pedestrian and bicycle access to the site including consideration of the existing pedestrian connections that the site provides to the surrounding residential and public open space areas;
• Sites of Aboriginal cultural heritage significance.
• Any other features identified as important to the site.

A design response demonstrating how the plan responds to the opportunities and constraints of the site, including:

• A proposed layout pattern that:
  • Provides a convenient and safe internal road network designed to Councils Standards with all public roads being contained within a road reserve.
  • Provides a convenient and safe pedestrian and cycle network including convenient pedestrian connections to the adjoining Broadmeadows Valley Park.
  • Provides convenient and safe pedestrian, cycle and road linkages to surrounding residential and public open space areas.
  • Clearly identifies and provides appropriate visitor car parking within the development site.

• A built form arrangement that:
  • Provides a sensitive residential interface with adjoining residential and public open space land.
  • Optimises opportunity for outlook toward the Broadmeadows Valley Park.
  • Optimises passive surveillance of Broadmeadows Valley Park and the sites perimeter.
  • Orients buildings to address open space areas and avoids, where possible, dwellings backing on to public open space and roads.
  • Provides for appropriate fencing where it abuts adjoining public open space.
  • Provides for appropriate bulk and form to integrate with the surrounding area, including the adjoining public open space.
  • Minimises the impact on the outlook of existing residents over to the Broadmeadows Valley Park.
  • Responds to the slope of the land to ensure convenient access to and around the site for the elderly and visitors.

A demonstrated buffer area for protection of potential Growling Grass Frog (*Litoria raniformis*) habitats including:
• A building footprint area no less than 50m from the Yuroke Creek; and
• A construction area no less then 30m from the Yuroke Creek, unless otherwise agreed in writing by the Department of Sustainability and Environment.

A written analysis demonstrating how the plan responds to the Victorian Planning Provisions, the Municipal Planning Strategy and Planning Policy Framework of the Hume Planning Scheme and that describes how the Development Plan has responded to this Development Plan Overlay Schedule.

The protection and management of identified sites of Aboriginal cultural heritage significance in line with the approved Cultural Heritage Management Plan that applies to the site.
• Provides useable open space which is clearly visible and accessible to residents within the site and from surrounding areas, providing a safe and convenient area to serve the recreational needs of future residents.

• A Landscape Masterplan that shows landscaping details for:
  - The site and abutting area of Broadmeadows Valley Park;
  - The proposed upgrade of the Erinbank Crescent Park north of the site;
  - The proposed new park within Broadmeadows Valley Park south of the site;
  - Enhancing habitat for the Growling Grass Frog (*Litoria raniformis*) adjacent Yuroke Creek.

Detailed Landscape Concept Plans must also be provided showing proposed new/upgraded recreational facilities within the adjoining Broadmeadows Valley Park and Erinbank Crescent Park.

• A traffic impact assessment that includes consideration of:
  - Traffic generation and distribution;
  - Vehicle, pedestrian and bicycle access through the site and to the surrounding transport network;
  - Proposed intersection and traffic treatments;
  - Parking;
  - Public transport access;

### Section 173 Agreement

Prior to the approval of a development plan, the owners of the land to which the development plan applies must enter into an agreement under section 173 of the *Planning & Environment Act 1987* with the responsible authority and the airport lessee company of Melbourne Airport. The Agreement must be registered on title and make provision for the following:

• That the land may only be used for the care and accommodation of elderly persons.

• An acknowledgement that the land is in an area affected by aircraft noise.

• Following the initial subdivision of the land to create lots for the aged care and accommodation uses on the site, the site may not be further subdivided to create additional lots for accommodation use.

• All buildings on the land subject to this overlay which are to be used for accommodation must be attenuated in accordance with the Australian Standard *AS 2021-2000, Acoustics – Aircraft Noise Intrusion-Building Siting and Construction*.

### Conditions and requirements for permits

The following condition applies to the development of the land as shown in the approved development plan:

• Prior to the start of any works, an Environmental Management Plan detailing measures to mitigate negative environmental impacts before, during and after construction to the reasonable satisfaction of the Department of Sustainability and Environment, must be submitted to and approved by the Responsible Authority. The Environmental Management Plan must demonstrate:
  - A building footprint area no less than 50m from the Yuroke Creek;
  - A construction area no less then 30m from the Yuroke Creek; and
  - Suitable sediment and run-off controls to effectively maintain the water quality and velocity of Yuroke Creek,
Decision guidelines

Before approving the Development Plan (or any amendment to the plan) the responsible authority must consider:

- The need for safe and attractive pedestrian linkages within the site and to the surrounding residential and public open space areas;
- Whether the proposal responds appropriately to the existing context of the site in terms of the scale and form of development, and the external finishes and materials of any buildings and works;
- The visual impact of the development’s detailed design (including fences), form and height on adjoining public open spaces.
- The overshadowing impact of the development on adjoining open spaces.
- The views of the airport lessee company of Melbourne Airport.
- The views of the Department of Sustainability and Environment.
- The views of Melbourne Water.
SCHEDULE 27 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO27.

275 RACECOURSE ROAD SUNBURY DEVELOPMENT PLAN

The purpose of the development plan is to provide a residential development that is economically, socially and environmentally sustainable and responds to surrounding land uses as well as the environmental and cultural heritage issues affecting the land and its surrounds.

1.0

Objectives

None specified.

2.0

Requirement before a permit is granted

A permit may be granted for the use of land, to construct a building, to carry out works or to remove native vegetation before a development plan has been prepared to the satisfaction of the responsible authority, provided the responsible authority is satisfied that the use, building, works or native vegetation removal will not prejudice the future integrated use or development of the land. Any permit granted must be generally in accordance with the Indicative Plan shown in Map 1 to this schedule.

3.0

Conditions and requirements for permits

Any permit and the plans under that permit must show or require the following to the satisfaction of the responsible authority, as appropriate:

- A condition or conditions which ensure that any requirements (or conditions) set out in the development plan are implemented as part of the planning permit or the plans endorsed under the permit.

- The design and construction of the Elizabeth Drive extension through the land, connecting to Racecourse Road is completed, to the satisfaction of the responsible authority 12 months from planning permit approval.

- The use and development of the land to be consistent with the Cultural Heritage Management Plan dated 28 January 2011, AAV Management Plan Identifier 11279.

4.0

Requirements for the development plan

The development plan or specific area plan for the Neighbourhood Activity Centre must not be approved in stages.

The development plan must be generally in accordance with Map 1 and must show and provide for the following to the satisfaction of the responsible authority:

General requirements

- The proposed development and use of each part of the land.

- A maximum of 390 residential lots over the whole of the site.

- A diversity of residential lot sizes including an interface to the Low Density Residential Zone land with lots in excess of 1,000 sqm in area.

- An indicative staging plan for the development and infrastructure provision including the timing of the construction of Elizabeth Drive.

- Provision for water, drainage, electricity, sewerage and gas.

- The timing, method and security for payment of any development contribution.
How the proposal will achieve best practice benchmarks for ecologically sustainable development.

A Neighbourhood Activity Centre.

The location and function of open space areas and reserves.

Consideration of bushfire (grassfire) risk.

A building exclusion zone along the boundary of the land as shown in Map 1 to this schedule.

**Open space master plan**

- An Open Space Master Plan that includes:
  - A network of open space generally in accordance with Map 1 to this schedule.
  - The area shown as Grassy Woodlands in Map 1 to this schedule to be retained and set aside as conservation reserves (Grassy Woodland Reserves).
  - An area set aside for the retention and protection of the waterhole as shown in Map 1 to this schedule.
  - An area set aside within the perimeter of the Grassy Woodland Reserves to accommodate pathways and buffers, where required.
  - Pedestrian links through the Grassy Woodland Reserves constructed in low impact materials.
  - A network of open space including a neighbourhood park and a number of smaller reserves generally as shown in Map 1 to this schedule so that all households have open space within 500 metres of unimpeded walking distance.
  - A wetland in the south eastern corner of the land generally as shown in Map 1 to this schedule to manage stormwater from the land.

**Landscape master plan**

A landscape master plan for the land (but excluding land within the Commercial 1 Zone) that includes:

- Retention and protection of the three existing significant trees located on the land within a reserve as identified on Map 1 to this schedule. A 10 metre wide tree reserve along the Racecourse Road frontage as shown in Map 1 to this schedule to provide a visual landscape screen, soften the appearance of the subdivision, establish an entry statement and be compatible with and continue the high landscape quality of the area of Racecourse Road to the north of the site.

**Transport and movement network**

An Integrated Transport Plan that includes:

- A traffic assessment addressing the impact of the proposed development on the arterial and local road networks and identifying any necessary mitigating works on those networks to the satisfaction of the responsible authority.

- An integrated pedestrian and bicycle path network, incorporated into the road and public open space system that:
  - Provides clear linkages within the land and connections to the surrounding community, urban environment and facilities.
  - Provides for community safety.
  - Provides convenient links to public transport.
  - Connects to future regional bike paths and open space areas.
- Potential public transport routes and indicative bus stop locations, following consultation with Public Transport Victoria.
- The proposed road layout, including all vehicular and pedestrian access points and connections to the land which:
  - Provides convenient and safe internal and external access.
  - Accommodates public transport.
  - Links to adjoining areas.
- Dimensions and typical cross sections of the road network.
- The location of vehicular and pedestrian access to Racecourse Road, Kenway Street, Winilba Road, Elizabeth Drive, Tennyson Court and Dunrossil Drive.
- The extension of Elizabeth Drive through the land, connecting to Racecourse Road and indicative timing of the design and construction of Elizabeth Drive and associated roundabout(s).
- Traffic management of intersections to Elizabeth Drive including roundabouts where appropriate along the Elizabeth Drive extension and the intersection of the Elizabeth Drive extension and Racecourse Road as shown in Map 1 to this schedule.
- The width of the proposed road reserve of the Elizabeth Drive extension, south of the first intersection within the land, to integrate with the existing width of the Elizabeth Street road reserve.

Native Vegetation
- A flora and fauna report and net gain assessment of the land, including a tree survey report that is consistent with the requirements of the Permitted Clearing of Native Vegetation – Biodiversity Assessment Guidelines.

Cultural Heritage Management Plan
- The implementation of the requirements and recommendations of the Cultural Heritage Management Plan dated 28 January 2011, AAV Management Plan Identifier 11279.

Neighbourhood Activity Centre
A Specific Area Plan for land contained within the Commercial 1 Zone must be prepared to the satisfaction of the responsible authority and should include:
- The general building footprint(s) and the total area of net floor area.
- The form and function of the activity centre including the proposed use and development of each part of the activity centre in the short and long term.
- The principles and objectives of any activity centre, safer design or other relevant design guidelines incorporated or referenced in the planning scheme.
- A traffic impact report addressing anticipated traffic volume generation and likely impact on road networks and the suitability of access and egress arrangements.
- Provisions for car parking including the location, access point and the general area(s) to be set aside for car parking.
- Vehicle access points onto surrounding road networks.
- Public transport services within the activity centre including the provision of suitable bus access, routes and stops in accordance with the Public Transport Guidelines for Land Use and Development to the satisfaction of Public Transport Victoria.
- A Landscape Plan showing the overall landscape theme for the activity centre. The landscape theme should be complementary to the landscape character of the area to the north of the site along Racecourse Road and to the surrounding residential area.

- Details of proposed environmental sustainability initiatives including integrated water management and energy conservation.
SCHEDULE 28 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO28.

DEVELOPMENT PLAN – ROXBURGH PARK NEIGHBOURHOOD CENTRE

This schedule applies to 175 Donald Cameron Drive, Roxburgh Park known as the Roxburgh Park Neighbourhood Centre. The Development Plan is to provide for the coordinated development of the land for a range of commercial, retail, residential, open space and mixed-use purposes, incorporating high quality design ensuring the development interfaces appropriately with the surrounding residential development and integrates with the adjoining road network.

1.0 Objectives

None specified.

2.0 Requirement before a permit is granted

The Responsible Authority may consider an application to construct a building or construct or carry out works in the Roxburgh Park Neighbourhood Centre prior to the approval of a Development Plan, provided the buildings or works do not prejudice the preparation and approval of the Development Plan. Any permit granted must also be generally in accordance with the Figure 1 of this Schedule.

Before deciding on any application the responsible authority must consider:

- The purpose of the zone;
- Any approved Development Plan; and
- Any relevant agreement prepared under Section 173 of the Planning and Environment Act 1987.

A permit granted must:

- Be generally in accordance with any Development Plan.
- Include any conditions or requirements specified in this overlay.

Any application to subdivide land must be in accordance with the approved Development Plan. Any planning permit for subdivision must be in accordance with the approved Development Plan.

3.0 Conditions and requirements for permits

A permit for subdivision and development of the site shall include provisions and conditions relating to the interface between the site and public space (laneways, streets, parks) and between the site and existing and proposed residential properties where applicable.

Any permit should include conditions which address, where appropriate, the following matters:

- Compliance with Development Plan.
- Compliance with any Building Envelope Plan(s).
- The provision of infrastructure to the satisfaction of the Responsible Authority.
- The maintenance of all landscaping, buildings and works to the satisfaction of the Responsible Authority.

4.0 Requirements of a development plan

A Development Plan must be prepared to the satisfaction of the Responsible Authority, and must show and provide for the following to the satisfaction of the Responsible Authority:
General

- the proposed use and development of each part of the land including details of the relationship of the land to existing or proposed use and development on surrounding land;
- an appropriate building envelope for each allotment which is large enough to accommodate a house and associated outbuildings;
- the pattern and location of a road system based on a safe and practical hierarchy of roads;
- major drainage lines, water features, proposed retarding basins and flood ways, and the means by which these will be managed and water quality maintained;
- areas proposed for revegetation, including tree species and density;
- the staging and anticipated timing of development;
- provision and development of land in accordance with any relevant agreement prepared under Section 173 of the Planning and Environment Act 1987;
- include a site assessment identifying any areas of potential contamination;
- include a traffic impact assessment report and Traffic Management Plan to the satisfaction of the responsible authority;
- set out the location of community facilities and public spaces;
- set out the design of streets including street design and widths, pedestrian access and areas, car parking, paving materials and street furniture;
- include guidelines to improve environmental sustainability including integrated water management and energy conservation;
- the Development Plan may consist of plans and/or other documents; and
- any other matters which relate to the development of the land.

Traffic Management Plan

- A traffic management plan to be approved by the responsible authority must be submitted with a development plan and indicate and incorporate:
  - vehicle, pedestrian and bicycle access through the site and to the surrounding transport and footpath network;
  - necessary traffic treatments and/or pavement materials to manage speed and minimise through traffic within the internal road network;
  - external intersection treatments identified within the traffic impact assessment report and the mechanisms to deliver these treatments;
  - ingress and egress points and the estimated levels of usage;
  - any proposed off site traffic management treatments;
  - the level, allocation and location of car parking on the land;
  - provision for the loading and unloading of vehicles;
  - access to public transport, pedestrian and bicycle movement and connections; and
  - an integrated approach to accessible public transport, pedestrian, bicycle connections and other private vehicular transport.

Neighbourhood Activity Centre

A Specific Area Plan for land contained within the Commercial 1 Zone must be prepared to the satisfaction of the responsible authority and should:
• identify the general building footprint(s) and the total area of net floor area;
• set out the form and function of the activity centre including the proposed use and development of each part of the activity centre;
• set out how the design responds to any activity centre, safer design or other relevant design guidelines incorporated or referenced in the planning scheme;
• include a traffic impact report addressing anticipated traffic volume generation and likely impact on road networks and the suitability of access and egress arrangements;
• show arrangements for access to the activity centre from adjoining roads to the satisfaction of the responsible authority;
• identify vehicle access points onto surrounding road networks;
• include a Landscape Plan showing the overall landscape theme for the activity centre;
• set out provisions for car parking including the location and design of car parking areas and car parking spaces for proposed uses within the activity centre;
• set out provisions for pedestrian friendly access to the Neighbourhood Activity Centre from existing and new pedestrian links;
• set out arrangements for the provision of service areas for deliveries and waste disposal including access for larger vehicles and measures to minimise the impact on the amenity of the activity centre and any adjoining residential development;
• detail the interface arrangements between the Neighbourhood Activity Centre and adjoining residential land uses; and
• set out how public transport services will be provided to the activity centre including the identification of suitable bus routes and stops on adjoining roads in accordance with the Public Transport Guidelines for Land Use and Development.

4.3

The proposed subdivision layout for the development which:
• provides a wide variety of lot sizes and a wide range of densities allowing for a variety of housing types and other compatible land uses;
• ensures the future lots that directly interface with Kennedy Parade and Truscott Avenue are designed at a height and density that responds to the urban character existing within Roxburgh Park, particularly the urban character of existing dwellings located along Kennedy Parade and Truscott Avenue;
• takes into consideration the topography of the land;
• provides for vehicle, pedestrian and cycling linkages through the land;
• details the lot mix, orientation and any areas proposed for medium density development;
• includes an assessment of all proposed residential subdivision against the requirements of Clause 56 as specified in the zone;
• includes the proposed road layout pattern, including all vehicular access points to the land which:
  • provides convenient internal and external access for residents; and
  • provides road links to adjoining areas;
• provides a parking scheme for the entire site;
• details of any proposed public open space, recreation and leisure facilities, including where relevant, proposed playgrounds, walking and cycling links;
includes existing walking/cycling links through Roxburgh Park and the subdivision layout can accommodate connections to the existing path network;

- acknowledges and considers the Melbourne Water Pipe Track Easement;
- includes proposed physical and community infrastructure;
- details proposed accessible public transport routes and facilities developed in conjunction with the Public Transport Division of the Department Transport, Planning and Local Infrastructure, including demonstration that 95% of dwellings can be located within 400 metres of a bus stop;
- includes any potential overall landscaping proposals; and
- provides a servicing report to show the connection of all lots to reticulated services, including consideration of the views and land requirements of the relevant authorities.

### Urban Design

That Urban Design Guidelines be approved by the Responsible Authority that:

- provide for a high-quality built form which is responsive to the site, provides high amenity interfaces between buildings and adjacent uses and builds on and contributes to the character of the area;
- provide for active frontages to key pedestrian interfaces within and surrounding the site;
- provide for the activation of the corner of Bridgewater Road and James Mirams Drive streetscapes through the siting of built form to the property boundary or footpath network;
- provide for appropriate weather protection for pedestrians within the Neighbourhood Activity Centre;
- provide for appropriate interface treatments between non-residential built form and residential buildings within the site;
- provide for a built form which encourages natural surveillance of the surrounding streets, car parks, and primary pedestrian linkages through the site;
- provide safe, direct and attractive pedestrian linkages through the site from key access points including connections to car parking, public transport, residential land (where practicable and appropriate);
- provide for the use of environmentally sustainable principles into the design of new built form, car parks and landscapes; and
- provide for the use of design features for people of all abilities in compliance with the Disability Discrimination Act 1992 standards.

### Decision guidelines

In assessing a Development Plan or an amendment to a Development Plan, the responsible authority must consider the:

- purposes of the zone(s) and any other relevant provisions of the planning scheme;
- movement network both internal and external to the site;
- views of Melbourne Water in relation to the use of the Melbourne Water Pipe Track Easement;
- interface of the site with adjoining development and uses; and
- any relevant agreement prepared under Section 173 of the Planning and Environment Act 1987.
Map 1 to the Schedule to Clause 43.04

Figure 1 - Indicative Plan

- Mixed use zone
- Neighbourhood activity centre
- Residential
- Site boundary
SCHEDULE 29 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO29.

EMPLOYMENT AND RESIDENTIAL PRECINCT, 225 – 285 DONNYBROOK ROAD, MICKLEHAM

1.0

Objectives

None specified.

2.0

Requirement before a permit is granted

Before deciding on any application the responsible authority must consider:

- The purpose of the zone
- The approved Development Plan
- The Metropolitan Strategy (Plan Melbourne 2017-2050) and the North Growth Corridor Plan
- The Folkestone Native Vegetation Precinct Plan at Clause 72.04
- Any relevant agreement prepared under Section 173 of the Planning and Environment Act 1987.

The Responsible Authority may grant a permit for subdivision, to construct a building or to construct or carry out works prior to approval of a development plan provided that the Responsible Authority is satisfied that the subdivision, building or works will not prejudice the preparation of the development plan.

3.0

Conditions and requirements for permits

A permit for subdivision and development of the site should include provisions and conditions relating to the interface between the residential and employment land uses where applicable. Any permit should include conditions which address, where appropriate, the following matters:

- Compliance with the approved Development Plan
- The provision of infrastructure to the satisfaction of the Responsible Authority
- The maintenance of all landscaping, buildings and works to the satisfaction of the Responsible Authority
- Compliance with a Fire Management Plan that has been prepared to the satisfaction of the Country Fire Authority.

4.0

Requirements for development plan

The Development Plan must be generally in accordance with Map 1 in subclause 5.0 and may consist of plans or other documents. It must show and provide for the following, to the satisfaction of the Responsible Authority:

General Requirements

- The land to which the Development Plan applies
- Consistency with any relevant approved structure plan or Native Vegetation Precinct Plan for the site
- The relationship of the development of the land to the existing and proposed land uses in the Merrifield West Precinct Structure Plan, the Merrifield Central Employment Area, the inter-urban break, the land to the east and the Mount Ridley Grasslands Nature Conservation Reserve
- The proposed development and use of each part of the land
The indicative sequence of development and infrastructure provision

- An overall landscape strategy for the site
- Proposed retarding basins, lakes, water features, water courses and drainage lines and the means by which these will be managed and water quality maintained incorporating the principles of Water Sensitive Urban Design
- A servicing concept plan detailing how service infrastructure will be provided and integrated with other infrastructure such as roads, drainage, streets, lighting and landscaping
- Consistency with any Integrated Water Cycle Management Plan prepared by the local water authority, Melbourne Water and Hume City Council.

**Residential Requirements**

The Development Plan must show and include to the satisfaction of the Responsible Authority:

- The proposed subdivision layout for the development which:
  - Provides a variety of lot sizes and densities allowing for a variety of housing types
  - Provides an appropriately designed interface with Merrifield West PSP, Donnybrook Road, Aitken Boulevard and the Mount Ridley Grasslands Nature Conservation Reserve
  - Provides for vehicle, pedestrian and cycling links to the land to the west
  - Provides road frontage to Mount Ridley Grasslands Nature Conservation Reserve.

- Details of lot mix, orientation and any areas proposed for medium density development

- An assessment of all proposed residential subdivision against the requirements of Clause 56 as specified in the zone

- Road links to the Merrifield West PSP to the west

- Details of proposed public open space, including relevant proposed playgrounds

- Provides an appropriately designed fence along the common boundary between the General Residential Zone and the Mount Ridley Grasslands Nature Conservation Reserve and where Aitken Boulevard interfaces with the reserve, for the reserve’s protection

- Details of signage around the Newgrove Ruin (Heritage Overlay HO260) that promotes its heritage significance.

**Transport**

- A plan showing:
  - The proposed street and pedestrian movement network
  - Links to the Principle Bicycle Network (PBN) and Metropolitan Trail Network (MTN) and how the proposal makes better use of existing transport assets including arterial roads, public transport or new pedestrian links or cycle paths
  - The integration of land use with transport provision
  - How the proposal will promote and facilitate the use of public transport
  - A road layout that facilitates efficient and effective public transport to the site
  - Linkages between key destinations and trip generating activities for vehicles, pedestrians and cyclists
  - The requirements of freight and commercial vehicles
  - The proposed arterial and neighbourhood connector street network including proposed linking points to surrounding land
- How the plan responds to State government transport objectives
- The details relating to the upgrading of Donnybrook Road and the construction of Aitken Boulevard
- Road layout and design, including road reserve widths and indicative cross-sections.

**Neighbourhood Activity Centre**

The Neighbourhood Activity Centre will serve the local residential and employment catchment. The centre will complement the Mickleham (Merrifield) Town Centre, located to the north, which will serve the broader catchment.

A Specific Area Plan for land contained within the Commercial 1 Zone must be prepared to the satisfaction of the Responsible Authority and should include:

- The use and development of the land including building envelopes, design objectives and site layout, including setbacks
- Details on the interface, and integration between, the neighbourhood activity centre, child minding facility and surrounding land uses, open space links, and Aitken Boulevard
- Car parking
- Location of crossovers and footpaths
- Consideration of the vision, principles and directions for Activity Centres contained within the Metropolitan Strategy (*Plan Melbourne 2017-2050*), including the performance criteria for activity centres.

**Native Vegetation**

All native vegetation on the site to be retained, removed or translocated is to be in accordance with the Folkestone Native Vegetation Precinct Plan (Clause 72.04). The following plans must be prepared and implemented to the satisfaction of the Responsible Authority and the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*):

- a Vegetation Management Plan, incorporating a vegetation offset plan, detailing management of the vegetation to be retained.

**Open Space**

A plan which details the open space network on the site is to be provided. The plan is to show all of Council’s open space requirements which include:

- Open space networks which integrate with the Mount Ridley Grasslands and Woodlands to the west and south including, the provision of a 2.5m linear shared path for walking and cycling within the Council 15 metre unencumbered open space adjacent to the woodlands and road reserve
- Open space networks including the provision of a 2.5m shared path for walking and cycling along drainage reserves and how these link with other areas within the site.

**Urban Design**

- Urban design guidelines indicating preferred siting and built form outcomes for the site including Donnybrook Road, Aitken Boulevard and the north-south connector road, open space areas and different uses and zones
- Detail of how the transmission line easement to the south of the site will be integrated with the Mount Ridley Grasslands and surrounding existing and proposed land uses
- Details of measures to address amenity impacts from industrial development for future properties in the residential area.
Residential Interface

- Specific plans and urban design guidelines are to be prepared for the southern boundary site interface with existing rural living properties to the south to the satisfaction of the Responsible Authority including:
  - preferred siting and built form outcomes
  - Landscaping treatments including land forming to buffer and minimise the visual impact of development on adjoining residential properties.

Cultural Heritage

- Any sites of cultural or heritage significance and the means by which they will be managed
- Completion of further investigations by a suitably qualified cultural heritage expert to locate any physical evidence of the former road that extended through the site east of the Newgrove Ruins and the completion of any management measures that may result from these investigations
- An assessment of the need to prepare a Cultural Heritage Management Plan under the Aboriginal Heritage Regulations 2007 and preparation of a Plan if required.
Concept Plan

Map 1 to the Schedule to Clause 43.04 - 225 Donnybrook Road Concept Plan

[Diagram of the area with labels such as Residential, Industrial Business Park, Woodlands, Activity Centre, and streets like Donnybrook Road, English Street, and Redcliff Road.]
SCHEDULE 30 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO30.

INCLUSIONARY HOUSING PILOT – 2-16 NICHOLAS STREET, BROADMEADOWS

1.0

Objectives
None specified.

2.0

Requirement before a permit is granted
A permit may be granted before a development plan has been approved provided the responsible authority is satisfied that it will not prejudice the future use and development of the land.

3.0

Conditions and requirements for permits
None specified.

4.0

Requirements for development plan
A development plan should achieve the following:

- A range of dwelling types, as appropriate to cater for a variety of housing needs.
- Variation to building forms and scales across the site.
- 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.
- Any taller buildings across the balance of the site should be graduated with reference to analysis of shadow, visual amenity impacts and the character of the area.
- A positive interface to public open space, including Meadowlink Linear Reserve, giving appropriate consideration to issues of safety and surveillance.
- Improved local permeability through provision of new pedestrian/cycle pathways that provide connections to open space areas (including Meadowlink Linear Reserve), the existing street network and facilitates connections through to the Broadmeadows Metropolitan Activity Centre.
- A street network which improves the connectivity within the neighbourhood.
- Sustainable design features to address water management, solar access and energy saving initiatives, to deliver lower living costs for future residents.

The Development Plan may consist of a plan and/or other documents.

A Development Plan must include the following requirements to the satisfaction of the responsible authority:

- The key attributes of the land, its context, the surrounding area and its relationship with existing and/or proposed uses on adjoining land;
- Concept plans for the layout of the site which show:
  - Proposed lot and road layout, new building orientation and location, public roads, vehicle access locations, and pedestrian and bike paths.
  - A new public open space area, consistent with council standards for neighbourhood parks, that is clearly visible and accessible to the residents within the site and from surrounding areas, and adjoins and links into Meadowlink Linear Reserve.
  - Three dimensional building envelope plans including indicative building heights and setbacks.
  - Stormwater and drainage management treatments including any water sensitive design, or integrated water management elements.
How the layout pattern and proposed development responds to the site analysis.

How a proposal responds to any relevant adopted Structure Plan and any adopted Meadowlink Masterplan.

A traffic management report prepared by a suitably qualified person(s), which identifies, as relevant:

- An assessment of the expected traffic impacts associated with a development such as traffic volumes, car parking, car parking location, loading and unloading of vehicles, and collection of garbage and waste.

- A traffic assessment addressing the impact of the proposed development on the arterial road and local road networks and identifying necessary mitigating works on those networks to the satisfaction of the responsible authority.

An integrated pedestrian and bicycle path network, incorporated into the road and public open space system that:

- Provides clear linkages within the land and connections to the surrounding community and other local destinations, including public transport.

- Provides for community safety.

- Connects to future regional bike paths and open space areas, including Meadowlink Linear Reserve.

An arboricultural assessment of any significant vegetation on the land, including advice on the long-term health and retention value of such vegetation, in accordance with Australian Standard AS 4970-2009 ‘Protection of Trees on Building Sites’.

A concept landscape plan for the site, including principles and guidelines.

A stormwater and drainage management strategy, including the integration of water sensitive urban design treatments.

Details of how the proposal will demonstrate best practice Environmentally Sustainable Design principles.

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.
FLOODWAY OVERLAY

Shown on the planning scheme map as FO or RFO with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.

To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.

To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989 if a declaration has been made.

To protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

To ensure that development maintains or improves river and wetland health, waterway protection and floodplain health.

Floodway objectives and statement of risk

A schedule to this overlay may contain:

- Floodway management objectives to be achieved.
- A statement of risk.

Buildings and works

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.
- A dependent person’s unit.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To flood mitigation works carried out by the responsible authority or floodplain management authority.
To the following works in accordance with plans prepared to the satisfaction of the responsible authority:

- The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
- The erection of telephone or power lines provided they do not involve the construction of towers or poles.

- To post and wire and post and rail fencing.

**Subdivision**

A permit is required to subdivide land. A permit may only be granted to subdivide land if the following apply:

- The subdivision does not create any new lots, which are entirely within this overlay. This does not apply if the subdivision creates a lot, which by agreement between the owner and the relevant floodplain management authority, is to be transferred to an authority for a public purpose.
- The subdivision is the resubdivision of existing lots and the number of lots is not increased, unless a local floodplain development plan incorporated into this scheme specifically provides otherwise.

**Application requirements**

**Local floodplain development plan**

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

**Flood risk report**

If a local floodplain development plan for the area has not been incorporated into this scheme, an application must be accompanied by a flood risk report to the satisfaction of the responsible authority, which must consider the following, where applicable:

- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effects of the development on river health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality and sites of scientific significance.
- An application must be accompanied by any information specified in a schedule to this overlay.

### Exemption from notice and review

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

### Referral of applications

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The local floodplain development plan or flood risk report.
- Any comments of the relevant floodplain management authority.
- The Victorian River Health Strategy (2002) and any relevant regional river health strategy and associated wetland plan.
- Any other matters specified in a schedule to this overlay.
SCHEDULE TO CLAUSE 44.03 FLOODWAY OVERLAY

Shown on the planning scheme map as FO or RFO.

1.0
Floodway objectives to be achieved
None specified.

2.0
Statement of risk
None specified.

3.0
Permit requirement
No permit is required for works associated with the proposed Hume Freeway as shown shaded on Drawing No. 551091 included in the Schedule to Clause 72.04–Incorporated Documents, subject to the written approval of the proposal from Melbourne Water.

No permit is required for works associated with the proposed Hume Freeway as shown shaded on Drawing No. VR2 included in the Schedule to Clause 72.04, subject to the written approval of the proposal from Melbourne Water.

4.0
Application requirements
None specified.

5.0
Decision guidelines
None specified.
LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as LSIO with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.

To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

Land subject to inundation objectives and statement of risk

A schedule to this overlay may contain:

- Land subject to inundation management objectives to be achieved.
- A statement of risk.

Buildings and works

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.
- A dependent person’s unit.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To flood mitigation works carried out by the responsible authority or floodplain management authority.
To the following works in accordance with plans prepared to the satisfaction of the responsible authority:

- The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
- The erection of telephone or power lines provided they do not involve the construction of towers or poles.

- To post and wire and post and rail fencing.

**Subdivision**

A permit is required to subdivide land.

**Application requirements**

An application must be accompanied by any information specified in a schedule to this overlay.

**Local floodplain development plan**

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

**Exemption from notice and review**

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Referral of applications**

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
- The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.

- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.

- The effect of the development on river health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality and sites of scientific significance.

- Any other matters specified in a schedule to this overlay.
**SCHEDULE TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY**

Shown on the planning scheme map as **LSIO**.

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0</td>
<td>Land subject to inundation objectives to be achieved</td>
<td>None specified.</td>
</tr>
<tr>
<td>2.0</td>
<td>Statement of risk</td>
<td>None specified.</td>
</tr>
<tr>
<td>1.0</td>
<td>Permit requirement</td>
<td>None specified.</td>
</tr>
<tr>
<td>4.0</td>
<td>Application requirements</td>
<td>None specified.</td>
</tr>
<tr>
<td>5.0</td>
<td>Decision guidelines</td>
<td>None specified.</td>
</tr>
</tbody>
</table>
### SPECIAL BUILDING OVERLAY

Shown on the planning scheme map as **SBO** with a number (if shown).

#### Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

### Flooding management objectives and statement of risk

A schedule to this overlay may contain:

- Flooding management objectives to be achieved.
- A statement of risk.

### Buildings and works

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- A rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.
- A dependent person’s unit.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To flood mitigation works carried out by the responsible authority or floodplain management authority.
- To the following works in accordance with plans prepared to the satisfaction of the responsible authority:
  - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
- The erection of telephone or power lines provided they do not involve the construction of towers or poles designed to operate at more than 66,000 volts.

- To landscaping, driveways, vehicle cross overs, footpaths or bicycle paths if there is no significant change to existing surface levels, or if the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.

- To an extension of less than 20 square metres in floor area to an existing building (not including an out-building), where the floor levels are constructed to at least 300mm above the flood level or if the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.

- To an upper storey extension to an existing building.

- To an alteration to an existing building where the original building footprint remains the same and floor levels are constructed to at least 300mm above flood level.

- To an out-building (including replacement of an existing building) if the out-building is less than 10 square metres in floor area and constructed to at least 150mm above the flood level or the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.

- To a replacement building (not including an out-building) if it is constructed to at least 300mm above the flood level and the original building footprint remains the same. The responsible authority may require evidence of the existing building envelope.

- To fencing with at least 25% openings and with the plinth at least 300mm above the flood level.

- To a replacement fence in the same location and of the same type and materials as the existing fence.

- To a pergola or an open deck area with unenclosed foundations.

- To a carport constructed over an existing carspace.

- To an in-ground swimming pool and associated security fencing, where the perimeter edging of the pool is constructed at natural surface levels and excavated material is removed from the flowpath.

- To a tennis court at existing surface level with fencing designed to minimise obstruction to flows.

- To an aviary or other enclosure for a domestic animal if it is less than 10 square metres in floor area at ground level.

- To open sided verandahs, open sided picnic shelters, barbeques and park furniture (excluding playground equipment) if there is less than 30mm change to existing surface levels.

- To radio masts, light poles or signs on posts or attached to buildings.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works.</td>
<td>Clause 59.08</td>
</tr>
</tbody>
</table>

**Subdivision**

A permit is required to subdivide land.
VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any of the following classes of subdivision:</td>
<td>Clause 59.08</td>
</tr>
<tr>
<td>• Subdivide land to realign the common boundary between 2 lots where the area of either lot is reduced by less than 15 percent and the general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>• Subdivide land into lots each containing an existing building or car parking space where:</td>
<td></td>
</tr>
<tr>
<td>• The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>• An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>• Subdivide land into 2 lots if:</td>
<td></td>
</tr>
<tr>
<td>• The construction of a building or the construction or carrying out of works on the land is approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>• The construction or carrying out of the approved building or works on the land has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>• The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Application requirements

Unless otherwise agreed in writing by the relevant floodplain management authority, an application to construct a building or construct or carry out works must be accompanied by a site plan which shows, as appropriate:

• The boundaries and dimensions of the site.

• Relevant existing and proposed ground levels, to Australian Height Datum, taken by or under the direction or supervision of a licensed land surveyor.

• The layout, size and use of existing and proposed buildings and works, including vehicle parking areas.

• Floor levels of any existing and proposed buildings to Australian Height Datum.

• Cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.

• Any other application requirements specified in a schedule to this overlay.

Local floodplain development plan

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.
Exemption from notice and review
An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Referral of applications
An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed to in writing between the responsible authority and the floodplain management authority.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- Any other matters specified in a schedule to this overlay.
SCHEDULE TO CLAUSE 44.05 SPECIAL BUILDING OVERLAY

Shown on the planning scheme map as SBO.

1.0
Flooding management objectives to be achieved
None specified.

2.0
Statement of risk
None specified.

3.0
Permit requirement
None specified.

4.0
Application requirements
None specified.

5.0
Decision guidelines
None specified.
**BUSHFIRE MANAGEMENT OVERLAY**

Shown on the planning scheme map as **BMO** with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.

To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

---

**Bushfire management objectives and application of schedules**

A schedule to this overlay must contain a statement of the bushfire management objectives to be achieved for the area affected by the schedule and when the requirements within it apply.

---

**Permit requirement**

**Subdivision**

A permit is required to subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.

**Buildings and works**

A permit is required to construct a building or construct or carry out works associated with the following uses:

- Accommodation (including a Dependent person’s unit)
- Education centre
- Hospital
- Industry
- Leisure and recreation
- Office
- Place of assembly
- Retail premises
- Service station
- Timber production
- Warehouse

This does not apply to any of the following:

- If a schedule to this overlay specifically states that a permit is not required.
- A building or works consistent with an agreement under Section 173 of the Act prepared in accordance with a condition of permit issued under the requirements of Clause 44.06-5.
- An alteration or extension to an existing building used for a dwelling or a dependent person’s unit that is less than 50 percent of the gross floor area of the existing building.
- An alteration or extension to an existing building (excluding a dwelling and a dependent person’s unit) that is less than 10 percent of the gross floor area of the existing building.
A building or works with a floor area of less than 100 square metres not used for accommodation and ancillary to a dwelling.

A building or works associated with Timber production provided the buildings or works are not within 150 metres of Accommodation or land zoned for residential or rural residential purposes.

### Application requirements

Unless a schedule to this overlay specifies different requirements, an application must be accompanied by:

- A **bushfire hazard site assessment** including a plan that describes the bushfire hazard within 150 metres of the proposed development. The description of the hazard must be prepared in accordance with Sections 2.2.3 to 2.2.5 of AS3959:2009 Construction of buildings in bushfire prone areas (Standards Australia) excluding paragraph (a) of section 2.2.3.2. Photographs or other techniques may be used to assist in describing the bushfire hazard.

- A **bushfire hazard landscape assessment** including a plan that describes the bushfire hazard of the general locality more than 150 metres from the site. Photographs or other techniques may be used to assist in describing the bushfire hazard. This requirement does not apply to a dwelling that includes all of the approved measures specified in Clause 53.02-3.

- A **bushfire management statement** describing how the proposed development responds to the requirements in this clause and Clause 53.02. If the application proposes an alternative measure, the bushfire management statement must explain how the alternative measure meets the relevant objective.

If in the opinion of the responsible authority any part of these requirements is not relevant to the assessment of an application, the responsible authority may waive, vary or reduce the requirement.

### Requirements of Clause 53.02

An application must meet the requirements of Clause 53.02 unless the application meets all of the requirements specified in a schedule to this overlay.

A schedule to this overlay may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines for the purposes of Clause 53.02.

### Mandatory condition

**Subdivision**

A permit which creates a lot for a single dwelling on land zoned for residential or rural residential purposes must include the following condition:

“Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:

- State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the [*insert name of applicable planning scheme] Planning Scheme.

- Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.

- State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.”
This does not apply:

- If a schedule to this overlay specifies that a Section 173 Agreement is not required.
- Where the relevant fire authority states in writing the preparation of an agreement under Section 173 of the Act is not required for the subdivision.
- For the subdivision of the land into lots each containing an existing dwelling or car parking space.

A permit to subdivide land must include any condition specified in a schedule to this overlay.

**Buildings and works**

A permit to construct a building or construct or carry out works must include the following condition:

“*The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.*”

A permit allowing a dwelling to be constructed to the next lower bushfire attack level in accordance with AM1.2 in Clause 53.02-3 must include the following condition:

“*Before the development starts, the owner must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 to provide for the following:*

- **A dwelling constructed in accordance with planning permit [*insert planning permit reference]**
  - must not be occupied until a private bushfire shelter (a Class I0c building within the meaning of the Building Regulations 2006) is:
  - Constructed on the same land as the dwelling.
  - Available for use by the occupants of the dwelling at all times.
  - Maintained in accordance with the requirements of the building permit issued for that private bushfire shelter.

*The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.*”

A permit to construct a building or construct or carry out works must include any condition specified in a schedule to this overlay.

**Referral of applications**

An application must be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03, unless a schedule to this overlay specifies otherwise.

**Notice and review**

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act, unless a schedule to this overlay specifies otherwise.

A schedule to this overlay may specify that notice be given to any person or body in accordance with section 52(1)(c) of the Act.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 53.02 and Clause 65, the responsible authority must consider, as appropriate:

Any other matters specified in a schedule to this overlay.

**Transitional arrangements**

The requirements of Clause 44.06 Bushfire Management Overlay do not apply to a single dwelling, or a dependent person's unit, when a permit under the *Building Act 1993* was issued before the commencement of Amendment GC13, if:

- vegetation is managed to accord with the bushfire attack level assessment undertaken at the time the building permit was issued; and

- a static water supply of:
  - 2500 litres on lots of 500 square metres or less
  - 5000 litres on lots of more than 500 square metres, is provided to the satisfaction of the responsible authority.

- no permit was required for such development under Clause 44.06 before the commencement of Amendment GC13.
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

## Public acquisition

<table>
<thead>
<tr>
<th>PS map ref</th>
<th>Acquiring Authority</th>
<th>Purpose of acquisition</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAO1</td>
<td>Roads Corporation</td>
<td>Road construction and widening</td>
</tr>
<tr>
<td>PAO2</td>
<td>Hume City Council</td>
<td>Road construction and widening</td>
</tr>
<tr>
<td>PAO3</td>
<td>Roads Corporation</td>
<td>Outer Metropolitan Ring / E6 Transport Corridor</td>
</tr>
<tr>
<td>PAO4</td>
<td>Yarra Valley Water</td>
<td>Amaroo and Lockerbie Main Sewer Project</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.
45.04
31/07/2018
VC148
ROAD CLOSURE OVERLAY
Shown on the planning scheme map as RXO.

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify a road that is closed by an amendment to this planning scheme.

45.04-1
19/01/2006
VC37
Road closure
A road included in this overlay is closed on the date notice of approval of the amendment is published in the Government Gazette.

45.04-2
31/07/2018
VC148
Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- That the road is closed.
RESTRICTURE OVERLAY

Shown on the planning scheme map as RO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify old and inappropriate subdivisions which are to be restructured.
To preserve and enhance the amenity of the area and reduce the environmental impacts of dwellings and other development.

Subdivision

A permit is required to subdivide land.

A subdivision must be in accordance with a restructure plan for the land listed in the schedule to this overlay. This does not apply if the subdivision is for one of the following purposes and no additional lots or subdivision potential is created:

- To realign boundaries between lots that have been consolidated in accordance with the restructure plan.
- To consolidate a restructure lot with a section of closed road or other land not included in a proposed restructure lot.

Each lot must be provided with reticulated sewerage if available. If reticulated sewerage is not available, the application must be accompanied by:

- A land assessment report which demonstrates that each lot is capable of treating and retaining all waste water in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- A plan which indicates the building envelope and effluent disposal area for each lot.

Before deciding on an application to subdivide land into residential lots, the responsible authority must consider Clause 56.

Dwellings and other buildings

A permit is required to construct or extend a dwelling or other building.

A permit must be in accordance with a restructure plan for the land listed in a schedule to this overlay. This does not apply if:

- No restructure plan is listed in the schedule and the permit is required to extend an existing dwelling or other building.
- The land is a lot for which a permit has been granted under Clause 45.05-1.

Exemption from notice and review

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The objectives of the restructure plan for the area.
- Appropriate measures to cope with any environmental hazard or constraint affecting the land, including slope, drainage, salinity and erosion.

- The protection and enhancement of the natural environment and the character of the area including the retention of vegetation and fauna habitats and the need to revegetate along waterways, gullies, ridge lines and property boundaries.

- The availability of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.

- The relationship of the intended use and development to the existing or likely use and development of adjoining and nearby land.

- The effect on surrounding uses, especially agricultural uses and nearby public land.

- The design of buildings.
# SCHEDULE TO CLAUSE 45.05 RESTRUCTURE OVERLAY

## Restructure plan

<table>
<thead>
<tr>
<th>PS map ref</th>
<th>Land</th>
<th>Title of restructure plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>RO1</td>
<td>Land bounded by Hume Highway, Donnybrook Road, Dwyer Street and Cameron Street, Kalkallo.</td>
<td>Kalkallo Township Restructure Plan dated December 2008.</td>
</tr>
<tr>
<td>RO2</td>
<td>Land bounded by Somerton Road, Bourke Street, Sharp Street and Cahill Street, Bulla.</td>
<td>Bulla Restructure Plan dated 17 February 2000</td>
</tr>
</tbody>
</table>
Map 2 to the Schedule to Clause 45.05
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.

CRAIGIEBURN R2 PRECINCT STRUCTURE PLAN DEVELOPMENT CONTRIBUTIONS PLAN

1.0

Area covered by this development contributions plan

All land within the Craigieburn R2 Precinct Structure Plan area as shown in the DCPO1.

Map 1 to the Schedule to Clause 45.06
### 2.0 Summary of costs in 2010 dollars

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads &amp; intersections (including land for roads)</td>
<td>$5,170,000</td>
<td>Refer to DCP</td>
<td>$5,170,000</td>
<td>100%</td>
</tr>
<tr>
<td>Land acquisition (active open space &amp; community facilities)</td>
<td>$14,652,100</td>
<td>Refer to DCP</td>
<td>$14,652,100</td>
<td>100%</td>
</tr>
<tr>
<td>Active open space (construction)</td>
<td>$12,000,000</td>
<td>Refer to DCP</td>
<td>$9,883,000</td>
<td>82%</td>
</tr>
<tr>
<td>Community facilities (construction)</td>
<td>$62,709,000</td>
<td>Refer to DCP</td>
<td>$15,041,920</td>
<td>24%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$94,531,100</td>
<td></td>
<td>$44,747,020</td>
<td></td>
</tr>
</tbody>
</table>

### 3.0 Summary of contributions

#### FACILITY LEVIES PAYABLE BY THE DEVELOPMENT

<table>
<thead>
<tr>
<th>FACILITY</th>
<th>Development Infrastructure</th>
<th>Community infrastructure (2017 dollars)</th>
<th>All infrastructure*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Residential development</td>
<td>Non-government school</td>
<td>Residential</td>
</tr>
<tr>
<td>Roads &amp; intersections (including land for roads)</td>
<td>$14,313.40</td>
<td>$3,578.35</td>
<td>$0</td>
</tr>
<tr>
<td>Land acquisition (active open space &amp; community facilities)</td>
<td>$40,565.06</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Active open space (construction)</td>
<td>$20,514.95</td>
<td>$0</td>
<td>$785.01</td>
</tr>
<tr>
<td>Community facilities (construction)</td>
<td>$38,737.32</td>
<td>$0</td>
<td>$3,578.35 per Hectare</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$114,130.73 per NDHa (+ $785.01 per dwelling for Community Infrastructure)</td>
<td>$3,578.35 per Hectare</td>
<td>$785.01 per dwelling</td>
</tr>
</tbody>
</table>

*No community infrastructure levy is payable by non-government school development.

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.

**Indexation**

The capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as published in the latest edition of Rawlisons Australian Construction Handbook on 1st January and 1st July each year;

The land values for each infrastructure item, where applicable, will be adjusted on 1 July each year following site specific land valuations undertaken by a registered valuer.

**Land or development excluded from development contributions plan**

Land required for the following (as set out in the Craigieburn R2 Precinct Structure Plan):

- Railway reservations, government schools.
- Melbourne Water drainage reserves and retarding basins.
- Heritage and conservation areas.
- Open Space (passive).

*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*
shown on the planning scheme map as DCPO2.

## 1.0 10/02/2011 C119

### GREENVALE NORTH R1 PRECINCT STRUCTURE PLAN (DEVELOPMENT CONTRIBUTIONS PLAN)

#### Area covered by this development contributions plan

All land within the Greenvale North R1 Precinct Structure Plan area as shown in the Planning Scheme Maps as DCPO2.

#### Summary of costs

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads &amp; intersections (including land for roads)</td>
<td>$3,754,500.00</td>
<td>Refer to DCP</td>
<td>$2,027,250.00</td>
<td>54%</td>
</tr>
<tr>
<td>Land acquisition (active open space &amp; community facilities)</td>
<td>$6,650,000.00</td>
<td>Refer to DCP</td>
<td>$1,463,090.00</td>
<td>22%</td>
</tr>
<tr>
<td>Active open space (construction)</td>
<td>$7,214,000.00</td>
<td>Refer to DCP</td>
<td>$2,082,080.00</td>
<td>29%</td>
</tr>
<tr>
<td>Community facilities (construction)</td>
<td>$51,700,000.00</td>
<td>Refer to DCP</td>
<td>$935,000.00</td>
<td>2%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$69,318,500</strong></td>
<td></td>
<td><strong>$6,507,300</strong></td>
<td></td>
</tr>
</tbody>
</table>

#### Summary of contributions

<table>
<thead>
<tr>
<th>FACILITY</th>
<th>LEVIES PAYABLE BY THE DEVELOPMENT</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
<td>Community infrastructure (2017 dollars)</td>
<td>All infrastructure</td>
<td></td>
</tr>
<tr>
<td><strong>All development</strong></td>
<td>$21,985.38</td>
<td>$0</td>
<td>$21,985.38</td>
<td></td>
</tr>
<tr>
<td>Roads &amp; intersections (including land for roads)</td>
<td>$15,866.00</td>
<td>$0</td>
<td>$15,866.00</td>
<td></td>
</tr>
<tr>
<td>Land acquisition (active open space &amp; community facilities)</td>
<td>$22,580.00</td>
<td>$0</td>
<td>$22,580.00</td>
<td></td>
</tr>
<tr>
<td>Active open space (construction)</td>
<td>$10,140.01</td>
<td>$1,150.00</td>
<td>$10,140.01</td>
<td></td>
</tr>
<tr>
<td>Community facilities (construction)</td>
<td>$70,571.00 per net developable hectare</td>
<td>$1,150.00 per dwelling</td>
<td>$70,571.00 per net developable hectare plus community infrastructure levy of $1,150.00 (2017 dollars) per dwelling</td>
<td></td>
</tr>
</tbody>
</table>
The capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as published in the latest edition of Rawlinsons Australian Construction Handbook on 1st January and 1st July each year.

The land values for each infrastructure item, where applicable, will be adjusted on 1 July each year following site specific land valuations undertaken by a registered valuer.

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.

Land or development excluded from development contributions plan

Land required for the following (as set out in the Greenvale North R1 Precinct Structure Plan):

- Railway reservations, community facilities, government schools.
- Melbourne Water drainage reserves and retarding basins.
- Heritage and conservation areas.
- Open space (passive).

Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.
SCHEDULE 3 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO3.

GREENVALE WEST R3 PRECINCT STRUCTURE PLAN DEVELOPMENT CONTRIBUTIONS PLAN

Area covered by this development contributions plan

All land within the Greenvale West R3 Precinct Structure Plan area as shown on the Planning Scheme Maps as DCPO3.

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 infrastructure levy (DIL) $</th>
<th>Proportion of cost attributable to development infrastructure levy (DIL) %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads and Intersections</td>
<td>$5,416,000</td>
<td>Refer to DCP</td>
<td>$2,708,000</td>
<td>50%</td>
</tr>
<tr>
<td>Pedestrian signals</td>
<td>$322,500</td>
<td>Refer to DCP</td>
<td>$322,500</td>
<td>100%</td>
</tr>
<tr>
<td>Land Acquisition (active open space &amp; community facilities)</td>
<td>$6,650,000</td>
<td>Refer to DCP</td>
<td>$3,636,421</td>
<td>54%</td>
</tr>
<tr>
<td>Outdoor Active recreation (construction)</td>
<td>$5,264,000</td>
<td>Refer to DCP</td>
<td>$2,140,294</td>
<td>41%</td>
</tr>
<tr>
<td>Community Facilities – local (construction)</td>
<td>$4,250,000</td>
<td>Refer to DCP</td>
<td>$2,324,029</td>
<td>55%</td>
</tr>
<tr>
<td>Community Facilities – regional (construction)</td>
<td>$45,000,000</td>
<td>Refer to DCP</td>
<td>$0</td>
<td>0%</td>
</tr>
<tr>
<td>Preparation of PSP</td>
<td>$450,000</td>
<td>Refer to DCP</td>
<td>$450,000</td>
<td>100%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$67,352,500</strong></td>
<td></td>
<td><strong>$11,581,323</strong></td>
<td></td>
</tr>
</tbody>
</table>

Summary of contributions

<table>
<thead>
<tr>
<th>Facility</th>
<th>LEVIES PAYABLE BY THE DEVELOPMENT</th>
<th>All development per NDA</th>
<th>Residential</th>
<th>All infrastructure per NDA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Development Infrastructure</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roads &amp; intersections</td>
<td>$36,141.92</td>
<td>$0</td>
<td>$36,141.92</td>
<td></td>
</tr>
<tr>
<td>Land acquisition (active open space &amp; community facilities)</td>
<td>$43,368.17</td>
<td>$0</td>
<td>$43,368.17</td>
<td></td>
</tr>
<tr>
<td>Active recreation (construction)</td>
<td>$25,525.27</td>
<td>$900</td>
<td>$25,525.27</td>
<td></td>
</tr>
<tr>
<td>Local Community Facilities (construction)</td>
<td>$27,470.79</td>
<td>$0</td>
<td>$27,470.79</td>
<td></td>
</tr>
<tr>
<td>Regional Community facilities (construction)</td>
<td>$0</td>
<td>$1,150.00</td>
<td>$0</td>
<td></td>
</tr>
</tbody>
</table>
The capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as publicised in the latest edition of Rawlinsons Australian Construction Handbook on 1st January and 1st July each year;

The land values for each infrastructure item, where applicable, will be adjusted on 1 July each year following site specific land valuations undertaken by a registered valuer.

**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.

**Land or development excluded from development contributions plan**

Land required for the following (as set out in the Greenvale West R3 Precinct Structure Plan):

- Arterial roads, community facilities and government schools.
- Melbourne Water and Council drainage reserves and retarding basins.
- Heritage and conservation areas.
- Open space (passive)

*Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.*
SCHEDULE 4 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO4.

MERRIFIELD WEST PRECINCT STRUCTURE PLAN DEVELOPMENT CONTRIBUTIONS PLAN

1.0

Area covered by this development contributions plan

All land within the Merrifield West Precinct Structure Plan area as shown on the Planning Scheme Maps as DCPO4.

2.0

Summary of costs

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads, Bridges, Intersections</td>
<td>15,701,956</td>
<td>Refer to DCP</td>
<td>13,634,210</td>
<td>87%</td>
</tr>
<tr>
<td>Outdoor Active Recreation</td>
<td>75,747,000</td>
<td>Refer to DCP</td>
<td>66,747,000</td>
<td>88%</td>
</tr>
<tr>
<td>Community Facilities</td>
<td>33,189,000</td>
<td>Refer to DCP</td>
<td>26,189,000</td>
<td>79%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>124,637,956</td>
<td></td>
<td>106,366,510</td>
<td>85.3%</td>
</tr>
</tbody>
</table>

3.0

Summary of contributions

<table>
<thead>
<tr>
<th>LEVIES PAYABLE BY THE DEVELOPMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Facility</td>
</tr>
<tr>
<td>Roads, bridges &amp; Intersections</td>
</tr>
<tr>
<td>Outdoor Active Recreation</td>
</tr>
<tr>
<td>Community Facilities</td>
</tr>
<tr>
<td>TOTAL</td>
</tr>
</tbody>
</table>

The capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as publicised in the latest edition of Rawlinsons Australian Construction Handbook on 1st January and 1st July each year;

The land values for each infrastructure item, where applicable, will be adjusted on 1 July each year following site specific land valuations undertaken by a registered valuer.
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
27/06/2012
C162

Land or development excluded from development contributions plan

Land required for the following (as set out in the Merrifield West Precinct Structure Plan):

- Arterial roads, community facilities and government and non-government schools.
- Encumbered Land.
- Active and Passive open space.

Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details
SCHEDULE 5 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO5.

LOCKERBIE DEVELOPMENT CONTRIBUTIONS PLAN

1.0

Area covered by this development contributions plan

All land within the Lockerbie Precinct Structure Plan area as shown on the Planning Scheme Maps as DCPO5.

2.0

Summary of costs

All Infrastructure

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads, Bridges, Intersections</td>
<td>99,613,714</td>
<td>Refer to DCP</td>
<td>95,498,597</td>
<td>96%</td>
</tr>
<tr>
<td>Outdoor Active Recreation</td>
<td>77,657,000</td>
<td>Refer to DCP</td>
<td>70,190,000</td>
<td>90%</td>
</tr>
<tr>
<td>Community Facilities</td>
<td>27,495,000</td>
<td>Refer to DCP</td>
<td>27,495,000</td>
<td>100%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>204,765,714</strong></td>
<td></td>
<td><strong>193,183,597</strong></td>
<td><strong>94%</strong></td>
</tr>
</tbody>
</table>

3.0

Summary of contributions

<table>
<thead>
<tr>
<th>Facility</th>
<th>LEVIES PAYABLE BY THE DEVELOPMENT</th>
<th>Community Infrastructure (2017 dollars)</th>
<th>All Infrastructure All development per NDA</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure All development per NDA</td>
<td>Community Infrastructure (2017 dollars)</td>
<td>All Infrastructure All development per NDA</td>
</tr>
<tr>
<td>Roads, bridges &amp; Intersections</td>
<td>$138,371.68</td>
<td>-</td>
<td>$138,371.68</td>
</tr>
<tr>
<td>Outdoor Active Recreation</td>
<td>$101,701.05</td>
<td>-</td>
<td>$101,701.05</td>
</tr>
<tr>
<td>Community Facilities</td>
<td>$39,838.59</td>
<td>-</td>
<td>$39,838.59</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$279,911.32</strong></td>
<td><strong>$1,150.00 per dwelling</strong></td>
<td><strong>$279,911.32 plus $1,150.00 (2017 dollars) per dwelling</strong></td>
</tr>
</tbody>
</table>

The capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as publicised in the latest edition of Rawlinsons Australian Construction Handbook on 1st January and 1st July each year.

The land values for each infrastructure item, where applicable, will be adjusted on 1 July each year following site specific land valuations undertaken by a registered valuer.

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

28/06/2012
C161

Land or development excluded from development contributions plan

Land required for the following as set out in the Lockerbie Precinct Structure Plan is excluded from the Net Developable Area:

- Arterial roads, community facilities, government and non-government schools.
- Encumbered Land.
- Active and Passive Open space.
- Development directly related to the provision of public transport.

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.
**HUME PLANNING SCHEME**

**SCHEDULE 6 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY**

Shown on the planning scheme map as DCPO6.

**GREENVALE CENTRAL DEVELOPMENT CONTRIBUTIONS PLAN**

1.0

**Area covered by this development contributions plan**

All land within the *Greenvale Central Precinct Structure Plan* area as shown on the Planning Scheme Maps as DCPO6.

2.0

**Summary of costs**

All Infrastructure

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads and Intersections</td>
<td>26,206,201</td>
<td>Refer to DCP</td>
<td>23,939,510</td>
<td>91%</td>
</tr>
<tr>
<td>Active Recreation</td>
<td>2,450,470</td>
<td>Refer to DCP</td>
<td>2,450,470</td>
<td>100%</td>
</tr>
<tr>
<td>Community Facilities</td>
<td>7,658,010</td>
<td>Refer to DCP</td>
<td>7,658,010</td>
<td>100%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>36,314,681</strong></td>
<td></td>
<td><strong>34,047,990</strong></td>
<td><strong>94%</strong></td>
</tr>
</tbody>
</table>

**LEVIRES PAYABLE BY THE DEVELOPMENT**

<table>
<thead>
<tr>
<th>Facility</th>
<th>Development Infrastructure Area North</th>
<th>Development Infrastructure Area South</th>
<th>Community Infrastructure (2017 dollars)</th>
<th>All infrastructure</th>
<th>Area North development per NDA</th>
<th>Area South development per NDA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads &amp; Intersections</td>
<td>$108,093.54</td>
<td>$139,265.10</td>
<td>-</td>
<td>$108,093.54</td>
<td>$139,265.10</td>
<td></td>
</tr>
<tr>
<td>Active Recreation</td>
<td>$31,825.60</td>
<td>$31,825.60</td>
<td>$733.87 per dwelling</td>
<td>$31,825.60 including $733.87 (2017 dollars) per dwelling</td>
<td>$31,825.60 including $733.87 (2017 dollars) per dwelling</td>
<td></td>
</tr>
<tr>
<td>Community Facilities</td>
<td>$13,153.35</td>
<td>$13,153.35</td>
<td>-</td>
<td>$13,153.35</td>
<td>$13,153.35</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$153,072.50</strong></td>
<td><strong>$184,244.06</strong></td>
<td><strong>$733.87 per dwelling</strong></td>
<td><strong>$153,072.50 including $733.87 (2017 dollars) per dwelling</strong></td>
<td><strong>$184,244.06 including $733.87 (2017 dollars) per dwelling</strong></td>
<td></td>
</tr>
</tbody>
</table>

3.0

**Summary of contributions**

The capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as publicised in the latest edition of Rawlinsons Australian Construction Handbook on 1st January and 1st July each year.

The land values for each infrastructure item, where applicable, will be adjusted on 1 July each year following site specific land valuations undertaken by a registered valuer.
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

Land required for the following as set out in the Greenvale Central Precinct Structure Plan is excluded from the Net Developable Area:

- Arterial roads, community facilities, government and non government schools.
- Encumbered land
- Active and passive open space.

Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the Greenvale Central Development Contributions Plan incorporated into the Hume Planning Scheme for full details.
SCHEDULE 8 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO8.

CRAIGIEBURN NORTH EMPLOYMENT AREA DEVELOPMENT CONTRIBUTIONS PLAN, JUNE 2016

1.0

Area covered by this development contributions plan

Land shown as DCPO8 on the planning scheme maps.

2.0

Summary of costs

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads</td>
<td>$24,032,152</td>
<td>Refer to details in the Craigieburn North Employment Area Development Contributions Plan.</td>
<td>$24,032,152</td>
<td>100%</td>
</tr>
<tr>
<td>Intersections</td>
<td>$32,216,621</td>
<td>Refer to details in the Craigieburn North Employment Area Development Contributions Plan.</td>
<td>$32,216,621</td>
<td>100%</td>
</tr>
<tr>
<td>Bridges</td>
<td>$4,367,000</td>
<td>Refer to details in the Craigieburn North Employment Area Development Contributions Plan.</td>
<td>$2,183,500</td>
<td>50.0%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$60,615,773</td>
<td></td>
<td>$58,432,273</td>
<td>96.4%</td>
</tr>
</tbody>
</table>

3.0

Summary of contributions for Charge Area 1

<table>
<thead>
<tr>
<th>FACILITY</th>
<th>LEVIES PAYABLE BY THE DEVELOPMENT</th>
<th>Development Infrastructure</th>
<th>Per net developable hectare</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads</td>
<td></td>
<td>$69,706</td>
<td></td>
</tr>
<tr>
<td>Intersections</td>
<td></td>
<td>$93,446</td>
<td></td>
</tr>
<tr>
<td>Bridges</td>
<td></td>
<td>$6,333</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>$169,486</td>
<td></td>
</tr>
</tbody>
</table>

The development infrastructure levy is payable per net developable hectare as set out in the Craigieburn North Employment Area Development Contributions Plan, June 2016.

4.0

Indexation

Capital costs of all infrastructure items are in 2014 dollars (September quarter) excepting item BR-01 in the DCP and will be adjusted by the Collecting Agency annually for inflation.

All capital costs of infrastructure items (with the exception of land) will be adjusted quarterly in the following manner:

- Roads, intersections and bridges/culverts will be indexed in line with the Australian Bureau of Statistics Producer Price Indexes, Road and Bridge Construction Index, Victoria.

Land values are in June 2016 dollars.
Land or development excluded from development contributions plan

Any levy imposed by the Craigieburn North Employment Area Development Contributions Plan, June 2016 does not apply to:

- Development for a non-government school.
- Development associated with an existing dwelling.
- Development in a railway reserve.

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.
MELBOURNE AIRPORT ENVIRONS OVERLAY

Shown on the planning scheme map as MAEO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that land use and development are compatible with the operation of Melbourne Airport in accordance with the relevant airport strategy or master plan and with safe air navigation for aircraft approaching and departing the airfield.

To assist in shielding people from the impact of aircraft noise by requiring appropriate noise attenuation measures in dwellings and other noise sensitive buildings.

To provide for appropriate levels of noise attenuation depending on the level of forecasted noise exposure.

Use of land

Any requirement in a schedule to this overlay must be met.

Buildings and works

Any requirement in a schedule to this overlay must be met.

Any building for which a permit is required under this overlay must be constructed so as to comply with any noise attenuation measures required by Section 3 of Australian Standard AS 2021-2015, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction, issued by Standards Australia Limited.

Note: In Section 3 of Australian Standard AS 2021-2015, Table 3.3 refers to both building types and activities within those buildings. Each building type listed has its ordinary meaning and should not be interpreted as defined in this scheme.

Subdivision

A permit is required to subdivide land.

Subdivision must occur in accordance with any lot size or other requirement 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:

- Whether the proposal will result in an increase in the number of dwellings and people affected by aircraft noise.
- Whether the proposal is compatible with the present and future operation of the airport in accordance with the current Melbourne Airport Master Plan approved in accordance with the Airports Act 1996.
- Location of the development in relation to the criteria set out in Table 2.1 Building Site Acceptability Based on ANEF Zones in Australian Standard AS 2021-2015.

Exemption from notice

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d) of the Act.
Notification requirements

In accordance with section 52(1)(c) of the Act, notice of an application under this overlay to use land, subdivide land or to construct a building or construct or carry out works must be given to the airport lessee company of Melbourne Airport in accordance with the Commonwealth *Airports Act 1996*, unless otherwise agreed in writing between the responsible authority and the airport lessee. The notice must be accompanied by a copy of the application, existing condition and development plans.
SCHEDULE 1 TO CLAUSE 45.08 MELBOURNE AIRPORT ENVIRONS OVERLAY

Shown on the planning scheme map as MAEO1.

Purpose
To identify areas that are or will be subject to high levels of aircraft noise based on the 25 Australian Noise Exposure Forecast (ANEF) contour and to restrict use and development to that which is appropriate to that level of exposure.

1.0

Use of land

Dwelling and Dependent person’s unit
A permit is required to use land for a:

- Dwelling
- Dependent person’s unit.

Land must not be used for:

- More than one Dwelling on a lot.
- More than one Dependent person’s unit on a lot.

Other use
A permit is required to use land for:

- Art and craft centre.
- Bar.
- Brothel.
- Cinema based entertainment facility.
- Crematorium.
- Display home centre.
- Funeral parlour.
- Host farm.
- Hotel.
- Home based business.
- Indoor recreation facility.
- Office.
- Place of assembly (other than Drive-in theatre).
- Research and development centre.
- Research centre.
- Residential hotel.
- Restricted recreation facility.
- Retail premises.
- Veterinary centre.

Land must not be used for:

- Accommodation (other than Dwelling, Dependent person’s unit, Host farm and Residential hotel).
- Drive-in theatre.
- Education centre.
- Hospital.

2.0

Buildings and works

A permit is required to construct a building or construct or carry out works for a use in Clause 1.0.

A permit is not required for the following:

- An open sided carport, verandah, pergola or other open sided structure.
- A non-habitable room or outbuilding.
- A swimming pool or tennis court.
- An alteration or extension to a Dwelling which existed as at 14 May 2007 provided the extension is less than 50% of the floor area of the Dwelling at that date.

3.0

Subdivision

Any subdivision of land which would increase the number of Dwellings which the land could be used for is prohibited. This does not apply to the subdivision of land to create a lot for a Dwelling in respect of which a permit has been granted.
SCHEDULE 2 TO CLAUSE 45.08 MELBOURNE AIRPORT ENVIRONS OVERLAY

Shown on the planning scheme map as MAEO2.

Purpose
To identify areas that are or will be subject to moderate levels of aircraft noise based on the 20-25 Australian Noise Exposure Forecast (ANEF) contours and to limit use and development to that which is appropriate to that level of exposure.

1.0  
08/08/2019
VC159

Use of land

Dwelling
A permit is required to use land for a Dwelling.
The development of a single lot for two or more Dwellings must not exceed a density of one dwelling per 300 square metres.

Other use
A permit is required to use the land for:
- Accommodation.
- Arts and craft centre.
- Bar.
- Display home centre.
- Education centre.
- Hospital.
- Hotel.
- Office.
- Place of assembly.
- Research and development centre.
- Research centre.
- Restricted recreation facility.

2.0  
14/05/2007
VC30

Buildings and works
A permit is required to construct a building or construct or carry out works for a use in Clause 1.0.
A permit is not required to construct the following:
- An open sided carport, verandah, pergola or other open sided structure.
- A non-habitable room or outbuilding.
- A swimming pool or tennis court.
- An alteration or extension to a Dwelling which existed as at 14 May 2007 provided the extension is less than 50% of the floor area of the Dwelling at that date.

3.0  
14/05/2007
VC30

Subdivision
A permit is required to subdivide land.
Each lot must be at least 300 square metres.
A permit may be granted to create smaller lots:
If the responsible authority is satisfied the lots will not be used for Accommodation; or

Provided the average area of all lots is not less than 300 square metres. An agreement under Section 173 of the Act must be entered into with the owner of each lot created which ensures that the land may not be further subdivided.

The above lot size provisions do not apply to the subdivision of land in respect of which a permit was granted before 14 May 2007 to allow the development of that land so long as the form of the subdivision is consistent with the permitted development.
INFRASTRUCTURE CONTRIBUTIONS OVERLAY

Shown on the planning scheme map as ICO with a number.

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify the area where an infrastructure contributions plan applies for the purpose of imposing contributions for the provision of infrastructure.
To identify the infrastructure contribution imposed for the development of land.

Infrastructure contributions plan
A schedule to this overlay must specify the name of the infrastructure contributions plan to which it applies.
The requirements of the relevant infrastructure contributions plan incorporated into this scheme apply to the development of land covered by this overlay.

Permit requirement
A permit must not be granted to subdivide land, construct a building or construct or carry out works until an infrastructure 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 infrastructure contributions plan.
- Include any conditions required to give effect to any levies set out in the relevant schedule to this overlay.

Monetary component
A schedule to this overlay must specify, if applicable:
- The standard levy rate payable.
- The supplementary levy rate payable.

Land component
A schedule to this overlay must specify, if applicable:
- The infrastructure contributions plan land contribution percentage for each class of development.
- The parcel contribution percentage for each parcel of land in the infrastructure contributions plan area.
- The land credit amount or land equalisation amount in respect of each parcel of land in the infrastructure contributions plan area.

Indexation
A schedule to this overlay must specify:
- The method and timing of indexation to be applied to the standard levy rate and any supplementary levy rate of the monetary component.
- The method and timing of adjustment to be applied to the land credit amounts and land equalisation amounts of the land component.
Land or development exempt from infrastructure contributions

The following land or development of land is exempt from an infrastructure contribution:

- A non-government school.
- Housing provided by or on behalf of the Department of Health and Human Services.
- For any other land or development of land specified in a schedule to this overlay.
SCHEDULE 1 TO CLAUSE 45.11 INFRASTRUCTURE CONTRIBUTIONS Overlay

Shown on the planning scheme map as ICO1.

NO CONTENT
SCHEDULE 2 TO CLAUSE 45.11 INFRASTRUCTURE CONTRIBUTIONS OVERLAY

Shown on the planning scheme map as ICO2.

LINDUM VALE INFRASTRUCTURE CONTRIBUTIONS PLAN, MARCH 2019

1.0 Permit requirement
None specified

2.0 Monetary component – Standard levy

<table>
<thead>
<tr>
<th>Class of development</th>
<th>Infrastructure category</th>
<th>Levy rate payable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Community and recreation construction</td>
<td>$86,627</td>
</tr>
<tr>
<td></td>
<td>Transport construction</td>
<td>$114,062</td>
</tr>
<tr>
<td></td>
<td><strong>Total standard levy rate payable</strong></td>
<td><strong>$200,689</strong></td>
</tr>
</tbody>
</table>

3.0 Monetary component – Supplementary levy

<table>
<thead>
<tr>
<th>Class of development</th>
<th>Infrastructure category</th>
<th>Levy rate payable</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td><strong>Total supplementary levy rate payable</strong></td>
<td><strong>None specified</strong></td>
</tr>
</tbody>
</table>

4.0 Infrastructure Contribution Plan (ICP) land contribution percentage

<table>
<thead>
<tr>
<th>Class of development</th>
<th>ICP land contribution percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>11.48%</td>
</tr>
</tbody>
</table>

5.0 Land component

<table>
<thead>
<tr>
<th>Precinct Structure Plan (PSP) parcel ID</th>
<th>Class of development</th>
<th>Parcel contribution percentage</th>
<th>Land credit amount</th>
<th>Land equalisation amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Residential</td>
<td>4.65%</td>
<td>$0.00</td>
<td>$9,527,121.26</td>
</tr>
<tr>
<td>2</td>
<td>Residential</td>
<td>10.64%</td>
<td>$0.00</td>
<td>$978,298.18</td>
</tr>
<tr>
<td>3</td>
<td>Residential</td>
<td>0.0%</td>
<td>$0.00</td>
<td>$185,414.67</td>
</tr>
<tr>
<td>4</td>
<td>Residential</td>
<td>0.0%</td>
<td>$0.00</td>
<td>$109,165.89</td>
</tr>
</tbody>
</table>

Note: Refer to Plan 01 of the incorporated Lindum Vale Infrastructure Contributions Plan for PSP parcel ID numbers.
Method and timing of indexation – Standard levy rate

<table>
<thead>
<tr>
<th>Infrastructure category</th>
<th>Indexation method</th>
<th>Timing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community and recreation construction</td>
<td>Australian Bureau of Statistics Producer Price Index for Non-Residential Building Construction - Victoria (Catalogue 6427.0, Table 17, Output of the Construction Industries)</td>
<td>1 July each year</td>
</tr>
<tr>
<td>Transport construction</td>
<td>Australian Bureau of Statistics Producer Price Index for Road and Bridge Construction - Victoria (Catalogue 6427.0, Table 17, Output of the Construction Industries)</td>
<td>1 July each year</td>
</tr>
</tbody>
</table>

Method and timing of indexation – Supplementary levy rate

<table>
<thead>
<tr>
<th>Infrastructure category</th>
<th>Indexation method</th>
<th>Timing</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Method and timing of adjustment – Land component

<table>
<thead>
<tr>
<th>Adjustment method</th>
<th>Timing</th>
</tr>
</thead>
<tbody>
<tr>
<td>A revised estimate of inner public purpose land value report prepared in accordance with the methodology specified in the Ministerial Direction on the Preparation and Content of Infrastructure Contributions Plans</td>
<td>1 July each third year</td>
</tr>
<tr>
<td>Relevant public land index prepared by Valuer-General Victoria for the 12 month period occurring immediately before the beginning of the financial year in respect of which the indexed rate is being determined</td>
<td>1 July each year a revised estimate is not being provided</td>
</tr>
</tbody>
</table>

Land or development exempt from payment of an infrastructure contribution

- Use and development for a non-government school.
- Use and development for accommodation provided by on on behalf of the Department of Health and Human Services.
- Use and development associated with a dwelling that is existing or approved at the approval date of this provision.

Notes: This schedule sets out the levies prescribed in the infrastructure contributions plan. Refer to the incorporated infrastructure contributions plan for full details.
SPECIFIC CONTROLS OVERLAY

Purpose
To apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.

Use or development
Land affected by this overlay may be used or developed in accordance with a specific control contained in the incorporated document corresponding to the notation on the planning scheme map (as specified in the schedule to this overlay). The specific control may:

- Allow the land to be used or developed in a manner that would otherwise be prohibited or restricted.
- Prohibit or restrict the use or development of the land beyond the controls that may otherwise apply.
- Exclude any other control in this scheme.

Expire of a specific control
If a specific control contained in an incorporated document identified in the schedule to this clause allows a particular use or development, that control will expire if any of the following circumstances applies:

- The use and development is not started within two years of the approval date of the incorporated document or another date specified in the incorporated document.
- The development is not completed within one year of the date of commencement of works or another date specified in the incorporated document.

The responsible authority may extend the periods referred to if a request is made in writing before the expiry date or within three months afterwards.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of this scheme.
## Specific controls

<table>
<thead>
<tr>
<th>PS Map Ref</th>
<th>Name of incorporated document</th>
</tr>
</thead>
<tbody>
<tr>
<td>SCO1</td>
<td>Incorporated Document for 675 Sunbury Road and 80 Redstone Hill Road Sunbury, March 2019</td>
</tr>
<tr>
<td>SCO2</td>
<td>Incorporated Document for 3-5 Macedon Street Sunbury, March 2019</td>
</tr>
<tr>
<td>SCO3</td>
<td>Incorporated Document for 170 Lancefield Road Sunbury, March 2019</td>
</tr>
<tr>
<td>SCO4</td>
<td>Kaufland Supermarket and complementary uses, part 1550 Pascoe Vale Road, Coolaroo, Incorporated Document, June 2019</td>
</tr>
<tr>
<td>SCO10</td>
<td>Sunbury Road (Powlett Street to Bulla-Diggers Rest Road) Upgrade Project, Incorporated Document, October 2019</td>
</tr>
</tbody>
</table>
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.
## Specific sites and exclusions

<table>
<thead>
<tr>
<th>Address of land</th>
<th>Title of incorporated document</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Melbourne to Bendigo Railway shown on the project area maps for the Regional Fast Rail Project and the Fibre Optic Project in the incorporated document.</td>
<td>Rail Infrastructure Projects (comprising the Rail Gauge Standardisation Project, the Regional Fast Rail Project and the Fibre Optic Project), December 2002</td>
</tr>
<tr>
<td>Land within and adjacent to the north eastern rail corridor the general extent of which is shown on the project locality maps in the incorporated document.</td>
<td>Craigieburn Rail Project Planning Controls, 20 May 2004</td>
</tr>
<tr>
<td>Land adjacent to Melbourne Airport, generally south of (and including) Mansfield Road and west of (and including) McNabs Road and more particularly identified as the &quot;Subject Land&quot; (including the part of runway shown over the subject land) in the Melbourne Airport – Future Runway Development Plan, May 2007.</td>
<td>Melbourne Airport – Future Runway Development Plan, May 2007</td>
</tr>
<tr>
<td>Land located at 700 Hume Highway, Craigieburn described as the Amaroo Conservation Reserve.</td>
<td>Amaroo Conservation Reserve – 700 Hume Highway, Craigieburn, December 2007</td>
</tr>
<tr>
<td>Land located at 15 Donnybrook Road, Mickleham (Lot 2 on PS 602884B VOL 11042 FOL 481)</td>
<td>15 Donnybrook Road, Mickleham (Lot 2 on PS 602884B VOL 11042 FOL 481) Internally Illuminated Business Identification Panel Sign – June 2009</td>
</tr>
<tr>
<td>Part of land at 115 Watsons Road, Sunbury, identified in the incorporated document.</td>
<td>Part 115 Watsons Road, Sunbury, Holden Flora and Fauna Reserve, City of Hume, April 20 2009.</td>
</tr>
<tr>
<td>Part of land at 670 Donnybrook Road, Craigieburn, identified in the incorporated document.</td>
<td>Part 670 Donnybrook Road, Craigieburn, John Laffan Memorial Reserve, City of Hume, April 30 2009.</td>
</tr>
<tr>
<td>Part of land at 30 Cemetery Lane, Bulla, identified in the incorporated document.</td>
<td>Part 30 Cemetery Lane Bulla, Bulla Cemetery, City of Hume, April 30 2009.</td>
</tr>
<tr>
<td>Land within and adjacent to the railway reserve between Sunbury Railway Station and Watergardens Railway Station, the general extent of which is shown on the project locality maps in the incorporated document.</td>
<td>Sunbury Electrification Project Incorporated Document February 2010</td>
</tr>
<tr>
<td>Land at 100 Mt. Ridley Road, Mickleham (Lot 12 on PS 412510 VOL 10398 FOL 128)</td>
<td>Hume Anglican School, 100 Mt Ridley Road, Mickleham, August 2018</td>
</tr>
<tr>
<td>Land located at 182-200 Hume Highway, Somerton (Lot 1 on TP 618468P)</td>
<td>182-200 Hume Highway, Somerton (Lot 1 on TP 618468P) Honda MPE Australian Headquarters, March 2010</td>
</tr>
<tr>
<td>45 Mundy Road, Sunbury</td>
<td>Tourist Facility, 45 Mundy Road, Sunbury, June 2010 (Lot 1 PS 419963)</td>
</tr>
<tr>
<td>Land located at 650 Hume Highway, Craigieburn described as the Amaroo South Conservation Reserve</td>
<td>Amaroo South Conservation Reserve – 650 Hume Highway, Craigieburn, January 2010</td>
</tr>
<tr>
<td>Address of land</td>
<td>Title of incorporated document</td>
</tr>
<tr>
<td>--------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------</td>
</tr>
<tr>
<td>Land as shown at Appendix 1 to the incorporated document 'Broadmeadows Youth Foyer, July 2012' being part of the Kangan Batman TAFE, Broadmeadows Campus, otherwise known as Lot 1 on Plan of Subdivision S06756W.</td>
<td>Broadmeadows Youth Foyer, July 2012</td>
</tr>
<tr>
<td>Land within and adjacent to the Amaroo and Lockerbie Main Sewer Project alignment the extent of which is shown on the project locality maps in the incorporated document.</td>
<td>Amaroo and Lockerbie Main Sewer Project, October 2014</td>
</tr>
<tr>
<td>Land required for the Camp Road, Campbellfield Level Crossing Removal Project as shown on the project area maps in the incorporated document.</td>
<td>Camp Road, Campbellfield Level Crossing Removal Project Incorporated Document, April 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></td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Display home centre</td>
<td></td>
</tr>
<tr>
<td>Dwelling</td>
<td>Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Education centre (other than Primary school and Secondary school)</td>
<td></td>
</tr>
<tr>
<td>Freeway service centre</td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td>The goods stored must be agricultural produce, or products used in agriculture.</td>
</tr>
<tr>
<td>Function centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. No more than 150 patrons may be present at any time. If used in conjunction with Restaurant, the total number of patrons present at any time must not exceed 150.</td>
</tr>
<tr>
<td>Funeral parlour</td>
<td></td>
</tr>
<tr>
<td>Group accommodation</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. Must be no more than 40 dwellings.</td>
</tr>
<tr>
<td>Hospital</td>
<td></td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>Must be for equestrian based leisure, recreation or sport.</td>
</tr>
<tr>
<td>Industry (other than Materials recycling, Refuse disposal, Transfer station, Research and development centre, and Rural industry)</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>Must be for outdoor leisure, recreation or sport.</td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td>Must be an incidental part of Rural industry.</td>
</tr>
<tr>
<td>Materials recycling</td>
<td>Must be used in conjunction with Refuse disposal or Transfer station.</td>
</tr>
<tr>
<td>Motor racing track</td>
<td></td>
</tr>
<tr>
<td>Nightclub</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema based entertainment facility, Circus, Exhibition centre, Function centre, Hall, Nightclub, Place of worship and Restricted place of assembly)</td>
<td>Must not be used for more than 10 days in a calendar year.</td>
</tr>
<tr>
<td>Research and development centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td>Research centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Residential building (other than Residential hotel)</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. Must be used to provide accommodation for persons away from their normal place of residence.</td>
</tr>
<tr>
<td>Residential hotel</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. Must be no more than 80 bedrooms.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. No more than 150 patrons may be present at any time. If used in conjunction with Function centre, the total number of patrons present at any time must not exceed 150.</td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td>Must not be used for more than 30 days in a calendar year.</td>
</tr>
<tr>
<td>Retail premises (other than Manufacturing sales, Market, Plant nursery, Primary produce sales and Restaurant)</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Freezing and cool storage, Milk depot, Rural store, Solid fuel depot and Vehicle store)</td>
<td></td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Must not be on land in a Rural Conservation Zone.</td>
</tr>
</tbody>
</table>

**Subdivision**

The subdivision of land to create a lot that is smaller in area than the minimum area specified for the land in the zone is prohibited unless:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

**Existing uses**

If an existing use right is established by these provisions, Clauses 63.05 and 63.08 apply to the use as if the use were in Section 3 of a zone.
Transitional arrangements for permit applications

The requirements of the planning scheme as in force immediately before 19 May 2004, continue to apply to a permit application made before that date to the extent that, but for this clause, Clauses 35.04, 35.05, 35.06 or this clause would apply to such an application. This does not apply to a permit application to subdivide land.

Deeming provisions for land outside an urban growth boundary

Any reference in this planning scheme to a Rural Zone or a schedule to a Rural Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Green Wedge Zone or a schedule to a Green Wedge Zone.

Any reference in this planning scheme to a Rural Living Zone or a schedule to a Rural Living Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Green Wedge A Zone or a schedule to a Green Wedge A Zone.

Any reference in this planning scheme to an Environmental Rural Zone or a schedule to an Environmental Rural Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Rural Conservation Zone or a schedule to a Rural Conservation Zone.
1.0

Land where core planning provisions do not apply

<table>
<thead>
<tr>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
</tr>
</tbody>
</table>
MELBOURNE AIRPORT ENVIRONS STRATEGY PLAN

Scope

To ensure consistency between this planning scheme and the Melbourne Airport Environs Strategy Plan pursuant to the requirements of Part 3C of the Planning and Environment Act 1987.
PROVISIONS THAT REQUIRE, ENABLE OR EXEMPT A PERMIT
EASEMENTS, RESTRICTIONS AND RESERVES

Purpose
To enable the removal and variation of an easement or restriction to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

Permit requirement
A permit is required before a person proceeds:

- Under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement or restriction or vary or remove a condition in the nature of an easement in a Crown grant.
- Under Section 36 of the Subdivision Act 1988 to acquire or remove an easement or remove a right of way.

This does not apply:

- If the action is required or authorised by the schedule to this clause.
- In the circumstances set out in Section 6A(3) of the Planning and Environment Act 1987.
- If the person proceeds under Section 362A of the Land Act 1958.
- In the case of a person proceeding under Section 36 of the Subdivision Act 1988, if the council or a referral authority gives a written statement in accordance with Section 36(1)(a) or (b) of the Subdivision Act 1988.

In this clause, restriction has the same meaning as in the Subdivision Act 1988.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider the interests of affected people.

Note: Section 23 of the Subdivision Act 1988 provides that either the council or the person benefiting from the direction must lodge a certified plan at the Titles Office for registration.
### SCHEDULE TO CLAUSE 52.02 EASEMENTS, RESTRICTIONS AND RESERVES

#### Under Section 23 of the Subdivision Act 1988

<table>
<thead>
<tr>
<th>Land</th>
<th>Easement or restriction</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-9 Eldon Street, Broadmeadows being Lot 482 on Plan of Subdivision No. 11580 Volume 5303 Folio 568</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. 1291761</td>
<td>Remove</td>
</tr>
<tr>
<td>75 Carroll Lane, Greenvale being Lot 1 on Plan of Subdivision No. 115075 Vol. 9091 Fol. 159</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. F880158</td>
<td>Remove</td>
</tr>
<tr>
<td>65 Carroll Lane, Greenvale being Lot 2 on Plan of Subdivision No. 115075 Vol. 9091 Fol. 160</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. F842764</td>
<td>Remove</td>
</tr>
<tr>
<td>55 Carroll Lane, Greenvale being Lot 3 on Plan of Subdivision No.115075 Vol. 9091 Fol. 161</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. F855999</td>
<td>Remove</td>
</tr>
<tr>
<td>45 Carroll Lane, Greenvale being Lot 4 on Plan of Subdivision No. 115075 Vol. 9091 Fol. 162</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. F842767</td>
<td>Remove</td>
</tr>
<tr>
<td>35 Carroll Lane, Greenvale being Lot 5 on Plan of Subdivision No. 115075 Vol. 9091 Fol. 163</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. F842761</td>
<td>Remove</td>
</tr>
<tr>
<td>40 Providence Road, Greenvale being Lot 6 on Plan of Subdivision No. 115075 Vol. 9091 Fol. 164</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. F880155</td>
<td>Remove</td>
</tr>
<tr>
<td>80 Carroll Lane, Greenvale being Lot 14 on Plan of Subdivision No. 115075 Vol. 9091 Fol. 172</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. F946707</td>
<td>Remove</td>
</tr>
<tr>
<td>50 Carroll Lane, Greenvale being Lot 13 on Plan of Subdivision No. 115075 Vol. 9091 Fol. 171</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. F963607</td>
<td>Remove</td>
</tr>
<tr>
<td>30 Carroll Lane, Greenvale being Lot 12 on Plan of Subdivision No. 115075 Vol. 9091 Fol. 170</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. F948413</td>
<td>Remove</td>
</tr>
<tr>
<td>745 Mickleham Road, Greenvale being Lot 11 on Plan of Subdivision No. 115075 Vol. 9091 Fol. 169</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. F994157</td>
<td>Remove</td>
</tr>
<tr>
<td>735 Mickleham Road, Greenvale being Lot 10 on Plan of Subdivision No. 115075 Vol. 9091 Fol. 168</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. F956940</td>
<td>Remove</td>
</tr>
<tr>
<td>725 Mickleham Road, Greenvale being Lot 9 on Plan of Subdivision No. 115075 Vol. 9091 Fol. 167</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. F856002</td>
<td>Remove</td>
</tr>
<tr>
<td>715 Mickleham Road, Greenvale being Lot 8 on Plan of Subdivision No. 115075 Vol. 11202 Fol. 766</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. F842758</td>
<td>Remove</td>
</tr>
<tr>
<td>695 Mickleham Road, Greenvale being Lot 7 on Plan of Subdivision No. 115075 Vol. 11184 Fol. 928</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. F862814</td>
<td>Remove</td>
</tr>
<tr>
<td>5 Stockwell Drive, Sunbury being Lot 2 on Plan of Subdivision No. 403051M Vol.10355 Fol. 000</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. V178361Y</td>
<td>Remove</td>
</tr>
<tr>
<td>11 Stockwell Drive, Sunbury being Lot 1 on Plan of Subdivision No. 403051M Vol.10354 Fol. 938</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. V161817C</td>
<td>Remove</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>
**SATELLITE DISH**

**Purpose**

To provide an opportunity to consider the impact of a satellite dish attached to a building or structure listed in a schedule to the Heritage Overlay.

To provide an opportunity to consider the effect of a satellite dish on the amenity of residential areas.

**Application**

This clause applies to:

- A building or structure listed in a schedule to the Heritage Overlay.
- Land in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Low Density Residential Zone, Mixed Use Zone or Township Zone.

**Permit requirement**

A permit is required to use land or to construct or install or carry out works for a satellite dish (whether or not it forms part of a network) even if it is ancillary to another use on the land.

This does not apply to a satellite dish with a diameter:

- Less than 1.2 metres.
- Between 1.2 metres and 2.4 metres provided:
  - The dish is not visible from the street (other than a lane) or a public park,
  - The dish is setback from the side or rear boundary 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, and
  - The dish is setback at least 3 metres from the boundary where it is opposite an existing habitable room window.

**Decision guidelines**

Before deciding on an application, in addition to Clause 15.01-2S and the decision guidelines in clause 65, the responsible authority must consider the effect of the satellite dish on the visual amenity of nearby land.
52.05

SIGNS

Purpose
To regulate the development of land for signs and associated structures.
To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
To ensure signs do not contribute to excessive visual clutter or visual disorder.
To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

Application
This clause applies to the development of land for signs.

Requirements

Sign categories
Clauses 52.05-11 to 52.05-14 specify categories of sign control. The zone provisions specify which category of sign control applies to the zone.
Each category is divided into three sections.

If a sign can be interpreted in more than one way, the most restrictive requirement must be met.

Section 1
A sign in Section 1 of the category may be constructed or put up for display without a permit, but all the conditions opposite the sign must be met. If the conditions are not met, the sign is in Section 2.
Some overlays require a permit for Section 1 signs.

Section 2
A permit is required to construct or put up for display a sign in Section 2.
This does not apply to a sign specified in Clause 52.05-10.
All the conditions opposite the sign must be met. If the conditions are not met, the sign is prohibited.

Section 3
A sign in Section 3 is prohibited and must not be constructed or put up for display.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or put up for display a sign in an industrial zone, commercial zone,</td>
<td>Clause 59.09</td>
</tr>
<tr>
<td>Special Use Zone, Comprehensive Development Zone, Docklands Zone,</td>
<td></td>
</tr>
<tr>
<td>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</td>
<td></td>
</tr>
<tr>
<td>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.

52.05-11
31/07/2018
VC148

Category 1 - Commercial areas

Minimum limitation

Purpose
To provide for identification and promotion signs and signs that add vitality and colour to commercial areas.

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>The total display area of all signs to each premises must not exceed 8 sqm. This does not include a sign with a display area not exceeding 1.5 sqm that is below a verandah or, if no verandah, that is less than 3.7 m above pavement level.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td></td>
</tr>
<tr>
<td>Home based business sign</td>
<td></td>
</tr>
<tr>
<td>Promotion sign</td>
<td></td>
</tr>
</tbody>
</table>
### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>The total display area of all signs to each premises must not exceed 8 sqm. This does not include a direction sign.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td></td>
</tr>
<tr>
<td>Home based business sign</td>
<td></td>
</tr>
<tr>
<td>Pole sign</td>
<td></td>
</tr>
<tr>
<td>Direction sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>The display area must not exceed 1.5 sqm. The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Section 1</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>None specified</td>
</tr>
</tbody>
</table>

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52.05-12

31/07/2018

VC148

### Category 2 - Office and industrial

**Purpose**

To provide for adequate identification signs and signs that are appropriate to office and industrial areas.

### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>The total display area of all signs to each premises must not exceed 8 sqm. This does not include a direction sign.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td></td>
</tr>
<tr>
<td>Home based business sign</td>
<td></td>
</tr>
<tr>
<td>Pole sign</td>
<td></td>
</tr>
<tr>
<td>Direction sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>The display area must not exceed 1.5 sqm. The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Section 1</td>
<td>None specified</td>
</tr>
</tbody>
</table>
Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Category 3 - High amenity areas

Medium limitation

Purpose
To ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area.

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td>Home based business sign</td>
<td>The display area must not exceed 0.2 sqm.</td>
</tr>
<tr>
<td>Direction sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Above-verandah sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Business identification sign</td>
<td></td>
</tr>
<tr>
<td>Electronic sign</td>
<td>The display area must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>None specified</td>
</tr>
<tr>
<td>High-wall sign</td>
<td>Must be a business logo or street number.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Pole sign</td>
<td></td>
</tr>
<tr>
<td>Promotion sign</td>
<td>The display area must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Reflective sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Sections 1 or 2</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Category 4 - Sensitive areas

Maximum limitation

Purpose
To provide for unobtrusive signs in areas requiring strong amenity control.
Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td>Home based business sign</td>
<td>The display area must not exceed 0.2 sqm.</td>
</tr>
<tr>
<td>Direction sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business identification sign</td>
<td>The total display area to each premises must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Sections 1 or 2</td>
<td>None specified</td>
</tr>
</tbody>
</table>
SCHEDULE TO CLAUSE 52.05 SIGNS

Exemption from notice and review

<table>
<thead>
<tr>
<th>Land</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
CAR PARKING

Purpose
To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
To support sustainable transport alternatives to the motor car.
To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
To ensure that car parking does not adversely affect the amenity of the locality.
To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Scope
Clause 52.06 applies to:

- a new use; or
- an increase in the floor area or site area of an existing use; or
- an increase to an existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

Clause 52.06 does not apply to:

- the extension of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone; or
- the construction and use of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone unless the zone or a schedule to the zone specifies that a permit is required to construct or extend one dwelling on a lot.

Provision of car parking spaces
Before:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use,

the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:

- on the land; or
- in accordance with a permit issued under Clause 52.06-3; or
- in accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.

If a schedule to the Parking Overlay specifies a maximum parking provision, the maximum provision must not be exceeded except in accordance with a permit issued under Clause 52.06-3.

Permit requirement
A permit is required to:
Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.

Provide some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay on another site.

Provide more than the maximum parking provision specified in a schedule to the Parking Overlay.

A permit is not required if a schedule to the Parking Overlay specifies that a permit is not required under this clause.

A permit is not required to reduce the number of car parking spaces required for a new use of land if the following requirements are met:

- The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the new use is less than or equal to the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the existing use of the land.
- The number of car parking spaces currently provided in connection with the existing use is not reduced after the new use commences.

A permit is not required to reduce the required number of car parking spaces for a new use of an existing building if the following requirements are met:

- The building is in the Commercial 1 Zone, Commercial 2 Zone, Commercial 3 Zone or Activity Centre Zone.
- The gross floor area of the building is not increased.
- The reduction does not exceed 10 car parking spaces.
- The building is not in a Parking Overlay with a schedule that allows a financial contribution to be paid in lieu of the provision of the required car parking spaces for the use.

VicSmart applications

Subject to Clause 71.06, an application under this clause to reduce the required number of car parking spaces by no more than 10 car parking spaces is a class of VicSmart application and must be assessed against Clause 59.10.

Exemption from notice and review

An application under Clause 52.06-3 is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if:

- the application is only for a permit under Clause 52.06-3; or
- the application is also for a permit under another provision of the planning scheme and in respect of all other permissions sought, the application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Number of car parking spaces required under Table 1

Table 1 of this clause sets out the car parking requirement that applies to a use listed in the Table. A car parking requirement in Table 1 may be calculated as either:

- a number of car parking spaces; or
- a percentage of the total site area that must be set aside for car parking.
A car parking requirement in Table 1 is calculated by multiplying the figure in Column A or Column B (whichever applies) by the measure (for example square metres, number of patrons or number of bedrooms) in Column C.

Column A applies unless Column B applies.

Column B applies if:

- any part of the land is identified as being within the Principal Public Transport Network Area as shown on the Principal Public Transport Network Area Maps (State Government of Victoria, August 2018); or
- a schedule to the Parking Overlay or another provision of the planning scheme specifies that Column B applies.

Where an existing use is increased by the measure specified in Column C of Table 1 for that use, the car parking requirement only applies to the increase, provided the existing number of car parking spaces currently being provided in connection with the existing use is not reduced.

If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

Where the car parking requirement specified in Table 1 is calculated as a percentage of the total site area, the area to be provided for car parking includes an accessway that directly abuts any car parking spaces, but does not include any accessway or portion of an accessway that does not directly abut any car parking spaces.

The car parking requirement specified in Table 1 includes disabled car parking spaces. The proportion of spaces to be allocated as disabled spaces must be in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia.

The car parking requirement specified for a use listed in Table 1 does not apply if:

- a car parking requirement for the use is specified under another provision of the planning scheme; or
- a schedule to the Parking Overlay specifies the number of car parking spaces required for the use.

**Table 1: Car parking requirement**

<table>
<thead>
<tr>
<th>Use</th>
<th>Rate Column A</th>
<th>Rate Column B</th>
<th>Car Parking Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Art &amp; craft centre</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Bar</td>
<td>0.4</td>
<td>3.5</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Space to each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Betting agency</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Bowling green</td>
<td>6</td>
<td>6</td>
<td>To each rink plus 50 per cent of the relevant requirement of any ancillary use</td>
</tr>
<tr>
<td>Child care centre</td>
<td>0.22</td>
<td>0.22</td>
<td>To each child</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td>0.3</td>
<td>0.3</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>0.3</td>
<td>3.5</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td></td>
<td></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, other than listed in this table</td>
<td>1.5</td>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Fuel depot</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Funeral Parlour</td>
<td>0.3</td>
<td>0.3</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Gambling premises other than listed in this table</td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td>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>Motel</td>
<td>1</td>
<td>1</td>
<td>To each unit, and one to each manager dwelling, plus 50 per cent of the relevant requirement of any ancillary use</td>
</tr>
<tr>
<td>Motor repairs</td>
<td>3</td>
<td>3</td>
<td>To each 100 sq m of net floor area plus</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>1</td>
<td>for each vehicle being serviced, repaired or fitted with accessories, including vehicles waiting to be serviced, repaired, fitted with accessories or collected by owners</td>
</tr>
<tr>
<td>Office other than listed in this table</td>
<td>3.5</td>
<td>3</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Place of assembly other than listed in this table</td>
<td>0.3</td>
<td>0.3</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Postal agency</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Primary school</td>
<td>1</td>
<td>1</td>
<td>To each employee that is part of the maximum number of employees on the site at any time</td>
</tr>
<tr>
<td>Research and development centre</td>
<td>3.5</td>
<td>3</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td>0.3</td>
<td>0.3</td>
<td>To each lodging room</td>
</tr>
<tr>
<td>Residential village</td>
<td>1</td>
<td>1</td>
<td>To each one or two bedroom dwelling plus</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>2</td>
<td>To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>0</td>
<td>For visitors to every five dwellings for developments of five or more dwellings</td>
</tr>
<tr>
<td>Retirement village</td>
<td>1</td>
<td>1</td>
<td>To each one or two bedroom dwelling plus</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>2</td>
<td>To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>0</td>
<td>For visitors to every five dwellings for developments of five or more dwellings</td>
</tr>
<tr>
<td>Restaurant</td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td>3</td>
<td>2.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Rooming house</td>
<td>1</td>
<td>1</td>
<td>To each four bedrooms</td>
</tr>
<tr>
<td>Saleyard</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Secondary school</td>
<td>1.2</td>
<td>1.2</td>
<td>To each employee that is part of the maximum number of employees on the site at any time</td>
</tr>
<tr>
<td>Shop other than listed in this table</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Squash court – other than in conjunction with a dwelling</td>
<td>3</td>
<td>3</td>
<td>To each court plus 50 per cent of the relevant requirement of any ancillary use</td>
</tr>
<tr>
<td>Use</td>
<td>Rate Column A</td>
<td>Rate Column B</td>
<td>Car Parking Measure</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>---------------</td>
<td>---------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td>Store other than listed in this table</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Supermarket</td>
<td>5</td>
<td>5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Swimming pool – other than in conjunction with a dwelling</td>
<td>5.6</td>
<td>5.6</td>
<td>To each 100 sq m of the site</td>
</tr>
<tr>
<td>Tennis court – other than in conjunction with a dwelling</td>
<td>4</td>
<td>4</td>
<td>To each court plus 50% of the requirement of any ancillary use</td>
</tr>
<tr>
<td>Trade supplies</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Veterinary centre</td>
<td>5</td>
<td></td>
<td>To the first person providing animal health services plus</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td></td>
<td>To every other person providing animal health services</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Warehouse other than listed in this table</td>
<td>2</td>
<td>2</td>
<td>To each premises plus</td>
</tr>
<tr>
<td></td>
<td>1.5</td>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Winery</td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
</tbody>
</table>

**Number of car parking spaces required for other uses**

Where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority. This does not apply to the use of land for a temporary portable land sales office located on the land for sale.

**Application requirements and decision guidelines for permit applications**

**For applications to reduce the car parking requirement**

An application to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed:

- new use; or
- increase in the floor areas or site area of the existing use; or
- increase to the existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
The short-stay and long-stay car parking demand likely to be generated by the proposed use.

The availability of public transport in the locality of the land.

The convenience of pedestrian and cyclist access to the land.

The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.

The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.

Any empirical assessment or case study.

Before granting a permit to reduce the number of spaces, the responsible authority must consider the following, as appropriate:

- The Car Parking Demand Assessment.
- Any relevant local planning policy or incorporated plan.
- The availability of alternative car parking in the locality of the land, including:
  - Efficiencies gained from the consolidation of shared car parking spaces.
  - Public car parks intended to serve the land.
  - On street parking in non residential zones.
  - Streets in residential zones specifically managed for non-residential parking.
- On street parking in residential zones in the locality of the land that is intended to be for residential use.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- Any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre.
- The future growth and development of any nearby activity centre.
- Any car parking deficiency associated with the existing use of the land.
- Any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.
- Local traffic management in the locality of the land.
- The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.
- The need to create safe, functional and attractive parking areas.
- Access to or provision of alternative transport modes to and from the land.
- The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.
- The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.
- Any other matter specified in a schedule to the Parking Overlay.
- Any other relevant consideration.
For applications to allow some or all of the required car parking spaces to be provided on another site

Before granting a permit to allow some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay to be provided on another site, the responsible authority must consider the following, as appropriate:

- The proximity of the car parking on the alternate site to the subject site.
- The likelihood of the long term provision and availability of the car parking spaces.
- Whether the location of the car parking spaces is consistent with any relevant local policy or incorporated plan.
- Any other matter specified in a schedule to the Parking Overlay.

For applications to provide more than the maximum parking provision specified in a schedule to the Parking Overlay

An application to provide more than the maximum parking provision specified in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed use or increase to the existing use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
- The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
- Any empirical assessment or case study.

52.06-8
25/05/2017
VC133

Requirement for a car parking plan

Plans must be prepared to the satisfaction of the responsible authority before any of the following occurs:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The plans must show, as appropriate:

- All car parking spaces that are proposed to be provided (whether on the land or on other land).
- Access lanes, driveways and associated works.
- Allocation of car parking spaces to different uses or tenancies, if applicable.
- Any landscaping and water sensitive urban design treatments.
- Finished levels, if required by the responsible authority.
Any other matter specified in a schedule to the Parking Overlay.

Plans must be provided to the responsible authority under Clause 52.06-8 wherever Clause 52.06 applies, whether or not a permit application is being made under Clause 52.06-3 or any other provision of the planning scheme.

Where an application is being made for a permit under Clause 52.06-3 or another provision of the planning scheme, the information required under Clause 52.06-8 may be included in other plans submitted with the application.

Clause 52.06-8 does not apply where no car parking spaces are proposed to be provided.

**Design standards for car parking**

Plans prepared in accordance with Clause 52.06-8 must meet the design standards of Clause 52.06-9, unless the responsible authority agrees otherwise.

Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

**Design standard 1 – Accessways**

Accessways must:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.
- If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed so that cars can exit the site in a forward direction.
- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Road Zone.
- Have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

If an accessway to four or more car parking spaces is from land in a Road Zone, the access to the car spaces must be at least 6 metres from the road carriageway.

If entry to the car space is from a road, the width of the accessway may include the road.

**Design standard 2 – Car parking spaces**

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.

**Table 2: Minimum dimensions of car parking spaces and accessways**

<table>
<thead>
<tr>
<th>Angle of car parking spaces to access way</th>
<th>Accessway width</th>
<th>Car space width</th>
<th>Car space length</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parallel</td>
<td>3.6 m</td>
<td>2.3 m</td>
<td>6.7 m</td>
</tr>
<tr>
<td>45º</td>
<td>3.5 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td>Angle of car parking spaces to access way</td>
<td>Accessway width</td>
<td>Car space width</td>
<td>Car space length</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>----------------</td>
<td>----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>60°</td>
<td>4.9 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td>90°</td>
<td>6.4 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>5.8 m</td>
<td>2.8 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>5.2 m</td>
<td>3.0 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>4.8 m</td>
<td>3.2 m</td>
<td>4.9 m</td>
</tr>
</tbody>
</table>

Note to Table 2: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked ‘clearance required’ on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked ‘tree or column permitted’ on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

Diagram 1 Clearance to car parking spaces

Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.

Where parking spaces are provided in tandem (one space behind the other) an additional 500 mm in length must be provided between each space.

Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500mm.
Design standard 3: Gradients

Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

Table 3: Ramp gradients

<table>
<thead>
<tr>
<th>Type of car park</th>
<th>Length of ramp</th>
<th>Maximum grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public car parks</td>
<td>20 metres or less</td>
<td>1:5 (20%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:6 (16.7%)</td>
</tr>
<tr>
<td>Private or residential car parks</td>
<td>20 metres or less</td>
<td>1:4 (25%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:5 (20%)</td>
</tr>
</tbody>
</table>

Where the difference in grade between two sections of ramp or floor is greater that 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

Design standard 4: Mechanical parking

Mechanical parking may be used to meet the car parking requirement provided:

- At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle height of at least 1.8 metres.
- Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

Design standard 5: Urban design

Ground level car parking, garage doors and accessways must not visually dominate public space. Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.

Design of car parks must take into account their use as entry points to the site. Design of new internal streets in developments must maximise on street parking opportunities.

Design standard 6: Safety

Car parking must be well lit and clearly signed.

The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to car parking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.
Design standard 7: Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

Decision guidelines

Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.
- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The workability and allocation of spaces of any mechanical parking arrangement.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The type and size of vehicle likely to use the parking area.
- Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.
- The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.
- Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).
- The relevant standards of Clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.
- Any other matter specified in a schedule to the Parking Overlay.

Construction of car parking

Where a plan is required under Clause 52.06-8, the car parking spaces, access lanes, driveways and associated works and landscaping shown on the plan must be:

- constructed and available for use in accordance with the plan approved by the responsible authority; and
- formed to such levels and drained so that they can be used in accordance with the plan; and
- treated with an all-weather seal or some other durable surface; and
- line-marked or provided with some other adequate means of showing the car parking spaces, before any of the following occurs:
  - the new use commences; or
  - the floor area or site area of the existing use is increased; or
  - the existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.
EARTH AND ENERGY RESOURCES INDUSTRY

Purpose
To encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards.
To ensure that mineral extraction, geothermal energy extraction, greenhouse gas sequestration and petroleum extraction are not prohibited land uses.
To ensure that planning controls for the use and development of land for the exploration and extraction of earth and energy resources are consistent with other legislation governing these land uses.

Permit requirement
A permit is required to use and develop land for earth and energy resources industry unless the table to this clause specifically states that a permit is not required.

Table of exemptions

<table>
<thead>
<tr>
<th>No permit is required to use or develop land for earth and energy resources industry if the following conditions are met:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mineral exploration</td>
</tr>
<tr>
<td>Mineral extraction</td>
</tr>
<tr>
<td>Stone exploration</td>
</tr>
<tr>
<td>Stone extraction</td>
</tr>
<tr>
<td>Geothermal energy exploration</td>
</tr>
<tr>
<td>Geothermal energy extraction</td>
</tr>
<tr>
<td>Petroleum exploration</td>
</tr>
<tr>
<td>Petroleum extraction</td>
</tr>
</tbody>
</table>

Application requirements for mineral extraction
An application to use and develop land for mineral extraction must be accompanied by:
- A copy of a work plan or a variation to an approved work plan that has received statutory endorsement under section 77TD of the Mineral Resources (Sustainable Development) Act 1990.
- The written notice of statutory endorsement under section 77TD(1) of the Mineral Resources (Sustainable Development) Act 1990.
- Any conditions specified under section 77TD(3) of the Mineral Resources (Sustainable Development) Act 1990.
Referral requirements for mineral extraction

Before deciding on any applications to use and develop land for mineral extraction the Responsible Authority must refer the application to the referral authorities specified under section 55 of the Planning and Environment Act 1987.

Unless the referral authority is the Roads Corporation, the referral requirements of Clause 52.08-2 do not apply to an application to use and develop land for mineral extraction if a copy of the work plan or a variation to an approved work plan was previously referred to the referral authority listed in Clause 66 under section 77TE of the Mineral Resources (Sustainable Development) Act 1990.
STONE EXTRACTION AND EXTRACTIVE INDUSTRY INTEREST AREAS

Purpose
To ensure that use and development of land for stone extraction does not adversely affect the environment or amenity of the area during or after extraction.
To ensure that excavated areas can be appropriately rehabilitated.
To ensure that sand and stone resources, which may be required by the community for future use, are protected from inappropriate development.

Application
These provisions apply to planning permit applications for:
- The use and development of land for stone extraction.
- The use and development of land within an extractive industry interest area.
- The use and development of land within 500 metres of stone extraction.

Permit exemptions for stone extraction
A permit to use and develop land for stone extraction will not be required if the conditions in the table to Clause 52.08-1 are met.

Application requirements
An application to use and develop land for stone extraction must be accompanied by:
- A copy of a work plan or a variation to an approved work plan that has received statutory endorsement under section 77TD of the Mineral Resources (Sustainable Development) Act 1990.
- The written notice of statutory endorsement under section 77TD(1) of the Mineral Resources (Sustainable Development) Act 1990.
- Any conditions specified under section 77TD(3) of the Mineral Resources (Sustainable Development) Act 1990.

These requirements do not apply to an application to use and develop land for stone extraction which is exempt from:
- The requirement to obtain a work plan under Section 77G of the Mineral Resources (Sustainable Development) Act 1990, or
- The provisions of the Mineral Resources (Sustainable Development) Act 1990 under Section 5AA of that Act.

Referral requirements
Before deciding on any applications to use and develop land for stone extraction the responsible authority must refer the application to the referral authorities specified under section 55 of the Planning and Environment Act 1987.

Unless the referral authority is the Roads Corporation, the referral requirements of Clause 52.09-4 do not apply to an application to use and develop land for stone extraction if a copy of the work plan or a variation to an approved work plan was previously referred to the referral authority listed in Clause 66 under section 77TE of the Mineral Resources (Sustainable Development) Act 1990.
**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, responsible authority must consider, as appropriate:

- The effect of the proposed stone extraction on any native flora and fauna on and near the land.
- The impact of the stone extraction operations on sites of cultural and historic significance, including any effects on Aboriginal places.
- The effect of the stone extraction operation on the natural and cultural landscape of the surrounding land and the locality generally.
- The ability of the stone extraction operation to contain any resultant industrial emissions within the boundaries of the subject land in accordance with the Regulations associated with the *Mineral Resources (Sustainable Development) Act 1990* and other relevant regulations.
- The effect of vehicular traffic, noise, blasting, dust and vibration on the amenity of the surrounding area.
- The ability to rehabilitate the affected land to a form or for a use which is compatible with the natural systems or visual appearance of the surrounding area.
- The ability to rehabilitate the land so it can be used for a purpose or purposes beneficial to the community.
- The effect of the proposed stone extraction on groundwater and quality and the impact on any affected water uses.
- The impact of the proposed stone extraction on surface drainage and surface water quality.
- Any proposed provisions, conditions or requirements in a work plan that has received statutory endorsement issued under the *Mineral Resources (Sustainable Development) Act 1990*.

**Permit conditions for stone extraction**

A permit for the use and development of land for stone extraction must not include conditions which require the use to cease by a specified date unless either:

- The subject land is situated in or adjoins land which is being developed or is proposed to be developed for urban purposes.
- Such condition is suggested by the applicant.

A permit for the use and development of land for stone extraction must include conditions which are consistent with the requirements specified in Clause 52.09-7.

**Requirements for the use and development of land for stone extraction**

**Boundary setback**

Except with a permit, no alteration may be made to the natural condition or topography of the land within 20 metres of the boundary of the land. This does not apply to driveways, drains, bund walls or landscaping.

**Screen planting**

Shrubs and trees must be planted and maintained to screen activity on the site to the satisfaction of the responsible authority.

**Parking areas**

Parking areas must be provided for employees’ cars and all vehicles used on the site to the satisfaction of the responsible authority.
Notice of an application

Notice of the kinds of application listed below must be given under section 52(1)(c) of the Act to the person or body specified as a person or body to be notified in Clause 66.05:

- An application to use or subdivide land or construct a building for Accommodation, Child care centre, Education centre or Hospital:
  - Within an Extractive Industry Interest Area.
  - On land which is within 500 metres of land on which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.

- An application to construct a building or construct or carry out works on land for which a work authority has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.

These requirements do not apply to an extension to buildings or works.
HOME BASED BUSINESS

Purpose
To ensure that the amenity of the neighbourhood is not adversely affected by a business conducted in or from a dwelling.

Requirements to be met
A home based business must meet the following requirements:

- The person conducting the home based business must use the dwelling as their principal place of residence.
- No more than two persons who does not live in the dwelling may work in the home based business at any one time.
- The net floor area used in conducting the business including the storage of any materials or goods must not exceed 100 square metres or one-third of the net floor area of the dwelling, whichever is the lesser. The net floor area includes out-buildings and works normal to a dwelling.
- The business must not impose a load on any utility greater than normally required for domestic use.
- The business must not adversely affect the amenity of the neighbourhood in any way including:
  - The appearance of any building, works or materials used.
  - The parking of motor vehicles.
  - The transporting of materials or goods to or from the dwelling.
  - The hours of operation.
  - Electrical interference.
  - The storage of chemicals, gasses or other hazardous materials.
  - Emissions from the site.
- No motor vehicle may be adjusted, modified, serviced or repaired for gain.
- Only one commercial vehicle (a commercial goods vehicle, commercial passenger vehicle or tow truck within the meaning of the Transport Act 1983), not exceeding 2 tonnes capacity and with or without a trailer registered to a resident of the dwelling may be present at any time. The vehicle must not be fuelled or repaired on the site.
- No goods other than goods manufactured or serviced in the home based business may be offered for sale. This requirement does not apply to goods offered for sale online.
- Materials used or goods manufactured, serviced or repaired in the home based business must be stored within a building.
- No goods manufactured, serviced or repaired may be displayed so that they are visible from outside the site.
- Any goods offered for sale online must not be collected from the dwelling.

Permit requirement
Despite the requirements of Clause 52.11-1, a permit may be granted for a home occupation:

- Which allows no more than three people who do not live in the dwelling to work in the occupation at any one time; or
- Which has a floor area not exceeding 200 square metres or one-third of the net floor area of the dwelling, whichever is the lesser.
Which allows no more than one additional commercial vehicle (a commercial goods vehicle, commercial passenger vehicle or tow truck within the meaning of the Transport Act 1983), not exceeding two tonnes capacity and with or without a trailer registered to a resident of the dwelling, to be present at any time.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether there is a need for additional parking or loading facilities.
- The effect of any vehicle parking, storage or washing facilities on the amenity and character of the street.
- Whether the site is suitable for the particular home based business and is compatible with the surrounding use and development.
- Whether there is a need for landscaping to screen any outbuildings or car parking or loading areas or any other area relating to the home based business.
BUSHFIRE PROTECTION: EXEMPTIONS

Exemption to create defendable space around buildings used for accommodation

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to:

- The removal, destruction or lopping of any vegetation within 10 metres of an existing building used for accommodation that was:
  - constructed before 10 September 2009; or
  - approved by a permit issued under this scheme before 10 September 2009; or
  - approved by a building permit issued under the Building Act 1993 before 10 September 2009; or
  - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.

This does not apply to land covered by the Banyule, Bayside, Boroondara, Brimbank, Darebin, Glen Eira, Greater Dandenong, Hobsons Bay, Kingston, Knox, Maribyrnong, Maroondah, Melbourne, Monash, Moonee Valley, Moreland, Port of Melbourne, Port Phillip, Stonnington, Whitehorse and Yarra planning schemes unless the land is included in a Bushfire Management Overlay or is specified in a schedule to this clause.

- The removal, destruction or lopping of any vegetation, except trees, within 30 metres of an existing building used for accommodation that was:
  - constructed before 10 September 2009; or
  - approved by a permit issued under this scheme before 10 September 2009; or
  - approved by a building permit issued under the Building Act 1993 before 10 September 2009; or
  - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.

This does not apply to land covered by the Banyule, Bayside, Boroondara, Brimbank, Darebin, Glen Eira, Greater Dandenong, Hobsons Bay, Kingston, Knox, Maribyrnong, Maroondah, Melbourne, Monash, Moonee Valley, Moreland, Port of Melbourne, Port Phillip, Stonnington, Whitehorse and Yarra planning schemes unless the land is specified in a schedule to this clause.

- The removal, destruction or lopping of any vegetation, except trees, within 50 metres of an existing building used for accommodation where land is within the Bushfire Management Overlay and where the existing building was:
  - constructed before 10 September 2009 or lawfully erected before 18 November 2011 without the need for a planning permit; or
  - approved by a permit issued under this scheme before 10 September 2009 and erected before 18 November 2011; or
  - approved by a building permit issued under the Building Act 1993 before 10 September 2009 and erected before 18 November 2011; or
  - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
Exemption for vegetation removal along a fenceline

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to:

- The removal, destruction or lopping of any vegetation for a combined maximum width of 4 metres either side of an existing fence on a boundary between properties in different ownership that was constructed before 10 September 2009.

This does not apply to land covered by the Banyule, Bayside, Boroondara, Brimbank, Darebin, Glen Eira, Greater Dandenong, Hobsons Bay, Kingston, Knox, Maribyrnong, Maroondah, Melbourne, Monash, Moonee Valley, Moreland, Port of Melbourne, Port Phillip, Stonnington, Whitehorse and Yarra planning schemes unless the land is included in a Bushfire Management Overlay.

Exemption for buildings and works associated with a community fire refuge

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works does not apply to modifying an existing building to create a community fire refuge in accordance with Ministerial Direction No. 4, Construction Requirements for a Community Fire Refuge (1 August 2012).

Exemption for buildings and works associated with a private bushfire shelter

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works does not apply to buildings and works associated with a private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2006), provided the total area of all buildings and works does not exceed 30 square metres.

This clause does not apply to land in the Urban Floodway Zone, Erosion Management Overlay, Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Heritage Overlay.

Exemption to create defendable space for a dwelling approved under Clause 44.06 of this planning scheme

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to the removal, destruction or lopping of vegetation to construct a dwelling and create its defendable space if all of the following requirements are met:

- Land is in the Bushfire Management Overlay.

- Land is in the General Residential Zone, Residential Growth Zone, Neighbourhood Residential Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone, Rural Living Zone, Farming Zone or Rural Activity Zone.

- The removal, destruction or lopping of vegetation:
  - Does not exceed the distance specified in Table 1 to Clause 53.02-3 of this planning scheme, based on the bushfire attack level determined by a relevant building surveyor in deciding an application for a building permit under the Building Act 1993 for a dwelling or alteration or extension to the dwelling; or
Is required to be undertaken by a condition in a planning permit issued after 31 July 2014 under Clause 44.06 of this scheme for a dwelling or an alteration or extension to the dwelling.
SCHEDULE TO CLAUSE 52.12 BUSHFIRE PROTECTION: EXEMPTIONS

1.0

Exemptions for vegetation removal

<table>
<thead>
<tr>
<th>Land</th>
<th>None specified</th>
</tr>
</thead>
</table>

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 flood plain management authority must be obtained prior to the commencement of construction of a building or the construction or carrying out of works.

52.14-5 Decision guidelines
Before deciding on approval of the site plan, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider, as appropriate:
• The extent to which the siting of the building and associated development can reasonably achieve compliance with other relevant requirements of this scheme.
• The extent to which the replacement dwelling or dependent person’s unit can be located on the land to assist the minimisation of risk to life and property from bushfire.
HELIPORT AND HELICOPTER LANDING SITE

Purpose

To ensure the amenity impacts of a heliport and a helicopter landing site on surrounding areas is considered.

Permit requirement

A permit is required to use or develop any land for a heliport or a helicopter landing site even if it is ancillary to another use on the land, unless the table to this Clause specifically states that a permit is not required.

Table of exemptions for use

<table>
<thead>
<tr>
<th>No permit is required to use land for a helicopter landing site if any of the following apply:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency services</td>
</tr>
<tr>
<td>Agriculture</td>
</tr>
<tr>
<td>Public land management</td>
</tr>
<tr>
<td></td>
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<tr>
<td>General</td>
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</tr>
</tbody>
</table>

Application requirements

An application to use or develop land for a heliport or a helicopter landing site must be accompanied by the following information, as appropriate:

- A site plan, including:
  - Site boundaries and dimensions.
  - The current land use.
  - The existing siting and layout of buildings and works.
  - The proposed siting and layout of buildings and works.
  - Existing vegetation and proposed vegetation removal.
- Vehicle and pedestrian access.

An application to use land for a heliport or a helicopter landing site must be accompanied by the following information:

- A location plan, including:
  - The siting and use of buildings on adjacent properties.
  - The direction and distance to any building used for a sensitive use (accommodation, child care centre, education centre and hospital) that is not associated with the helicopter operation and is located within 500 metres of the proposed heliport or helicopter landing site.

- A written report which:
  - Demonstrates a suitable separation distance between the landing point of a heliport or helicopter landing site and any building used for a sensitive use that is not associated with the helicopter operation by either:
    - Locating the proposed heliport or helicopter landing site at least 150 metres for helicopters of less than 2 tonnes all-up weight, or 250 metres for helicopters of less than 15 tonnes all-up weight, or
    - Providing an acoustic report by a suitably qualified consultant.
  - Includes details of the proposed frequency of flight movements.
  - Includes the proposed hours of operation.

### Decision guidelines

Before deciding on an application to use land for a heliport or a helicopter landing site, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposal achieves a suitable separation distance from a nearby sensitive use, having regard to the Noise Control Guidelines (Environment Protection Authority, 2008).
- The effect of the proposal on nearby sensitive uses in terms of the proposed frequency of flight movements and hours of operation.
NATIVE VEGETATION PRECINCT PLAN

Purpose

To provide for the protection, management and removal of native vegetation through the use of a native vegetation precinct plan incorporated into this scheme.

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

Application

This clause applies to land if a native vegetation precinct plan corresponding to that land is incorporated into this scheme and listed in the schedule to this clause.

Native vegetation precinct plans

A native vegetation precinct plan is a plan relating to native vegetation within a defined area which is incorporated into this scheme and listed in the schedule to this clause.

A native vegetation precinct plan may form part of a more general strategic or precinct structure plan.

A native vegetation precinct plan must include the information and provide for the matters set out in section 10.1 of the Guidelines.

Permit requirement

A permit is required to remove, destroy or lop any native vegetation, including dead native vegetation. This does not apply:

- If the removal, destruction or lopping of native vegetation is in accordance with a native vegetation precinct plan incorporated into this scheme. Any conditions or requirements specified in the plan must be met.
- To the removal, destruction or lopping of native vegetation specified in the table to Clause 52.16-8, unless a native vegetation precinct plan specifies otherwise.

Application requirements

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines at Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate.
**Offset requirements**

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset in accordance with the Guidelines. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and timing to secure the offset.

**Transitional provisions**

The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
  - the original permit application was lodged before that date; or
  - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department of Environment, Land, Water and Planning’s native vegetation information systems within 12 months before that date.

**Table of exemptions**

The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Conservation work</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of conservation work:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- which provides an overall improvement for biodiversity; and</td>
</tr>
<tr>
<td></td>
<td>- with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Crown land</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land:</td>
</tr>
<tr>
<td></td>
<td>- by or on behalf of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987), or Parks Victoria, and in accordance with the Procedure for the removal, destruction or lopping of native vegetation on Crown land; or</td>
</tr>
<tr>
<td></td>
<td>- with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Emergency works</td>
<td>Native vegetation that is to be removed, destroyed or lopped:</td>
</tr>
<tr>
<td></td>
<td>- in an emergency by or on behalf of a public authority or municipal council to create an emergency access associated with emergency works; or</td>
</tr>
<tr>
<td></td>
<td>- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
<tr>
<td>Fire protection</td>
<td>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:</td>
</tr>
<tr>
<td></td>
<td>- fire fighting;</td>
</tr>
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<td></td>
<td>- planned burning;</td>
</tr>
<tr>
<td></td>
<td>- making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);
- in accordance with a fire prevention notice issued under either:
  - section 65 of the Forests Act 1958; or
- keeping native vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998;
- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forest and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the Road Management Act 2004.

Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.

<table>
<thead>
<tr>
<th>Description</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geothermal energy exploration and extraction</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Geothermal Energy Resources Act 2005.</td>
</tr>
<tr>
<td>Greenhouse gas sequestration and exploration</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008.</td>
</tr>
<tr>
<td>Land management or directions notice</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td>Land use conditions</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the Catchment and Land Protection Act 1994.</td>
</tr>
</tbody>
</table>
| Mineral exploration and extraction               | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration mining, prospecting, or retention license issued under the Mineral Resources (Sustainable Development) Act 1990:
  - that is low impact exploration within the meaning of Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990; or
  - in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990. Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration. |
| Pest animal burrows                              | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in accordance with the written agreement of an officer of the department responsible for administering the Flora and Fauna Guarantee Act 1988. |
| Planted vegetation                               | Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production. This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding. |
| Railways                                         | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). |
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Regrowth</th>
<th>Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- bracken (<em>Pteridium esculentum</em>); or</td>
</tr>
<tr>
<td></td>
<td>- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.</td>
</tr>
<tr>
<td>This exemption does not apply to land where native vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.</td>
<td></td>
</tr>
</tbody>
</table>

| Road safety                                                               | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |

| Stone exploration                                                        | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. |
|                                                                         | The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: |
|                                                                         | - 1 hectare of native vegetation which does not include a tree.                                                                                                                                   |
|                                                                         | - 15 native trees with trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.                                                                                  |
|                                                                         | - 5 native trees with trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.                                                                                    |
| This exemption does not apply to costeasing and bulk sampling activities. |

| Stone extraction                                                        | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority under that Act. |

| Surveying                                                                | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licensed surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land. |

| Traditional owners                                                       | Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with: |
|                                                                         | - a natural resource agreement under Part 6 of the *Traditional Owner Settlement Act 2010*; or |
|                                                                         | - an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional Owner Settlement Amendment Act in 2016* (1 May 2017). |

| Utility installations                                                    | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary: |
|                                                                         | - to maintain the safe and efficient function of a Minor utility installation; or |
|                                                                         | - by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
### SCHEDULE TO CLAUSE 52.16 NATIVE VEGETATION PRECINCT PLAN

#### Native vegetation precinct plan

<table>
<thead>
<tr>
<th>Name of plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Folkestone Native Vegetation Precinct Plan for land at Lots 135, 225 &amp; 285 Donnybrook Road, Mickleham.</td>
</tr>
<tr>
<td>Craigieburn R2 Native Vegetation Precinct Plan (September 2010).</td>
</tr>
<tr>
<td>Greenvale North [R1] Precinct Structure Plan (includes the Greenvale North Native Vegetation Precinct Plan) January 2011.</td>
</tr>
<tr>
<td>Merrifield West Native Vegetation Precinct Plan (March 2012).</td>
</tr>
<tr>
<td>Lockerbie Native Vegetation Precinct Plan (May 2012).</td>
</tr>
<tr>
<td>Lindum Vale Native Vegetation Precinct Plan (September 2018).</td>
</tr>
</tbody>
</table>
NATIVE VEGETATION

Purpose

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

Permit requirement

A permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply:

- If the table to Clause 52.17-7 specifically states that a permit is not required.
- If a native vegetation precinct plan corresponding to the land is incorporated into this scheme and listed in the schedule to Clause 52.16.
- To the removal, destruction or lopping of native vegetation specified in the schedule to this clause.

Application requirements

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

Property vegetation plans

A permit granted to remove, destroy or lop native vegetation in accordance with a property vegetation plan must include the following condition:

“This permit will expire if one of the following circumstances applies:

- The removal, destruction or lopping of native vegetation does not start within two years of the date of this permit.
- The removal, destruction or lopping of native vegetation is not completed within ten years of the date of this permit.”

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate.

Offset requirements

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset, in accordance with the Guidelines. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and the timing to secure the offset.
Transitional provisions
The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
  - the original permit application was lodged before that date; or
  - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department of Environment, Land, Water and Planning’s native vegetation information systems within 12 months before that date.

Table of exemptions

<table>
<thead>
<tr>
<th>The requirement to obtain a permit does not apply to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation work</td>
</tr>
<tr>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of conservation work:</td>
</tr>
<tr>
<td>- which provides an overall improvement for biodiversity; and</td>
</tr>
<tr>
<td>- with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Crown land</td>
</tr>
<tr>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land:</td>
</tr>
<tr>
<td>- by or on behalf of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987), or Parks Victoria, and in accordance with the Procedure for the removal, destruction or lopping of native vegetation on Crown land; or</td>
</tr>
<tr>
<td>- with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Dead native vegetation</td>
</tr>
<tr>
<td>Native vegetation that is dead. This exemption does not apply to a standing dead tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td>Emergency works</td>
</tr>
<tr>
<td>Native vegetation that is to be removed, destroyed, or lopped:</td>
</tr>
<tr>
<td>- in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access associated with emergency works; or</td>
</tr>
<tr>
<td>- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Existing buildings</th>
<th>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.</th>
</tr>
</thead>
<tbody>
<tr>
<td>This exemption does not apply to:</td>
<td>• the operation or maintenance of a fence; or • native vegetation located more than 10 metres measured from the outermost point of the building.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Existing buildings and works in the Farming Zone and Rural Activity Zone</th>
<th>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.</th>
</tr>
</thead>
<tbody>
<tr>
<td>This exemption does not apply to:</td>
<td>• 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.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fences</th>
<th>Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• the operation or maintenance of an existing fence; or • the construction of a boundary fence between properties in different ownership.</td>
<td>The clearing along both sides of the fence when combined must not exceed 4 metres in width, except where land has already been cleared 4 metres or more along one side of the fence, then up to 1 metre can be cleared along the other side of the fence.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fire protection</th>
<th>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:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• fire fighting;</td>
<td>• planned burning;</td>
</tr>
<tr>
<td>• making or maintenance of a fuelbreak or firefighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;</td>
<td>• making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);</td>
</tr>
<tr>
<td>• in accordance with a fire prevention notice issued under either:</td>
<td>• 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;</td>
</tr>
<tr>
<td>• Section 65 of the Forests Act 1958; or</td>
<td>• Section 41 of the Country Fire Authority Act 1958.</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- 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.

<p>| Geothermal energy exploration and extraction | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Geothermal Energy Resources Act 2005. |
| 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 |
| 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 pruning or lopping of the trunk of a native tree; or |
| | - native vegetation on a roadside or railway reservation. |</p>
<table>
<thead>
<tr>
<th>Requirement</th>
<th>Description</th>
</tr>
</thead>
</table>
| Mineral exploration and extraction              | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention license issued under the *Mineral Resources (Sustainable Development) Act 1990*:
  - that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or
  - in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*. Note: Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990* specifies limits on the extent of native vegetation that may be removed as part of low impact exploration. |
| New buildings and works in the Farming Zone and Rural Activity Zone | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the construction of a building or works used for *Agricultural production*, including a dam, utility service, bore and accessway, in the Farming Zone or the Rural Activity Zone. The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:
  - 1 hectare of native vegetation which does not include a tree.
  - 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.
  - 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
  This exemption does not apply to the construction or operation of a pivot irrigation system or horticultural trellising. |
| New dwellings in the Farming Zone and Rural Activity Zone | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the construction of a dwelling in the Farming Zone or Rural Activity Zone. The maximum extent of native vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:
  - 300 square metres of native vegetation which does not include a tree.
  - 5 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.
  - 1 native tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.
  This exemption does not apply to native vegetation removed, destroyed or lopped to enable the construction of a swimming pool, tennis court or horse ménage. |
| Personal use                                     | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to obtain reasonable amounts of wood for personal use by the owner or lawful occupier of the land. For the purpose of this exemption personal use means uses such as heating and cooking, building and fence construction on land, and hobbies such as arts and craft. This exemption does not apply to:
  - contiguous land in one ownership that has an area of less than 10 hectares; |
The requirement to obtain a permit does not apply to:

- the removal, destruction or lopping of native vegetation by means other than cutting or chopping; or
- a standing native tree (including a dead tree) with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

### Pest animal burrows

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in the Farming Zone or the Rural Activity Zone:

- in accordance with written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988*; or
- provided the maximum extent of native vegetation removed, destroyed or lopped on contiguous land in the same ownership in a five year period does not exceed any of the following:
  - 1 hectare of native vegetation which does not include a tree; or
  - 15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.

### Planted vegetation

Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding.

This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.

### Railways

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

### Regrowth

Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is:

- less than 10 years old; or
- bracken (*Pteridium esculentum*); or
- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation; or
- less than ten years old at the time of a property vegetation plan being signed by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*), and is:
  - shown on that plan as being ‘certified regrowth’; and
  - on land that is to be used or maintained for cultivation or pasture during the term of that plan.

This exemption does not apply to land where native vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.
<table>
<thead>
<tr>
<th>The requirement to obtain a permit does not apply to:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Road safety</strong></td>
</tr>
<tr>
<td><strong>Site area</strong></td>
</tr>
<tr>
<td><strong>Stock movements on roads</strong></td>
</tr>
<tr>
<td><strong>Stone exploration</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Stone extraction</strong></td>
</tr>
<tr>
<td><strong>Surveying</strong></td>
</tr>
<tr>
<td><strong>Traditional owners</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>Utility installations</strong></td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).

| Vehicle access from public roads | Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the construction or maintenance of a vehicle access across a road reserve from a property boundary to a public road. This exemption only applies to properties which share a common boundary with the road reserve, and the total width of clearing must not exceed 6 metres. This exemption does not apply where there is a practical opportunity to site the accessway to avoid the removal, destruction or lopping of native vegetation. In this exemption, roadside and public road have the same meanings as in section 3 of the Road Management Act 2004. Note: Under the Road Management Act 2004 the written consent of the coordinating road authority is required to conduct any works, including removing a tree or other vegetation, in, on, under or over a road. |
| Weeds | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal or destruction of a weed listed in the schedule to Clause 52.17. The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:  
  - 1 hectare of native vegetation which does not include a tree.  
  - 15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level. |
## SCHEDULE TO CLAUSE 52.17 NATIVE VEGETATION

### Scheduled area

<table>
<thead>
<tr>
<th>Area</th>
<th>Description of native vegetation for which no permit is required to remove, destroy or lop</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area known as the Hume Freeway between the Metropolitan Ring Road and the Hume Highway north of Craigieburn.</td>
<td>All native vegetation including trees, shrubs, herbs and grasses.</td>
</tr>
<tr>
<td>Area shown shaded on Drawing No. 551091 included in the Schedule to Clause 81.01 – Incorporated Documents.</td>
<td>All native vegetation including trees, shrubs, herbs and grasses.</td>
</tr>
<tr>
<td>Lot 2002 TP812409Y &amp; Lot 2 PS521883D Cooper Street, Campbellfield.</td>
<td>All native vegetation including trees, shrubs, herbs and grasses except for the area specified in the map attached to this schedule titled Cooper Street, Campbellfield.</td>
</tr>
<tr>
<td>Area shown shaded on Drawing No. VR2 included in the Schedule to Clause 81.01.</td>
<td>All native vegetation including trees, shrubs, herbs and grasses.</td>
</tr>
<tr>
<td>Area included within the Development Plan Overlay 21 (DPO21) located at 810 Cooper Street, Somerton</td>
<td>All native vegetation including trees, shrubs, herbs and grasses.</td>
</tr>
<tr>
<td>Land shown as UGZ7 on planning scheme maps</td>
<td>Shown as ‘vegetation to be removed, subject to the provisions of Clause 37.07 Schedule 7 being met’ on Plan 3 in the incorporated Woodlands Precinct Structure Plan where the removal, destruction or lopping is carried out in accordance with the ‘Final approval for urban development in three growth corridors under the Melbourne urban growth program strategic assessment, 5 September 2013’ pursuant to section 146B of the <em>Environment Protection and Biodiversity Conservation Act, 1999</em> (EPBC Act).</td>
</tr>
<tr>
<td>Land shown as UGZ8 on the planning scheme maps.</td>
<td>Shown as ‘native vegetation that can be removed’ or ‘scattered trees to be removed’ on Plan 6 in the incorporated <em>Craigieburn North Employment Area Precinct Structure Plan</em> where the removal, destruction or lopping is required for any development that is subject to and carried out in accordance with the ‘Final approval for urban development in three growth corridors under the Melbourne urban growth program strategic assessment, 5 September 2013’ pursuant to section 146B of the <em>Environment Protection and Biodiversity Conservation Act, 1999</em> (EPBC Act).</td>
</tr>
<tr>
<td>Land shown as UGZ9 and IPO4 on planning scheme maps</td>
<td>All native vegetation removal, destruction or lopping which is required for any development that is subject to and carried out in accordance with the ‘Final approval for urban development in three growth corridors under the Melbourne urban growth program strategic assessment, 5 September 2013’. This does not apply to native vegetation identified as to be retained in a precinct structure plan incorporated in this scheme.</td>
</tr>
</tbody>
</table>
Area | Description of native vegetation for which no permit is required to remove, destroy or lop
---|---
Land shown as UGZ10 and IPO4 on planning scheme maps | All native vegetation removal, destruction or lopping which is required for any development that is subject to and carried out in accordance with the ‘Final approval for urban development in three growth corridors under the Melbourne urban growth program strategic assessment, 5 September 2013’. This does not apply to native vegetation identified as to be retained in a precinct structure plan incorporated in this scheme.

### Scheduled weed

<table>
<thead>
<tr>
<th>Area</th>
<th>Description of weed</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

**Map 1 to the Schedule to Clause 52.17: Cooper Street, Campbellfield**
[NO CONTENT]
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.
52.23
26/10/2018
VC152

ROOMING HOUSE

Purpose
To facilitate the establishment of domestic-scale rooming houses.

52.23-1
26/10/2018
VC152

Application
This clause applies to use and development of land for a rooming house.

52.23-2
26/10/2018
VC152

Use exemption
Any requirement in the Activity Centre Zone, Capital City Zone, Commercial 1 Zone, General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone to obtain a permit to use land for a rooming house does not apply if all of the following requirements are met:

- Any condition opposite the use ‘rooming house’ in the table of uses in the zone or schedule to the zone is met.
- The total floor area of all buildings on the land does not exceed 300 square metres, excluding outbuildings.
- No more than 12 persons are accommodated.
- No more than 9 bedrooms are provided.

52.23-3
26/10/2018
VC152

Buildings and works exemption
Any requirement in the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone to obtain a permit to construct a building or construct or carry out works for a rooming house does not apply if all of the following requirements are met:

- No more than 9 bedrooms are developed on the land.
- Bedrooms can only be accessed from within the building.
- The total floor area of all buildings on the land does not exceed 300 square metres, excluding outbuildings.
- If the development is in the General Residential Zone or Neighbourhood Residential Zone, a garden area is provided in accordance with the minimum garden area requirement specified in the zone.
- Shared entry facilities and common areas, including a kitchen and living area, are provided.
CREMATORIUM

Purpose
To ensure that crematoria in cemeteries are developed and used in an appropriate manner.

Permit required
A permit is required to develop and use a crematorium on land that is used for cemetery purposes. This does not apply to land in the Springvale Crematorium.

Decision guidelines
Before deciding on an application to use and develop land for a crematorium, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The provision of landscaping and screen planting.
- The location and design of the buildings to be constructed.
- The effect on traffic movement generated by the use.
- The provision of parking facilities.
LICENCED PREMISES

Purpose
To ensure that licensed premises are situated in appropriate locations.
To ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.

Scope
These provisions apply to premises licensed, or to be licensed, under the Liquor Control Reform Act 1998.

Permit required
A permit is required to use land to sell or consume liquor if any of the following apply:

- A licence is required under the Liquor Control Reform Act 1998.
- A different licence or category of licence is required from that which is in force.
- The hours of trading allowed under a licence are to be extended.
- The number of patrons allowed under a licence is to be increased.
- The area that liquor is allowed to be consumed or supplied under a licence is to be increased.

This does not apply:
- To a limited licence.
- To a licence to manufacture liquor.
- If the schedule to this clause specifies that a permit is not required to use land to sell or consume liquor under a particular type of licence.
- To a variation that reduces the hours of trading allowed under a licence.
- To a variation that reduces the number of patrons allowed under a licence.
- To a variation that reduces the area within which liquor is allowed to be consumed or supplied under a licence.
- To a variation of licence at the initiative of the Victorian Commission for Gambling and Liquor Regulation, pursuant to Section 58 of the Liquor Control Reform Act 1998.
- To a variation of licence for a variation prescribed in Part 6, Regulation 31 of the Liquor Control Reform Regulations 2009.
- If a different licence or category of licence is required solely as a result of changes to licence categories.
- To a licence to sell only packaged liquor for consumption elsewhere issued before 8 April 2011.

The schedule to this clause may specify that a permit may not be granted to use land to sell or consume liquor under a particular type of licence.

Referral of applications
An application must be referred and notice of the application must be given in accordance with Clause 66 of this scheme.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.
- The impact of the hours of operation on the amenity of the surrounding area.
- The impact of the number of patrons on the amenity of the surrounding area.
- The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.
## SCHEDULE TO CLAUSE 52.27 LICENSED PREMISES

### 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

Objectives
None specified.

Prohibition of a gaming machine in a shopping complex
Installation or use of a gaming machine as specified in Clause 52.28-4 is prohibited on land described in Table 1 below.

Table 1

<table>
<thead>
<tr>
<th>Name of shopping complex and locality</th>
<th>Land description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Broadmeadows Transit City, Broadmeadows</td>
<td>Land bounded by Pascoe Vale Road, Riggall Street and Pearcedale Parade, Broadmeadows except for land known as Lot 1 PS326521D (Vol 10149 Folio 129)</td>
</tr>
<tr>
<td>Campbellfield Plaza, Campbellfield</td>
<td>Land on the northeast corner of Sydney Road and Mahoney's Road, Campbellfield.</td>
</tr>
<tr>
<td>Craigieburn East Shopping Centre, Craigieburn</td>
<td>Land on the northeast corner of Hansen Road and Craigieburn Road West, Craigieburn</td>
</tr>
<tr>
<td>Dallas Shopping Centre, Dallas</td>
<td>Land bound by Phillip Street, Blair Street, Eltham Street and Millewa Crescent, Dallas</td>
</tr>
<tr>
<td>Gladstone Park Shopping Centre, Gladstone Park</td>
<td>Land on the northeast corner of Mickleham Rd and Gladstone Park Drive, Gladstone Park,</td>
</tr>
<tr>
<td>Greenvale Shopping Centre, Greenvale</td>
<td>Land on the northeast corner of Mickleham Road and Greenvale Drive, Greenvale</td>
</tr>
<tr>
<td>Meadow Heights Shopping Centre, Meadow Heights</td>
<td>Land on the southeast corner of Paringa Boulevard and Hudson Circuit, Meadow Heights</td>
</tr>
<tr>
<td>Homestead Shopping Centre, Roxburgh Park</td>
<td>Land on the northwest corner of Roxburgh Park Drive and Leyland Boulevard, Roxburgh Park</td>
</tr>
<tr>
<td>Roxburgh Park Shopping Centre, Roxburgh Park</td>
<td>Land on the northeast corner of Somerton Road and David Munroe Drive, Roxburgh Park</td>
</tr>
<tr>
<td>Gap Road, Sunbury</td>
<td>Land located at 106-128 Gap Road, Sunbury</td>
</tr>
<tr>
<td>Sunbury Square Shopping Centre, Sunbury</td>
<td>Land bound by Macedon Street, Evans Street, Brook Street and the Sunbury Rail Line</td>
</tr>
</tbody>
</table>

Prohibition of a gaming machine in a strip shopping centre
A gaming machine as specified in Clause 52.28-5 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>Olsen Place, Broadmeadows</td>
<td>Land bound by Nepean Street, Jacana Avenue, Widford Street and Freda Street, Broadmeadows</td>
</tr>
<tr>
<td>Corner Stanhope Street and Central Grove, Broadmeadows</td>
<td>Land on the southeast corner of Stanhope Street and Central Grove, Broadmeadows</td>
</tr>
<tr>
<td>Augusta Avenue, Campbellfield</td>
<td>Land located at 17-37 Augusta Avenue, Campbellfield</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>Corner Waratah Street and Mimosa Avenue, Campbellfield</td>
<td>Land on the northeast corner of Mimosa Avenue and Waratah Street, Campbellfield</td>
</tr>
<tr>
<td>Upfield Shopping Centre, Campbellfield</td>
<td>Land bound by Cobden Street, Barry Road and Dunstan Parade, Campbellfield</td>
</tr>
<tr>
<td>Bank Street, Craigieburn</td>
<td>Land located at 13-19 Bank Street, Craigieburn</td>
</tr>
<tr>
<td>Corner Kingswood Drive and Hamilton Street, Craigieburn</td>
<td>Land on the northwest corner of Hamilton Street and Kingswood Drive, Craigieburn</td>
</tr>
<tr>
<td>Hothlyn Drive, Craigieburn</td>
<td>Land located at 122-130 Hothlyn Street, Craigieburn</td>
</tr>
<tr>
<td>Corner Pines Way and Riversdale Street, Craigieburn</td>
<td>Land on the northwest corner of Riversdale Street and Pines Way, Craigieburn</td>
</tr>
<tr>
<td>Corner Barry Road and King Street, Dallas</td>
<td>Land on the southwest corner of King Street and Barry Road, Dallas</td>
</tr>
<tr>
<td>Corner Barrymore Road and Greenvale Drive, Greenvale</td>
<td>Land located at 212 Greenvale Drive, Greenvale</td>
</tr>
<tr>
<td>Emu Parade, Jacana</td>
<td>Land bound by Bliburg Street, Emu Parade and Bamburgh Street, Jacana</td>
</tr>
<tr>
<td>Sunbury Town Centre, Sunbury</td>
<td>Land bound by and inclusive of Macedon Street, Evans Street, O’Shanassy Street, Station Street and Horne Street, Sunbury</td>
</tr>
<tr>
<td>Corner Batman Avenue and Burke Road, Sunbury</td>
<td>Land on the southwest corner of Batman Avenue and Burke Road, Sunbury</td>
</tr>
<tr>
<td>Corner Macedon and Jackson Streets, Sunbury</td>
<td>Land on the southwest corner of Jackson Street and Macedon Street, Sunbury</td>
</tr>
<tr>
<td>Melba Avenue, Sunbury</td>
<td>Land on the northeast corner of Herbert Crescent and Melba Avenue, Sunbury</td>
</tr>
<tr>
<td>Corner Sunningdale Avenue and Francis Boulevard, Sunbury</td>
<td>Land bound by Francis Avenue, Sunningdale Avenue and Dornoch Drive, Sunbury</td>
</tr>
<tr>
<td>Dawson Street and Spring Street, Tullamarine</td>
<td>Land on the southeast corner of Dawson Street and Spring Street, Tullamarine</td>
</tr>
<tr>
<td>Melrose Drive, Tullamarine</td>
<td>Land on the southeast corner of Melrose Drive and Broadmeadows Road, Tullamarine</td>
</tr>
<tr>
<td>Westmeadows Village Shopping Centre, Westmeadows</td>
<td>Land located at 15-40 Fawkner Street, Westmeadows</td>
</tr>
</tbody>
</table>

**Locations for gaming machines**

None specified.

**Venues for gaming machines**

None specified.
6.0  Application requirements
None specified.

7.0  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.
- An environmental audit report of the pre-construction (predictive) noise assessment report prepared under Part IXD, Section 53V of the *Environment Protection Act 1970* by an environmental auditor appointed under Part IXD of the *Environment Protection Act 1970*. The environmental audit report must verify that the acoustic assessment undertaken for the purpose
of the pre-construction (predictive) noise assessment report has been conducted in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise.

**Mandatory condition**

A permit to use or develop land for a wind energy facility must include the following conditions:

- A post-construction noise assessment report prepared in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise demonstrating whether the wind energy facility complies with the Standard, must be submitted to the Responsible Authority. If the wind energy facility is constructed in stages, additional post-construction noise assessment reports for each stage must be submitted to the Responsible Authority.

- Each post-construction noise assessment report must be accompanied by an environmental audit report prepared under Part IXD, Section 53V of the Environment Protection Act 1970 by an environmental auditor appointed under Part IXD of the Environment Protection Act 1970. The environmental audit report must verify that the acoustic assessment undertaken for the purpose of the post-construction noise assessment report has been conducted in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:


- The effect of the proposal on the surrounding area in terms of noise, blade glint, shadow flicker and electromagnetic interference.

- The impact of the development on significant views, including visual corridors and sightlines.

- The impact of the facility on the natural environment and natural systems.

- The impact of the facility on cultural heritage.

- The impact of the facility on aircraft safety.


**Anemometer**

Despite anything to the contrary in this scheme a permit may be granted to use and develop land for the purpose of wind measurement by an anemometer for a period of more than three years.

**Application to amend a permit under section 72 of the Act**

An application to amend a permit made under section 72 of the Act is exempt from the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the amendment of the permit does not:

- increase the number of turbines; or

- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.
Application to amend a permit under section 97I of the Act

An application to amend a referred wind energy facility permit made under section 97I of the Act is wholly exempt from the requirements of section 97E(1) of the Act if the application does not seek to:

- increase the total number of turbines; or
- increase the maximum height of any turbine; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.

The requirements of section 97E(1) of the Act are modified so as to require referral of objections and submissions to an advisory committee established under section 151 of the Act if an application to amend a referred wind energy facility permit made under section 97I of the Act does not seek to:

- increase the total number of turbines by more than 15%; or
- increase the maximum height of any turbine by more than 20%; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.
## SCHEDULE TO CLAUSE 52.32 WIND ENERGY FACILITY

### 1.0

#### Wind energy facility prohibition

<table>
<thead>
<tr>
<th>Land where a Wind energy facility is prohibited</th>
</tr>
</thead>
<tbody>
<tr>
<td>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>
</tr>
</thead>
<tbody>
<tr>
<td>All except land shown as dry stone wall with a ‘low’ retention value in the incorporated <em>Lindum Vale Precinct Structure Plan</em>.</td>
</tr>
</tbody>
</table>

*Lindum Vale Precinct Structure Plan*
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.
PUBLICATION OF PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the *Subdivision Act 1988*.

Exemption from public open space requirement specified in the scheme

A subdivision is exempt from a public open space requirement specified in this scheme if:

- It is one of the following classes of subdivision:
  - Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.
  - Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.

- It is for the purpose of excising land to be transferred to a public authority, council or a Minister for a utility installation.

- It subdivides land into two lots and the council considers it unlikely that each lot will be further subdivided.

Exemption from public open space requirement under section 18(8)(a) of the *Subdivision Act 1988*

For the purposes of section 18(8)(a) of the *Subdivision Act 1988*, the following classes of subdivision are exempt from the public open space requirement:

- Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.

- Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.

*Note:* Check section 18A of the *Subdivision Act 1988* for other requirements that apply to a public open space requirement specified in the planning scheme.
### Subdivision and public open space contribution

<table>
<thead>
<tr>
<th>Type or location of subdivision</th>
<th>Amount of contribution for public open space</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land shown as Urban Growth Zone 1 on the planning scheme maps.</td>
<td>3.91% Land and/or cash contribution requirements must be in accordance with Section 4.4.4 of the Craigieburn R2 Precinct Structure Plan (March 2011).</td>
</tr>
<tr>
<td>Land shown as Urban Growth Zone 2 on the planning scheme maps.</td>
<td>4.48% Land and/or cash contribution requirements must be in accordance with Section 4.4.5 of the Greenvale North R1 Precinct Structure Plan (January 2011).</td>
</tr>
<tr>
<td>Land Shown as Urban Growth Zone 3 on the planning scheme maps</td>
<td>2.86% Land and/or cash contribution requirements must be in accordance with Section 4.5.2 of the Greenvale West R3 Precinct Structure Plan (December 2010).</td>
</tr>
<tr>
<td>Land shown as Urban Growth Zone 4 on the planning scheme maps (Merrifield West Precinct Plan)</td>
<td>2.04% Land and/or cash contribution requirements must be in accordance with the Merrifield West Precinct Structure Plan March 2012 (updated June 2018).</td>
</tr>
<tr>
<td>Land shown as UGZ5 on planning scheme maps (Lockerbie Precinct Structure Plan)</td>
<td>2.03% Land and/or cash contribution requirements must be in accordance with R21 of Section 3.2 in the Lockerbie Precinct Structure Plan (May 2012).</td>
</tr>
<tr>
<td>Land Shown as UGZ6 on planning scheme maps (Greenvale Central Precinct Structure Plan)</td>
<td>2.51% Land and/or cash contribution requirements must be in accordance with R59 of Section 3.5 in the Greenvale Central Precinct Structure Plan, November 2013</td>
</tr>
<tr>
<td>Land shown as UGZ8 on the planning scheme map (Craigieburn North Employment Area Precinct Structure Plan)</td>
<td>2.59% Land and/or cash contribution requirements must be in accordance with R21 of Section 3.3 in the Craigieburn North Employment Area Precinct Structure Plan, June 2016.</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 Municipal Planning Strategy and the Planning Policy Framework.
• The bushfire hazard site assessment and the bushfire management statement submitted with the application.
• Whether all of the approved measures have been incorporated into the application.

53.02-4 Bushfire protection objectives

53.02-4.1 Landscape, siting and design objectives

Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.

Development is sited to minimise the risk from bushfire.

Development is sited to provide safe access for vehicles, including emergency vehicles.

Building design minimises vulnerability to bushfire attack.
### Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM 2.1</td>
<td>The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.</td>
</tr>
</tbody>
</table>
| AM 2.2  | A building is sited to ensure the site best achieves the following:  
- The maximum separation distance between the building and the bushfire hazard.  
- The building is in close proximity to a public road.  
- Access can be provided to the building for emergency service vehicles. |
| AM 2.3  | A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building. |

### 53.02-4.2 Defendable space and construction objective

Defendable space and building construction mitigate the effect of flame contact, radiant heat and embers on buildings.

### Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
</table>
| AM 3.1  | A building used for a dwelling (including an extension or alteration to a dwelling), a dependent person’s unit, industry, office or retail premises is provided with defendable space in accordance with:  
- Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land; or  
- If there are significant siting constraints, Table 2 Column D and Table 6 to Clause 53.02-5.  
The building is constructed to the bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5. |
| AM 3.2  | A building used for accommodation (other than a dwelling or dependent person’s unit), a child care centre, an education centre, a hospital, leisure and recreation or a place of assembly is:  
- Provided with defendable space in accordance with Table 3 and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land.  
- Constructed to a bushfire attack level of BAL12.5. |

### Alternative measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AltM 3.3</td>
<td>Adjoining land may be included as defendable space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defendable space.</td>
</tr>
<tr>
<td>AltM 3.4</td>
<td>Defendable space and the bushfire attack level is determined using Method 2 of AS3959:2009 Construction of buildings in bushfire prone areas (Standards Australia) subject to any guidance published by the relevant fire authority.</td>
</tr>
</tbody>
</table>
A building used for a dwelling (including an extension or alteration to a dwelling) may provide defendable space to the property boundary where it can be demonstrated that:

- The lot has access to urban, township or other areas where:
  - Protection can be provided from the impact of extreme bushfire behaviour.
  - Fuel is managed in a minimum fuel condition.
  - There is sufficient distance or shielding to protect people from direct flame contact or harmful levels of radiant heat.

- Less 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**

**Measure** | **Requirement**
---|---
**AM 4.1** | A building used for a dwelling (including an extension or alteration to a dwelling), a dependent person’s unit, industry, office or retail premises is provided with:
- A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5.
- Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.

The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.

**AM 4.2** | A building used for accommodation (other than a dwelling or dependent person’s unit), child care centre, education centre, hospital, leisure and recreation or place of assembly is provided with:
A static water supply for fire fighting and property protection purposes of 10,000 litres per 1,500 square metres of floor space up to 40,000 litres.

Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.

An integrated approach to risk management that ensures the water supply and access arrangements will be effective based on the characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency.

The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.

53.02-4.4 Subdivision objectives

To provide lots that are capable of being developed in accordance with the objectives of Clause 53.02.

To specify at the subdivision stage bushfire protection measures to develop a lot with a single dwelling on land zoned for residential or rural residential purposes.

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AM 5.1</strong></td>
<td>An application to subdivide land, other than where <strong>AM 5.2</strong> applies, demonstrates that each proposed lot is capable of meeting:</td>
</tr>
<tr>
<td></td>
<td>• The defendable space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5.</td>
</tr>
<tr>
<td></td>
<td>• The approved measures in Clause 53.02-4.1 and Clause 53.02-4.3.</td>
</tr>
<tr>
<td><strong>AM 5.2</strong></td>
<td>An application to subdivide land zoned for residential or rural residential purposes must be accompanied by a plan that shows:</td>
</tr>
<tr>
<td></td>
<td>• Each lot satisfies the approved measure in <strong>AM 2.1</strong>.</td>
</tr>
<tr>
<td></td>
<td>• A building envelope for a single dwelling on each lot that complies with <strong>AM 2.2</strong> and provides defendable space in accordance with:</td>
</tr>
<tr>
<td></td>
<td>• Columns A or B of Table 2 to Clause 53.02-5 for a subdivision that creates 10 or more lots; or</td>
</tr>
<tr>
<td></td>
<td>• Columns A, B or C of Table 2 to Clause 53.02-5 for a subdivision that creates less than 10 lots.</td>
</tr>
<tr>
<td></td>
<td>The bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5 must be noted on the building envelope.</td>
</tr>
<tr>
<td></td>
<td>• Defendable space wholly contained within the boundaries of the proposed subdivision.</td>
</tr>
<tr>
<td></td>
<td>• Defendable space may be shared between lots within the subdivision. Defendable space for a lot may utilise communal areas, such as roads, where that land can meet the requirements for defendable space.</td>
</tr>
<tr>
<td></td>
<td>• Vegetation management requirements in accordance with Table 6 to implement and maintain the defendable space required under this approved measure.</td>
</tr>
<tr>
<td></td>
<td>• Water supply and vehicle access that complies with <strong>AM 4.1</strong>.</td>
</tr>
<tr>
<td><strong>AM 5.3</strong></td>
<td>An application to subdivide land to create 10 or more lots provides a perimeter road adjoining the hazardous vegetation to support fire fighting.</td>
</tr>
</tbody>
</table>
A subdivision manages the bushfire risk to future development from existing or proposed landscaping, public open space and communal areas.

**Alternative measure**

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AltM 5.5</strong></td>
<td>A building envelope for a subdivision that creates 10 or more lots required under <strong>AM 5.2</strong> may show defendable space in accordance with Table 2 Column C and Table 6 to Clause 53.02-5 where it can be demonstrated that:</td>
</tr>
<tr>
<td></td>
<td>• All other requirements of <strong>AM 5.2</strong> have been met.</td>
</tr>
<tr>
<td></td>
<td>• Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.</td>
</tr>
</tbody>
</table>

**53.02-4.5 Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The bushfire hazard landscape assessment, the bushfire hazard site assessment and the bushfire management statement submitted with the application.
- The impact of any State, regional or local bushfire management and prevention actions occurring around the site and in the wider area on the bushfire hazard and the level of risk to the proposed development.
- Whether the proposed development meets the objectives of Clause 53.02-4 regardless of other measures which may be available, including private bushfire shelters, community shelters and the presence of places of last resort.
- Whether the proposed measures can be practically implemented and maintained in conjunction with the ongoing use of the land.
- Whether the use of an alternative measure meets the relevant objective having regard to the bushfire hazard and the nature of any constraint that prevents the applicable approved measure from being implemented.
- If one or more of the objectives in Clause 53.02-4 will not be achieved in the completed development, whether the development will, taking all relevant factors into account, reduce the bushfire risk to a level that warrants it proceeding.
- Whether the risk arising from the broader landscape can be mitigated to an acceptable level or warrants the development not proceeding.
### Tables: Defendable space, construction, water supply, vehicle access, vegetation management and outbuilding construction requirements

#### Table 1: Defendable space and construction

<table>
<thead>
<tr>
<th>Slope Type</th>
<th>Vegetation Type</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Column A</td>
<td>Column B</td>
</tr>
<tr>
<td>All upslopes and flat land (0 degrees)</td>
<td>Forest</td>
<td>48</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>33</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>27</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>19</td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>23</td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>19</td>
</tr>
<tr>
<td>Downslope &gt;0 to 5 degrees</td>
<td>Forest</td>
<td>57</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>41</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>31</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>22</td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>29</td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>22</td>
</tr>
<tr>
<td>Downslope &gt;5 to 10 degrees</td>
<td>Forest</td>
<td>69</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>35</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>23</td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>36</td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>25</td>
</tr>
<tr>
<td>Downslope &gt;10 to 15 degrees</td>
<td>Forest</td>
<td>82</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>39</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>28</td>
</tr>
</tbody>
</table>
Defendable space 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.

Table 2 Defendable space and construction

<table>
<thead>
<tr>
<th>Slope</th>
<th>Vegetation</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Column A</td>
</tr>
<tr>
<td>All upslopes and flat land (0 degrees)</td>
<td>Forest</td>
<td>48</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>33</td>
</tr>
<tr>
<td>Slope</td>
<td>Vegetation</td>
<td>Defendable space distance from building facade (metres)</td>
</tr>
<tr>
<td>-------------</td>
<td>---------------------</td>
<td>--------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>Column A</td>
<td>Column B</td>
</tr>
<tr>
<td>Downslope</td>
<td></td>
<td></td>
</tr>
<tr>
<td>&gt;0 to 5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>degrees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forest</td>
<td>57</td>
<td>43</td>
</tr>
<tr>
<td>Woodland</td>
<td>41</td>
<td>29</td>
</tr>
<tr>
<td>Scrub</td>
<td>31</td>
<td>22</td>
</tr>
<tr>
<td>Shrubland</td>
<td>22</td>
<td>15</td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>20</td>
<td>13</td>
</tr>
<tr>
<td>Rainforest</td>
<td>29</td>
<td>20</td>
</tr>
<tr>
<td>Grassland</td>
<td>22</td>
<td>15</td>
</tr>
<tr>
<td>Downslope</td>
<td></td>
<td></td>
</tr>
<tr>
<td>&gt;5 to 10</td>
<td></td>
<td></td>
</tr>
<tr>
<td>degrees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forest</td>
<td>69</td>
<td>53</td>
</tr>
<tr>
<td>Woodland</td>
<td>50</td>
<td>37</td>
</tr>
<tr>
<td>Scrub</td>
<td>35</td>
<td>24</td>
</tr>
<tr>
<td>Shrubland</td>
<td>25</td>
<td>17</td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>23</td>
<td>15</td>
</tr>
<tr>
<td>Rainforest</td>
<td>36</td>
<td>26</td>
</tr>
<tr>
<td>Grassland</td>
<td>25</td>
<td>17</td>
</tr>
<tr>
<td>Downslope</td>
<td></td>
<td></td>
</tr>
<tr>
<td>&gt;10 to 15</td>
<td></td>
<td></td>
</tr>
<tr>
<td>degrees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forest</td>
<td>82</td>
<td>64</td>
</tr>
<tr>
<td>Woodland</td>
<td>60</td>
<td>45</td>
</tr>
<tr>
<td>Scrub</td>
<td>39</td>
<td>28</td>
</tr>
<tr>
<td>Shrubland</td>
<td>28</td>
<td>19</td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>26</td>
<td>18</td>
</tr>
<tr>
<td>Rainforest</td>
<td>45</td>
<td>33</td>
</tr>
<tr>
<td>Grassland</td>
<td>28</td>
<td>20</td>
</tr>
<tr>
<td>Downslope</td>
<td></td>
<td></td>
</tr>
<tr>
<td>&gt;15 to 20</td>
<td></td>
<td></td>
</tr>
<tr>
<td>degrees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forest</td>
<td>98</td>
<td>78</td>
</tr>
<tr>
<td>Woodland</td>
<td>73</td>
<td>56</td>
</tr>
</tbody>
</table>
Defendable space and the bushfire attack level is determined using Method 2 of AS3959:2009 Construction of buildings in bushfire prone areas (Standards Australia) subject to any guidance published by the relevant fire authority.

Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 12.5.

Modified vegetation is vegetation that doesn’t fit into the vegetation classifications in AS3959:2009 Construction of buildings in bushfire prone areas (the standard) because it:
- has been modified, altered or is managed due to urban development, or gardening,
- has different fuel loads from those assumed in the standard,
- has limited or no understorey vegetation, or
- is not low-threat or low-risk vegetation as defined in the standard.

Table 3 Defendable space

<table>
<thead>
<tr>
<th>Vegetation class</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Upslope and flat land (0 degrees)</td>
</tr>
<tr>
<td>Forest</td>
<td>60</td>
</tr>
<tr>
<td>Woodland</td>
<td>40</td>
</tr>
<tr>
<td>Shrubland</td>
<td>25</td>
</tr>
<tr>
<td>Scrub</td>
<td>35</td>
</tr>
<tr>
<td>Mallee/Mulga</td>
<td>23</td>
</tr>
<tr>
<td>Rainforest</td>
<td>30</td>
</tr>
</tbody>
</table>
Table 4 Water supply requirements

Capacity, fittings and access

<table>
<thead>
<tr>
<th>Lot sizes (square meters)</th>
<th>Hydrant available</th>
<th>Capacity (litres)</th>
<th>Fire authority fittings and access required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 500</td>
<td>Not applicable</td>
<td>2,500</td>
<td>No</td>
</tr>
<tr>
<td>500-1,000</td>
<td>Yes</td>
<td>5,000</td>
<td>No</td>
</tr>
<tr>
<td>500-1,000</td>
<td>No</td>
<td>10,000</td>
<td>Yes</td>
</tr>
<tr>
<td>1,001 and above</td>
<td>Not applicable</td>
<td>10,000</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Note 1: A hydrant is available if it is located within 120 metres of the rear of the building

Fire authority requirements

Unless otherwise agreed in writing by the relevant fire authority, the water supply must:

- Be stored in an above ground water tank constructed of concrete or metal.
- Have all fixed above ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use.

Where a 10,000 litre water supply is required, fire authority fittings and access must be provided as follows:

- Be readily identifiable from the building or appropriate identification signs to the satisfaction of the relevant fire authority.
- Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64 millimetre CFA 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling).

Table 5 Vehicle access design and construction

Vehicle access (or part thereof) of a length specified in Column A implements the design and construction requirements specified in Column B.

<table>
<thead>
<tr>
<th>Column A</th>
<th>Column B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length of access is less than 30 metres</td>
<td>There are no design and construction requirements if fire authority access to the water supply is not required under AM4.1.</td>
</tr>
<tr>
<td>Column A</td>
<td>Column B</td>
</tr>
<tr>
<td>-----------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Length of access is less than 30 metres             | Where fire authority access to the water supply is required under **AM4.1**
|                                                     | fire authority vehicles should be able to get within 4 metres of the water supply outlet.                                                                                                               |
| Length of access is greater than 30 metres          | The following design and construction requirements apply:                                                                                                                                               |
|                                                     | • All-weather construction.                                                                                                                                                                |
|                                                     | • A load limit of at least 15 tonnes.                                                                                                                                                               |
|                                                     | • Provide a minimum trafficable width of 3.5 metres.                                                                                                                                             |
|                                                     | • Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.                                                                                                  |
|                                                     | • Curves must have a minimum inner radius of 10 metres.                                                                                                                                              |
|                                                     | • The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more than 1 in 5 (20%) (11.3°) for no more than 50 metres.                                                    |
|                                                     | • Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.                                                                                                |
| Length of access is greater than 100 metres         | A turning area for fire fighting vehicles must be provided close to the building by one of the following:                                                                                                  |
|                                                     | • A turning circle with a minimum radius of eight metres.                                                                                                                                          |
|                                                     | • A driveway encircling the dwelling.                                                                                                                                                               |
|                                                     | • The provision of other vehicle turning heads – such as a T or Y head – which meet the specification of Austroad Design for an 8.8 metre Service Vehicle.                                            |
| Length of access is greater than 200 metres         | • Passing bays must be provided at least every 200 metres.                                                                                                                                         |
|                                                     | • Passing bays must be a minimum of 20 metres long with a minimum trafficable width of 6 metres.                                                                                                      |

**Note 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</td>
</tr>
<tr>
<td>danger period.</td>
</tr>
<tr>
<td>• Within 10 metres of a building, flammable objects must not be located close to the vulnerable</td>
</tr>
<tr>
<td>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</td>
</tr>
<tr>
<td>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</td>
</tr>
<tr>
<td>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

<table>
<thead>
<tr>
<th>Building construction condition</th>
</tr>
</thead>
</table>

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.
  - Façade articulation.
  - Window and door proportions.
  - Building features including verandas, towers, eaves, parapets and decorative elements.
  - Building materials, patterns textures and colours.

- Whether the site layout and the design of buildings, noise attenuation measures, landscaping, car parking, vehicle access lanes, loading bays, rubbish bins, plant and equipment, lights, signs, drive through facilities and playgrounds are designed to prevent significant loss of amenity to adjoining land due to noise, emission of noise, emission of light or glare, loss of privacy, litter or odour.

- Whether any special measure may be necessary to protect the amenity of adjoining land in residential use, including buffer planting, noise attenuation measures and litter collection arrangements.

- The adequacy of traffic measures to:
  - Provide safe pedestrian movement.
  - Achieve safe, efficient vehicle movement on site and access to and egress from the land.
  - Avoid disruption to traffic flow on land in a Road Zone.
  - Prevent inappropriate use of local residential streets.
- The adequacy of car parking, loading and drive through queuing spacing to accommodate customers at peak periods and employee requirements on the land.
FREEWAY SERVICE CENTRE

Purpose
To ensure that freeway service centres are appropriately designed and located.
To ensure that access to a freeway service centre from a freeway is designed to the requirements of the Roads Corporation.
To ensure that freeway service centres with access to a rural freeway provide only essential services and facilities which encourage drivers to stop and take an effective break at appropriate intervals in the interests of driver safety.
To ensure that any new freeway service centre meets an identifiable need to provide essential services and facilities along a freeway where those services and facilities are not readily available.
To ensure that the use of land for a freeway service centre does not adversely affect the amenity of surrounding land uses.

Requirements to be met

Facilities and services
A freeway service centre must provide only essential services and facilities. These essential services and facilities must be available at all times. Essential services and facilities that a freeway service centre must include are:

- Designated parking areas.
- Undercover fuel sales area for petrol, diesel and LPG.
- An area of not more than 240 square metres for the sale of food, drinks and other convenience goods.
- An indoor sit-down eating area.
- A safe play area for children.
- Public toilets.
- A public telephone.

A freeway service centre with access to a rural freeway must also provide local and regional tourist information.
A freeway service centre must not include:

- Mechanical repairs (other than the emergency repair of vehicles).
- Retail facilities of more than 240 square metres.
- Video hire.
- Post office services or facilities.
- Entertainment facilities, amusement machines or gaming machines.
- The sale, distribution or consumption of alcohol unless associated with a residential hotel/motel.
- Car or truck wash facilities.

A freeway service centre with access to a rural freeway must not include overnight accommodation (other than for a caretaker or site manager).

Access to freeway service centres
No vehicular access between a freeway service centre with access to a metropolitan freeway and the local road network may be permitted.
An application to use or develop land for a freeway service centre must be referred to the Roads Corporation in accordance with section 55 of the Act.

A permit must not be granted for a freeway service centre until approval for access to the freeway has been given by the Roads Corporation.

In accordance with section 62(1)(a) of the Act, a permit granted for a freeway service centre must include the condition:

“This permit will expire if one of the following circumstances applies:

- The development is not commenced within two years of the date of this permit.
- The development is not completed within four years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.”

**Metropolitan freeway service centre adjoining a residential zone**

If the site for a freeway service centre with access to a metropolitan freeway adjoins a residential zone:

- A landscape buffer at least 3 metres wide must be provided on the site along the common boundary and must be planted and maintained to the satisfaction of the responsible authority.
- Except for the landscape buffer strip, all of the site not occupied by buildings must be sealed to prevent dust.
- External lights must be directed away from the residential zone to prevent light spill and glare.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

LIVE MUSIC AND ENTERTAINMENT NOISE

Purpose
To recognise that live music is an important part of the State’s culture and economy.
To protect live music entertainment venues from the encroachment of noise sensitive residential uses.
To ensure that noise sensitive residential uses are satisfactorily protected from unreasonable levels of live music and entertainment noise.
To ensure that the primary responsibility for noise attenuation rests with the agent of change.

Application
This clause applies to an application required under any zone of this scheme to use land for, or to construct a building or construct or carry out works associated with:

- a live music entertainment venue.
- a noise sensitive residential use that is within 50 metres of a live music entertainment venue.

This clause does not apply to:

- the extension of an existing dwelling.
- a noise sensitive residential use that is in an area specified in clause 1.0 of the schedule to this clause.

Meaning of terms
In this clause:

- **live music entertainment venue** means:
  - a food and drink premises, nightclub, function centre or residential hotel that includes live music entertainment
  - a rehearsal studio
  - any other venue used for the performance of music and specified in clause 2.0 of the schedule to this clause, subject to any specified condition or limitation.

- **noise sensitive residential use** means a community care accommodation, dependent person's unit, dwelling, residential aged care facility, residential village, retirement village or rooming house.

Requirements to be met
A live music entertainment venue must be designed, constructed and managed to minimise noise emissions from the premises and provide acoustic attenuation measures that would protect a noise sensitive residential use within 50 metres of the venue.

A noise sensitive residential use must be designed and constructed to include acoustic attenuation measures that will reduce noise levels from any:

- indoor live music entertainment venue to below the noise limits specified in State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP N2).
- outdoor live music entertainment venue to below 45dB(A), assessed as an $L_{eq}$ over 15 minutes.

For the purpose of assessing whether the above noise standards are met, the noise measurement point may be located inside a habitable room of a noise sensitive residential use with windows and doors closed (Schedule B1 of SEPP N2 does not apply).
A permit may be granted to reduce or waive these requirements if the responsible authority is satisfied that an alternative measure meets the purpose of this clause.

### Application requirements

An application must be accompanied by the following information, as appropriate:

- A site analysis, including plans detailing:
  - the existing and proposed layout of the use, buildings or works, including all external windows and doors
  - the location of any doors, windows and open space areas of existing properties in close proximity to the site.

- If the application is associated with a noise sensitive residential use:
  - the location of any live music entertainment venues within 50 metres of the site
  - the days and hours of operation of identified venues.

- If the application is associated with a live music entertainment venue:
  - the location of any noise sensitive residential uses within 50 metres of the site
  - the days and hours of operation of that venue
  - the times during which live music will be performed.

- Details of existing and proposed acoustic attenuation measures.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- the extent to which the siting, layout, design and construction minimise the potential for noise impacts.

- whether existing or proposed noise sensitive residential uses will be satisfactorily protected from unreasonable live music and entertainment noise.

- whether the proposal adversely affects any existing uses.
## SCHEDULE TO CLAUSE 53.06 LIVE MUSIC AND ENTERTAINMENT NOISE

### 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>

53.09-5
21/09/2018
VC150

Notice of an application

Notice of an application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*, must be given under Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified in Clause 66.05.

53.09-6
21/09/2018
VC150

Decision guidelines

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines* (June 2018).
USES WITH ADVERSE AMENITY POTENTIAL

Purpose

To define those types of industries and warehouses which if not appropriately designed and located may cause offence or unacceptable risk to the neighbourhood.

Threshold Distance

The threshold distance referred to in the table to this clause is the minimum distance from any part of the land of the proposed use or buildings and works to land (not a road) in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

NOTE 1 of the table: The threshold distance is variable, dependent on the processes to be used and the materials to be processed or stored.

NOTE 2 of the table: An assessment of risk to the safety of people located off the land may be required.

Table to Clause 53.10-1

<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Basic Metal Products</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Production of non-ferrous metals as:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- aluminium by electrolysis</td>
<td>2,000</td>
<td></td>
</tr>
<tr>
<td>- other non-ferrous metals in amounts:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- up to 100 tonnes a year</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>- between 100 &amp; 2,000 tonnes a year</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>- exceeding 2,000 tonnes a year</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Works producing iron or steel products in amounts:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- up to 1,000,000 tonnes a year</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>- exceeding 1,000,000 tonnes a year</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td><strong>Chemical, Petroleum &amp; Coal Products</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ammunition, explosives and fireworks production:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Biocides production and storage:</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Briquette production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Chemical Fertiliser production:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Chemical products other than those listed within this group:</td>
<td>300</td>
<td>Note 2</td>
</tr>
<tr>
<td>Cosmetics and toilet preparations production:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
<td>Notes</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>-----------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Formaldehyde production:</td>
<td>300</td>
<td>Note 2</td>
</tr>
<tr>
<td>Industrial gases production:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Inks production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Inorganic industrial chemicals production other than those listed within this group:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Organic industrial chemicals production other than those listed within this group:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Other petroleum or coal production:</td>
<td>500</td>
<td>Note 2</td>
</tr>
<tr>
<td>Paints and inks:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• manufacture</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>• blending and mixing only</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Petroleum refinery:</td>
<td>2,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Pharmaceutical and veterinary production:</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Polyester resins production</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Soap and other detergents production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Synthetic resins &amp; rubber production other than those listed within this group:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
</tbody>
</table>

**Fabricated Metal Products**

| Abrasive blast cleaning:                   |                             | Note 1|
| Boiler makers                              | 100                         |       |
| Structural or sheet metal production:      | 500                         |       |
| Works producing iron or steel products in amounts: |               |       |
| • up to 1,000,000 tonnes per year          | 100                         |       |
| • exceeding 1,000,000 tonnes per year      | 1,000                       |       |

**Food, Beverages & Tobacco**

<p>| Abattoir:                                  | 500                         |       |
| Bakery (other than one ancillary to a shop): | 100                         |       |</p>
<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flour mill:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Food or beverage production other than those listed within this group:</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td>150</td>
<td></td>
</tr>
<tr>
<td>Maltworks:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Manufacture of milk products:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Milk depot</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Poultry processing works</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Production of vegetable oils and fats using solvents:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Seafood processor:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Smallgoods production</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Tobacco and cigarette production:</td>
<td>500</td>
<td></td>
</tr>
</tbody>
</table>

**Miscellaneous Manufacturing**

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Fibreglass production:</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>Leather and artificial leather goods production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Leather tanning and dressing:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Printing and coating works with heated curing ovens:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Rendering and casings works:</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Rubber production, using either organic solvents or carbon black:</td>
<td>300</td>
<td>Note 2</td>
</tr>
</tbody>
</table>

**Non-metallic Mineral Products**

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<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></td>
<td>Use distances in Paper &amp; Paper Products</td>
</tr>
<tr>
<td>Used plastics treatment or processing</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td><strong>Textiles</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carpet backing with latex:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Dyeing or finishing of cotton, linen and woollen yarns and textiles:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Production of artificial fibres &amp; textiles:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>* cellulose nitrate or viscose fibre, cellophane or artificial rubber</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>* other synthetic fibres and textiles</td>
<td>500</td>
<td>Note 2</td>
</tr>
<tr>
<td>Rope, cordage and twine production:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Treatment or production of textiles:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>* using carbon disulphide</td>
<td>500</td>
<td>Note 2</td>
</tr>
<tr>
<td>* using other substances</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Wool scouring:</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td><strong>Transport and Storage</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Depot for refuse collection vehicles</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>Grain elevators:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Storage of bulk volatile organic compounds in quantities greater than 1,000 tonnes:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Storage of petroleum products and crude oil in tanks exceeding 2,000 tonnes capacity:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• with fixed roofs</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>• with floating roofs</td>
<td>100</td>
<td>Note 2</td>
</tr>
<tr>
<td>Storage of wet-salted or unprocessed hides:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Temporary storage of industrial wastes:</td>
<td>300</td>
<td>Note 2</td>
</tr>
<tr>
<td>Treatment of aqueous waste:</td>
<td>200</td>
<td>Note 2</td>
</tr>
<tr>
<td>Waste incinerator for:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Woodwaste</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>• Plastic or rubber waste</td>
<td>200</td>
<td>Note 2</td>
</tr>
<tr>
<td>• Chemical, biomedical or organic waste</td>
<td></td>
<td>Notes 1, 2</td>
</tr>
<tr>
<td><strong>Wood, Wood Products &amp; Furniture</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Charcoal production:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• by the retort process</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>• other than by the retort process</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Joinery:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Sawmill:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Wood preservation plant:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Wood-fibre or wood-chip products:</td>
<td>1,500</td>
<td></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.
## SCHEDULE TO CLAUSE 53.15 STATEMENT OF UNDERLYING PROVISIONS

### Incorporated statement

<table>
<thead>
<tr>
<th>Land</th>
<th>Incorporated Document</th>
</tr>
</thead>
</table>
PIG FARM

Purpose

To facilitate the establishment and expansion of pig farms in a manner that is consistent with orderly and proper planning and the protection of the environment.

Application

This clause applies to permit applications to use land or construct a building or construct or carry out works for a pig farm, including to increase the farm capacity of an existing pig farm.

Exemption from notice and review

An application to use land or construct a building or construct or carry out works for a pig farm is exempt from the notice requirements of section 52 (1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the following requirements are met:

- The number of pigs does not exceed 150 sows or 1,000 Standard Pig Units as calculated in Table 1.
- The outdoor stocking density does not exceed 12 Standard Pig Units per hectare as calculated in Table 1.
- A Nutrient Management Plan demonstrates pigs are kept outdoors on paddocks with:
  - A minimum of 50% ground cover; and
  - Mobile housing and feeding infrastructure that is relocated at least every three months.
- Any area used as a pig range, including associated buildings and works, is setback a minimum distance of:
  - 100 metres from a building used for a sensitive use (accommodation, a child care centre, an education centre or a hospital), and
  - 400 metres from land in a residential zone.

Table 1 Standard Pig Unit conversion factors

<table>
<thead>
<tr>
<th>Pig Class</th>
<th>Mass Range (kg)</th>
<th>Age Range (weeks)</th>
<th>SPU Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gilt</td>
<td>100 – 160</td>
<td>24 -30</td>
<td>1.8</td>
</tr>
<tr>
<td>Boar</td>
<td>100 – 300</td>
<td>24 – 128</td>
<td>1.6</td>
</tr>
<tr>
<td>Gestating sow</td>
<td>160 – 230</td>
<td>-</td>
<td>1.6</td>
</tr>
<tr>
<td>Lactating sow</td>
<td>160 – 230</td>
<td>-</td>
<td>2.5</td>
</tr>
<tr>
<td>Sucker</td>
<td>1.4 – 8</td>
<td>0 – 4</td>
<td>0.1</td>
</tr>
<tr>
<td>Weaner</td>
<td>8 – 25</td>
<td>4 – 10</td>
<td>0.5</td>
</tr>
<tr>
<td>Grower</td>
<td>24 – 55</td>
<td>10 – 16</td>
<td>1.0</td>
</tr>
<tr>
<td>Finisher</td>
<td>55 – 100</td>
<td>16 – 24</td>
<td>1.6</td>
</tr>
</tbody>
</table>
### Pig Class

<table>
<thead>
<tr>
<th>Pig Class</th>
<th>Mass Range (kg)</th>
<th>Age Range (weeks)</th>
<th>SPU Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heavy Finisher</td>
<td>100 – 130</td>
<td>24 -30</td>
<td>1.8</td>
</tr>
</tbody>
</table>

Note: Adapted from the National Environmental Guidelines for Piggeries 2010

### Decision guidelines

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the *Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines* (June 2018).
RESIDENTIAL AGED CARE FACILITY

Purpose
To facilitate the development of well-designed residential aged care facilities to meet existing and future needs.

To recognise that residential aged care facilities have a different scale and built form to the surrounding neighbourhood.

To ensure residential aged care facilities do not unreasonably impact on the amenity of adjoining dwellings.

Application
This clause applies to an application to construct a building or construct or carry out works for a residential aged care facility in the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Application requirements
An application must be accompanied by:

- A site and context description.
- A design response.
- A landscape plan.

Site and context description
The site and context description may use a site plan, photographs or other techniques and must include:

- Site shape, size, orientation and easements.
- Levels of the site and the difference in levels between the site and surrounding properties.
- The location of existing buildings on the site and on adjacent properties, including the location and height of walls built to the boundary of the site.
- The use of adjacent buildings and land.
- The location of secluded private open space and habitable room windows of adjacent properties which have an outlook to the site within 9 metres.
- Solar access to the site and to adjacent properties.
- Any contaminated soils and filled areas, where known.
- Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
- Street frontage features such as poles, street trees and kerb crossovers.
- Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the site and context description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Design response
The design response must explain how the proposed design:

- Responds to the site and context description.
- Meets the requirements of this clause.
**Landscape plan**

The landscape plan must include:

- Landscaping of communal open space for the enjoyment of residents and staff.
- Landscaping along the boundaries of the site.
- On-site management of run-off from paved areas.
- Retaining significant trees where possible.

**Development requirements**

**Operation**

If there is any inconsistency between a requirement in this clause and a requirement in another provision of this planning scheme, this clause prevails.

**Building height**

In the Neighbourhood Residential Zone, General Residential Zone and Township Zone the maximum building height must not exceed 16 metres.

In the Mixed Use Zone and Residential Growth Zone the maximum building height should not exceed 16 metres.

**Street setback**

Walls of buildings should be set back from streets the distance specified in the table:

<table>
<thead>
<tr>
<th>Development context</th>
<th>Minimum setback from front street (metres)</th>
<th>Minimum setback from a side street (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</td>
<td>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>The site is on a corner.</td>
<td>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère.</td>
<td>Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting...</td>
</tr>
<tr>
<td>Development context</td>
<td>Minimum setback from front street (metres)</td>
<td>Minimum setback from a side street (metres)</td>
</tr>
<tr>
<td>---------------------</td>
<td>------------------------------------------</td>
<td>------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>allotment facing the side street or 4 metres, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</td>
<td></td>
</tr>
</tbody>
</table>

**Side and rear setbacks**

A new building not on or within 200mm of a boundary should be set back from side or rear boundaries by 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Screens, sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.
Walls on boundaries

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports; whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Daylight to existing windows

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.
Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

North-facing windows

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
Overshadowing open space

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Solar panel overshadowing

Buildings should be sited and designed to ensure that the capacity of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced.

Overlooking

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.2 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.2 metres above floor level.
- Have permanently fixed external screens to at least 1.2 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.2 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:
- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

Noise impacts
Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

Daylight to new windows
A window in a habitable room should be located to face:
- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Site coverage
The site area covered by buildings should not exceed 80 percent.

Access
Access ways should be designed to:
- Provide direct access to on-site designated areas for car and bicycle parking.
- Provide direct access to the building for emergency vehicles.
- Provide access for service and delivery vehicles to on-site loading bays and storage areas.
- Ensure vehicles can enter and exit a development in a forward direction.
- Provide a carriageway width of at least 5.5 metres and an internal radius of at least 4 metres at a change of direction.
- The number and location of access points from streets to the site and the design of crossovers must be to the requirements of the relevant road authority.
- Shared access ways or car parks should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced by 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the access way.

Building entry
The main pedestrian entry to a building should:
- Have convenient access from a street.
- Be sheltered from the weather.
- Have convenient access from on-site car parking.
- Have a designated vehicle standing area suitable for use by a community bus and a disabled parking area should be provided in an area that is convenient for the drop-off and pick-up of residents.

Communal open space
Accessible and useable communal open space should be provided for residents and staff.

Front fence
A front fence within 3 metres of a street should not exceed:
- 2 metres in height in streets in a Road Category 1; and
- 1.5 metres in height on all other streets.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:
- How the proposed development responds to the site and context description.
- Where the requirements of this clause are not met, the impact on the amenity of the adjoining dwellings.
- The proposed amenity for future residents of the residential aged care facility.
- The effect of overshadowing on an appropriately located existing rooftop solar energy facility on an adjoining lot.
STORMWATER MANAGEMENT IN URBAN DEVELOPMENT

Purpose

To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

Application

This clause applies to an application under a provision of a zone to subdivide land, construct a building, or construct or carry out works, other than the following applications:

- An application under a provision of the Farming Zone, Green Wedge Zone, Green Wedge A Zone, Low Density Residential Zone, Public Conservation and Resource Zone, Road Zone, Rural Activity Zone, Rural Conservation Zone, Rural Living Zone, Urban Floodway Zone or Urban Growth Zone.
- A VicSmart application.
- An application to subdivide land in a residential zone for residential purposes.
- An application to construct or extend a dwelling, fence or residential building in a residential zone.
- An application for development associated with the use of land for agriculture or earth and energy resources industry.
- An application to construct a building or construct or carry out works associated with one dwelling on a lot.
- An application to alter, extend or make structural changes to an existing building provided the gross floor area of the building is not increased by more than 50 square metres.
- An application to construct a building with a gross floor area not exceeding 50 square metres.
- An application to construct or carry out works with an area not exceeding 50 square metres.
- An application to subdivide land into lots each containing an existing building or car parking space.
- An application to construct a building or to construct or carry out works on a lot if all of the following requirements are met:
  - The lot was created in accordance with a permit granted under this planning scheme.
  - The application for that permit was assessed against the requirements of this clause.
- An application for land affected by a development plan or incorporated plan that was approved or incorporated in this planning scheme before the approval date of Amendment VC154.
- An application lodged before the approval date of Amendment VC154.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC154.

Operation

The provisions of this clause contain:

- Objectives. An objective describes the desired outcome to be achieved in the completed development.
- Standards. A standard contains the requirements to meet the objective.
A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative solution meets the objective, the alternative solution may be considered.

**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.

**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 $\text{da} \times \text{Vave} < 0.35 \text{m}^2/\text{s}$ (where, $\text{da} =$ average depth in metres and $\text{Vave} =$ average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.

### Stormwater management objectives for buildings and works

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

To ensure that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system.

**Standard W2**

The stormwater management system should be designed to:

- Minimise the impact of chemical pollutants and other toxicants including by, but not limited to, bunding and covering or roofing of storage, loading and work areas.
- Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

### Site management objectives

To protect drainage infrastructure and receiving waters from sedimentation and contamination.

To protect the site and surrounding area from environmental degradation prior to and during construction of subdivision works.
**Standard W3**

An application should describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Stormwater.
- Litter, concrete and other construction wastes.
- Chemical contamination.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any relevant water and stormwater management objective, policy or statement set out in this planning scheme.
- The capacity of the site to incorporate stormwater retention and reuse and other water sensitive urban design features.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.
ONE DWELLING ON A LOT

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.
To encourage residential development that provides reasonable standards of amenity for existing and new residents.
To encourage residential development that is responsive to the site and the neighbourhood.

Application
These provisions apply to an application to construct a building or construct or carry out works associated with one dwelling on a lot under the provisions of:

- A Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.
- A Neighbourhood Character Overlay if the land is in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.

Operation
The provisions of this clause contain:

- Objectives. An objective describes the desired outcome to be achieved in the completed development.
- Standards. A standard contains the requirements to meet the objective.
  A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
- Decision guidelines. The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements
A development:

- Must meet all of the objectives of this clause.
- Should meet all of the standards of this clause.

If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a schedule to the zone applies.

If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a requirement of a standard different from a requirement set out in this clause or a requirement in the zone or a schedule to the zone, the requirement in the schedule to the overlay applies.

If the land is included in an overlay, other than a Neighbourhood Character Overlay, and a schedule to the overlay specifies a requirement different from a requirement of a standard set out in this clause or a requirement of a standard set out in the zone or a schedule to the zone, the requirement in the overlay applies.
NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

An application must be accompanied by:

- A neighbourhood and site description.
- A design response.

Neighbourhood and site description

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the neighbourhood:
  - The built form, scale and character of surrounding development including front fencing.
  - Architectural and roof styles.
  - Any other notable features or characteristics of the neighbourhood.

- In relation to the site:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and to surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the neighbourhood and site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Satisfactory neighbourhood and site description

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 54.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

Design response

The design response must explain how the proposed design:
- Derives from and responds to the neighbourhood and site description.
- Meets the objectives of Clause 54.
- Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.
NEIGHBOURHOOD CHARACTER

Neighbourhood character objective
To ensure that the design respects the existing neighbourhood character or contributes to a preferred
neighbourhood character.
To ensure that the design responds to the features of the site and the surrounding area.

Standard A1
The design response must be appropriate to the neighbourhood and the site.
The proposed design must respect the existing or preferred neighbourhood character and respond
to the features of the site.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The neighbourhood and site description.
- The design response.

Integration with the street objective
To integrate the layout of development with the street.

Standard A2
Dwellings should be oriented to front existing and proposed streets.
High fencing in front of dwellings should be avoided if practicable.
Dwellings should be designed to promote the observation of abutting streets and any abutting
public open spaces.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
SITE LAYOUT AND BUILDING MASSING

Street setback objective
To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

Standard A3
Walls of buildings should be set back from streets:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, the distance specified in Table A1.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table A1 Street setback

<table>
<thead>
<tr>
<th>Development context</th>
<th>Minimum setback from front street (Metres)</th>
<th>Minimum setback from a side street (Metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</td>
<td>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>The site is on a corner.</td>
<td>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>The same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.
- The visual impact of the building when viewed from the street and from adjoining properties.
- The value of retaining vegetation within the front setback.
**Building height objective**

To ensure that the height of buildings respects the existing or preferred neighbourhood character.

**Standard A4**

The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.

If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.

Changes of building height between existing buildings and new buildings should be graduated.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.

- Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.

- The design response.

- The effect of the slope of the site on the height of the building.

- The relationship between the proposed building height and the height of existing adjacent buildings.

- The visual impact of the building when viewed from the street and from adjoining properties.

---

**Site coverage objective**

To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

**Standard A5**

The site area covered by buildings should not exceed:

- The maximum site coverage specified in a schedule to the zone, or

- If no maximum site coverage is specified in a schedule to the zone, 60 per cent.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.

- The design response.

- The existing site coverage and any constraints imposed by existing development or the features of the site.

- The site coverage of adjacent properties.

- The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.

---

**Permeability objectives**

To reduce the impact of increased stormwater run-off on the drainage system.

To facilitate on-site stormwater infiltration.
Standard A6

The site area covered by pervious surfaces should be at least:

- The minimum area specified in a schedule to the zone; or
- If no minimum area is specified in a schedule to the zone, 20 per cent of the site.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The existing site coverage and any constraints imposed by existing development.
- The capacity of the drainage network to accommodate additional stormwater.
- The capacity of the site to absorb run-off.
- The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.

Energy efficiency protection objectives

To achieve and protect energy efficient dwellings.

To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

Standard A7

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy facility must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the dwelling, if practicable.

Dwellings should be designed so that solar access to north-facing windows is maximised.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and slope of the lot.
- The existing amount of solar access to abutting properties.
- The extent to which an existing rooftop solar energy facility on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy facility on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy facility on an adjoining lot.
- The availability of solar access to north-facing windows on the site.
**Significant trees objectives**

To encourage development that respects the landscape character of the neighbourhood.

To encourage the retention of significant trees on the site.

**Standard A8**

Development should provide for the retention or planting of trees, where these are part of the neighbourhood character.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The health of any trees that were removed or are proposed to be removed.
- Whether a tree was removed to gain a development advantage.
AMENITY IMPACTS

Side and rear setbacks objective
To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard A10
A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Diagram A1 Side and rear setbacks

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.

Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.

Whether the wall abuts a side or rear lane.

**Walls on boundaries objective**

To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

**Standard A11**

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut the boundary:

- For a length more than the distance specified in a schedule to the zone; or
- If no distance is specified in a schedule to the zone, for a length of more than:
  - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
  - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where the slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The extent to which walls on boundaries are part of the neighbourhood character.
- The visual impact of the building when viewed from adjoining properties.
- The impact on the amenity of existing dwellings.
- The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.
- The orientation of the boundary that the wall is being built on.
- The width of the lot.
- The extent to which the slope and retaining walls or fences reduce the effective height of the wall.
- Whether the wall abuts a side or rear lane.
- The need to increase the wall height to screen a box gutter.
Daylight to existing windows objective
To allow adequate daylight into existing habitable room windows.

Standard A12
Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram A2 Daylight to existing windows

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.
- The impact on the amenity of existing dwellings.

North-facing windows objective
To allow adequate solar access to existing north-facing habitable room windows.

Standard A13
If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metre for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
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 facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy facility must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is maximised.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and slope of the lot.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The extent to which an existing rooftop solar energy facility on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy facility on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy facility on an adjoining lot.

Open space objective
To integrate the layout of development with any public and communal open space provided in or adjacent to the development.

Standard B11
If any public or communal open space is provided on site, it should:

- Be substantially fronted by dwellings, where appropriate.
- Provide outlook for as many dwellings as practicable.
- Be designed to protect any natural features on the site.
- Be accessible and useable.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for open space in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.

Safety objective
To ensure the layout of development provides for the safety and security of residents and property.

Standard B12
Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.

Planting which creates unsafe spaces along streets and accessways should be avoided.

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

Decision guideline
Before deciding on an application, the responsible authority must consider the design response.

Landscaping objectives
To encourage development that respects the landscape character of the neighbourhood.
To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.

To provide appropriate landscaping.

To encourage the retention of mature vegetation on the site.

**Standard B13**

The landscape layout and design should:

- Protect any predominant landscape features of the neighbourhood.
- Take into account the soil type and drainage patterns of the site.
- Allow for intended vegetation growth and structural protection of buildings.
- In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
- Provide a safe, attractive and functional environment for residents.

Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.

Development should meet any additional landscape requirements specified in a schedule to the zone.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Any relevant plan or policy for landscape design in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The location and size of gardens and the predominant plant types in the neighbourhood.
- The health of any trees to be removed.
- Whether a tree was removed to gain a development advantage.

**Access objective**

To ensure the number and design of vehicle crossovers respects the neighbourhood character.

**Standard B14**

The width of accessways or car spaces should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street.

The location of crossovers should maximise the retention of on-street car parking spaces.

The number of access points to a road in a Road Zone should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.
**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the neighbourhood character.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and footpath.

**Parking location objectives**

To provide convenient parking for resident and visitor vehicles.

To protect residents from vehicular noise within developments.

**Standard B15**

Car parking facilities should:

- Be reasonably close and convenient to dwellings and residential buildings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

**Decision guideline**
Before deciding on an application, the responsible authority must consider the design response.
AMENITY IMPACTS

Side and rear setbacks objective

To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard B17

A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.

Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.

Whether the wall abuts a side or rear lane.

### Walls on boundaries objective

To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

### Standard B18

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:

- For a length of more than the distance specified in a schedule to the zone; or
- If no distance is specified in a schedule to the zone, for a length of more than:
  - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
  - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The extent to which walls on boundaries are part of the neighbourhood character.
- The impact on the amenity of existing dwellings.
- The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.
- The orientation of the boundary that the wall is being built on.
- The width of the lot.
- The extent to which the slope and retaining walls or fences reduce the effective height of the wall.
- Whether the wall abuts a side or rear lane.
- The need to increase the wall height to screen a box gutter.

### Daylight to existing windows objective

To allow adequate daylight into existing habitable room windows.
Standard B19
Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram B2 Daylight to existing windows

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.
- The impact on the amenity of existing dwellings.

North-facing windows objective
To allow adequate solar access to existing north-facing habitable room windows.

Standard B20
If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling.
- The impact on the amenity of existing dwellings.

Overshadowing open space objective
To ensure buildings do not significantly overshadow existing secluded private open space.

Standard B21
Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of existing dwellings.
• Existing sunlight penetration to the secluded private open space of the existing dwelling.
• The time of day that sunlight will be available to the secluded private open space of the existing dwelling.
• The effect of a reduction in sunlight on the existing use of the existing secluded private open space.

Overlooking objective
To limit views into existing secluded private open space and habitable room windows.

Standard B22
A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:
• Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
• Have sill heights of at least 1.7 metres above floor level.
• Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.
• Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:
• Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
• Permanent, fixed and durable.
• Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

Diagram B4 Overlooking open space

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The impact on the amenity of the secluded private open space or habitable room window.
- The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.
- The internal daylight to and amenity of the proposed dwelling or residential building.

**Internal views objective**

To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.

**Standard B23**

Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.

**Noise impacts objectives**

To contain noise sources in developments that may affect existing dwellings.

To protect residents from external noise.

**Standard B24**

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.

Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.
ON-SITE AMENITY AND FACILITIES

Accessibility objective
To encourage the consideration of the needs of people with limited mobility in the design of developments.

Standard B25
The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.

Dwelling entry objective
To provide each dwelling or residential building with its own sense of identity.

Standard B26
Entries to dwellings and residential buildings should:
- Be visible and easily identifiable from streets and other public areas.
- Provide shelter, a sense of personal address and a transitional space around the entry.

Daylight to new windows objective
To allow adequate daylight into new habitable room windows.

Standard B27
A window in a habitable room should be located to face:
- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- Whether there are other windows in the habitable room which have access to daylight.

Private open space objective
To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard B28
A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:
- An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or
- A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or
- A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

The balcony requirements in Clause 55.05-4 do not apply to an apartment development.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability of the private open space, including its size and accessibility.
- The availability of and access to public or communal open space.
- The orientation of the lot to the street and the sun.

**Solar access to open space objective**

To allow solar access into the secluded private open space of new dwellings and residential buildings.

**Standard B29**

The private open space should be located on the north side of the dwelling or residential building, if appropriate.

The southern boundary of secluded private open space should be set back from any wall on the north of the space at least \((2 + 0.9h)\) metres, where ‘h’ is the height of the wall.

**Diagram B5 Solar access to open space**

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the secluded private open space based on the sunlight it will receive.

**Storage objective**

To provide adequate storage facilities for each dwelling.
Standard B30
Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.
**DETAILED DESIGN**

**Design detail objective**
To encourage design detail that respects the existing or preferred neighbourhood character.

**Standard B31**
The design of buildings, including:
- Facade articulation and detailing,
- Window and door proportions,
- Roof form, and
- Verandahs, eaves and parapets,
should respect the existing or preferred neighbourhood character.
Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.
- Whether the design is innovative and of a high architectural standard.

**Front fences objective**
To encourage front fence design that respects the existing or preferred neighbourhood character.

**Standard B32**
The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.
A front fence within 3 metres of a street should not exceed:
- The maximum height specified in a schedule to the zone, or
- If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3.

**Table B3 Maximum front fence height**

<table>
<thead>
<tr>
<th>Street Context</th>
<th>Maximum front fence height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Streets in a Road Zone, Category 1</td>
<td>2 metres</td>
</tr>
<tr>
<td>Other streets</td>
<td>1.5 metres</td>
</tr>
</tbody>
</table>

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The setback, height and appearance of front fences on adjacent properties.
The extent to which slope and retaining walls reduce the effective height of the front fence.

Whether the fence is needed to minimise noise intrusion.

Common property objectives
To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.

To avoid future management difficulties in areas of common ownership.

Standard B33
Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

Site services objectives
To ensure that site services can be installed and easily maintained.

To ensure that site facilities are accessible, adequate and attractive.

Standard B34
The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.

Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

Bin and recycling enclosures should be located for convenient access by residents.

Mailboxes should be provided and located for convenient access as required by Australia Post.

Decision guideline
Before deciding on an application, the responsible authority must consider the design response.
APARTMENT DEVELOPMENTS

Purpose
Clause 55.07 sets out requirements for an apartment development.

Energy efficiency objectives
To achieve and protect energy efficient dwellings and buildings.
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.
To ensure dwellings achieve adequate thermal efficiency.

Standard B35
Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy facility must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified Table B4 in should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table B4 Cooling load

<table>
<thead>
<tr>
<th>NatHERS climate zone</th>
<th>NatHERS maximum cooling load</th>
</tr>
</thead>
<tbody>
<tr>
<td>Climate zone 21 Melbourne</td>
<td>30</td>
</tr>
<tr>
<td>Climate zone 22 East Sale</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 27 Mildura</td>
<td>69</td>
</tr>
<tr>
<td>Climate zone 60 Tullamarine</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 62 Moorabbin</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 63 Warrnambool</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 64 Cape Otway</td>
<td>19</td>
</tr>
<tr>
<td>Climate zone 66 Ballarat</td>
<td>23</td>
</tr>
</tbody>
</table>

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
• The size, orientation and layout of the site.
• The existing amount of solar access to abutting properties.
• The availability of solar access to north-facing windows on the site.
• The annual cooling load for each dwelling.
• The extent to which an existing rooftop solar energy facility on an adjoining lot is overshadowed by existing buildings or other permanent structures.
• Whether the existing rooftop solar energy facility on an adjoining lot is appropriately located.
• The effect of overshadowing on an existing rooftop solar energy facility on an adjoining lot.

Communal open space objective

To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.

Standard B36

Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.

Communal open space should:
• Be located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.
• Be designed to protect any natural features on the site.
• Maximise landscaping opportunities.
• Be accessible, usable and capable of efficient management.

Decision guidelines

Before deciding on an application, the responsible authority must consider:
• Any relevant urban design objective, policy or statement set out in this scheme.
• The design response.
• The useability and amenity of the communal open space based on its size, location, accessibility and reasonable recreation needs of residents.
• The availability of and access to public open space.

Solar access to communal outdoor open space objective

To allow solar access into communal outdoor open space.

Standard B37

The communal outdoor open space should be located on the north side of a building, if appropriate. At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.

Deep soil areas and canopy trees objective
To promote climate responsive landscape design and water management in developments to support thermal comfort and reduce the urban heat island effect.

Standard B38
The landscape layout and design should:

- Be responsive to the site context.
- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and rooftop gardens and improve on-site storm water infiltration.
- Maximise deep soil areas for planting of canopy trees.
- Integrate planting and water management.

Developments should provide the deep soil areas and canopy trees specified in Table B5.

If the development cannot provide the deep soil areas and canopy trees specified in Table B5, an equivalent canopy cover should be achieved by providing either:

- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.

Table B5 Deep soil areas and canopy trees

<table>
<thead>
<tr>
<th>Site area</th>
<th>Deep soil areas</th>
<th>Minimum tree provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>750 - 1000 square metres</td>
<td>5% of site area (minimum dimension of 3 metres)</td>
<td>1 small tree (6-8 metres) per 30 square metres of deep soil</td>
</tr>
<tr>
<td>1001 - 1500 square metres</td>
<td>7.5% of site area (minimum dimension of 3 metres)</td>
<td>1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil</td>
</tr>
<tr>
<td>1501 - 2500 square metres</td>
<td>10% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
<tr>
<td>&gt;2500 square metres</td>
<td>15% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
</tbody>
</table>

Note: Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for environmental sustainability in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The suitability of the proposed location and soil volume for canopy trees.
- The ongoing management of landscaping within a development.
- The soil type and drainage patterns of the site.

Integrated water and stormwater management objectives
To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.

To facilitate stormwater collection, utilisation and infiltration within the development.

To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

Standard B39
Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.

Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant water and stormwater management objective, policy or statement set out in this scheme.
- The design response.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

Noise impacts objectives
To contain noise sources in developments that may affect existing dwellings.

To protect residents from external and internal noise sources.
Standard B40

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table B6 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

### Table B6 Noise influence area

<table>
<thead>
<tr>
<th>Noise source</th>
<th>Noise influence area</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Zone interface</strong></td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>300 metres from the Industrial 1, 2 and 3 zone boundary</td>
</tr>
<tr>
<td><strong>Roads</strong></td>
<td></td>
</tr>
<tr>
<td>Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume</td>
<td>300 metres from the nearest trafficable lane</td>
</tr>
<tr>
<td><strong>Railways</strong></td>
<td></td>
</tr>
<tr>
<td>Railway servicing passengers in Victoria</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight outside Metropolitan Melbourne</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight in Metropolitan Melbourne</td>
<td>135 metres from the centre of the nearest track</td>
</tr>
</tbody>
</table>

*Note: The noise influence area should be measured from the closest part of the building to the noise source.*

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether it can be demonstrated that the design treatment incorporated into the development meets the specified noise levels or an acoustic report by a suitably qualified specialist submitted with the application.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
- Whether the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
Accessibility objective
To ensure the design of dwellings meets the needs of people with limited mobility.

Standard B41
At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B7.

Table B7 Bathroom design

<table>
<thead>
<tr>
<th></th>
<th>Design option A</th>
<th>Design option B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Door opening</td>
<td>A clear 850mm wide door opening.</td>
<td>A clear 820mm wide door opening located opposite the shower.</td>
</tr>
<tr>
<td>Door design</td>
<td>Either:</td>
<td>Either:</td>
</tr>
<tr>
<td></td>
<td>- A slide door, or</td>
<td>- A slide door, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens outwards, or</td>
<td>- A door that opens outwards, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens inwards that is clear of the circulation area and has readily removable hinges.</td>
<td>- A door that opens inwards that is clear of the circulation area and has readily removable hinges.</td>
</tr>
<tr>
<td>Circulation area</td>
<td>A clear circulation area that is:</td>
<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 best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- Any relevant waste and recycling objective, policy or statement set out in this scheme.

**Functional layout objective**

To ensure dwellings provide functional areas that meet the needs of residents.

**Standard B46**

Bedrooms should:

- Meet the minimum internal room dimensions specified in Table B10.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

### Table B10 Bedroom dimensions

<table>
<thead>
<tr>
<th>Bedroom type</th>
<th>Minimum width</th>
<th>Minimum depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main bedroom</td>
<td>3 metres</td>
<td>3.4 metres</td>
</tr>
<tr>
<td>All other bedrooms</td>
<td>3 metres</td>
<td>3 metres</td>
</tr>
</tbody>
</table>

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table B11.

### Table B11 Living area dimensions

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum width</th>
<th>Minimum area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio and 1 bedroom dwelling</td>
<td>3.3 metres</td>
<td>10 sqm</td>
</tr>
<tr>
<td>2 or more bedroom dwelling</td>
<td>3.6 metres</td>
<td>12 sqm</td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and amenity of habitable rooms.

**Room depth objective**

To allow adequate daylight into single aspect habitable rooms.

**Standard B47**

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:
The room combines the living area, dining area and kitchen.

The kitchen is located furthest from the window.

The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability, functionality and amenity of the dwelling based on layout, sitting, size and orientation of habitable rooms.
- Any overhang above habitable room windows that limits daylight access.

### Windows objective

To allow adequate daylight into new habitable room windows.

**Standard B48**

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.

The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability and amenity of the dwelling based on layout, sitting, size and orientation of habitable rooms.

### Natural ventilation objectives

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

**Standard B49**

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
Ventilation openings with approximately the same area. The breeze path is measured between the ventilation openings on different orientations of the dwelling.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation, slope and wind exposure of the site.
- The extent to which the orientation of the building and the layout of dwellings maximises opportunities for cross ventilation.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
RESIDENTIAL SUBDIVISION

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To create liveable and sustainable neighbourhoods and urban places with character and identity.
To achieve residential subdivision outcomes that appropriately respond to the site and its context for:
- Metropolitan Melbourne growth areas.
- Infill sites within established residential areas.
- Regional cities and towns.
To ensure residential subdivision design appropriately provides for:
- Policy implementation.
- Liveable and sustainable communities.
- Residential lot design.
- Urban landscape.
- Access and mobility management.
- Integrated water management.
- Site management.
- Utilities.

Application
These provisions apply to an application to subdivide land in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone and any Comprehensive Development Zone or Priority Development Zone that provides for residential development.
These provisions do not apply to an application to subdivide land into lots each containing an existing dwelling or car parking space.

Operation
The provisions of this clause contain:
- Objectives. An objective describes the desired outcome to be achieved in the completed subdivision.
- Standards. A standard contains the requirements to meet the objective.
A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

Requirement
An application to subdivide land:
- Must be accompanied by a site and context description and a design response.
- Must meet all of the objectives included in the clauses specified in the zone.
- Should meet all of the standards included in the clauses specified in the zone.
Certification of standards

A subdivision may be certified by a person authorised by the Minister for Planning as meeting the requirements of a standard in this clause.

A standard that is certified as met is deemed to have met the objective of that standard.
Subdivision site and context description

The site and context description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the site:
  - Site shape, size, dimensions and orientation.
  - Levels and contours of the site.
  - Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
  - The siting and use of existing buildings and structures.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Access points.
  - Location of drainage and other utilities.
  - Easements.
  - Any identified natural or cultural features of the site.
  - Significant views to and from the site.
  - Noise and odour sources or other external influences.
  - Soil conditions, including any land affected by contamination, erosion, salinity, acid sulphate soils or fill.
  - Any other notable features or characteristics of the site.
  - Adjacent uses.
  - Any other factor affecting the capacity to develop the site including whether the site is affected by inundation.

- An application for subdivision of 3 or more lots must also describe in relation to the surrounding area:
  - The pattern of subdivision.
  - Existing land uses.
  - The location and use of existing buildings on adjacent land.
  - Abutting street and path widths, materials and detailing.
  - The location and type of significant vegetation.

- An application for subdivision of 60 or more lots must also describe in relation to the surrounding area:
  - Location, distance and type of any nearby public open space and recreational facilities.
  - Direction and distances to local shops and community facilities.
  - Directions and walking distances to public transport routes and stops.
  - Direction and walking distances to existing neighbourhood, major and principal activity centres and major employment areas.
- Existing transport routes, including freeways, arterial roads and streets connecting
  neighbourhoods.
- Local street network including potential connections to adjacent subdivisions.
- Traffic volumes and movements on adjacent roads and streets.
- Pedestrian, bicycle and shared paths identifying whether their primary role is
  neighbourhood or regional access.
- Any places of cultural significance.
- Natural features including trees and other significant vegetation, drainage lines, water
  courses, wetlands, ridgelines and hill tops.
- Proximity of any fire threats.
- Pattern of ownership of adjoining lots.

If in the opinion of the responsible authority a requirement of the site and context description is
not relevant to the assessment of an application, the responsible authority may waive or reduce
the requirement.

**Satisfactory subdivision site and context description**

If the responsible authority decides that the site and context description is not satisfactory, it may
require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an
application until it is satisfied that the site and context description meets the requirements of Clause
56.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of
the Act.

**Subdivision design response**

The design response must explain how the proposed design:

- Derives from and responds to the site and context description.
- Responds to any site and context features for the area identified in a local planning policy or
  a Neighbourhood Character Overlay.
- Responds to any relevant objective, policy, strategy or plan set out for the area in this scheme.
- Meets the relevant objectives of Clause 56.

The design response must include a dimensioned plan to scale showing the layout of the subdivision
in context with the surrounding area. If in the opinion of the responsible authority this requirement
is not relevant to the assessment of an application, it may waive or reduce the requirement.

An application for subdivision of 60 or more lots must also include a plan that meets the
requirements of Standard C2. The plan must also show the:

- Proposed uses of each part of the site.
- Natural features of the site and identify any features proposed to be altered.
- Proposed integrated water management system.
- Proposed staging of the subdivision.
POLICY IMPLEMENTATION

Strategic implementation objective

To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.

Standard C1

An application must be accompanied by a written statement that describes how the subdivision is consistent with and implements any relevant growth area, activity centre, housing, access and mobility, community facilities, open space and recreation, landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy or plan for the area set out in this scheme.
LIVEABLE AND SUSTAINABLE COMMUNITIES

Compact and walkable neighbourhoods objectives

To create compact neighbourhoods that are oriented around easy walking distances to activity centres, schools and community facilities, public open space and public transport.
To allow easy movement through and between neighbourhoods for all people.

Standard C2

A subdivision should implement any relevant growth area or any approved land-use and development strategy, plan or policy for the area set out in this scheme.

An application for subdivision must include a plan of the layout of the subdivision that:

- Meets the objectives (if relevant to the class of subdivision specified in the zone) of:
  - Clause 56.03-2 Activity centres
  - Clause 56.03-3 Planning for community facilities
  - Clause 56.04-1 Lot diversity and distribution
  - Clause 56.06-2 Walking and cycling network
  - Clause 56.06-3 Public transport network
  - Clause 56.06-4 Neighbourhood street network

- Shows the 400 metre street walking distance around each existing or proposed bus stop, 600 metres street walking distance around each existing or proposed tram stop and 800 metres street walking distance around each existing or proposed railway station and shows the estimated number of dwellings within those distances.

- Shows the layout of the subdivision in relation to the surrounding area.

- Is designed to be accessible for people with disabilities.

Activity centre objective

To provide for mixed-use activity centres, including neighbourhood activity centres, of appropriate area and location.

Standard C3

A subdivision should implement any relevant activity centre strategy, plan or policy for the area set out in this scheme.

Subdivision should be supported by activity centres that are:

- Accessible by neighbourhood and regional walking and cycling networks.
- Served by public transport that is connected to the regional public transport network.
- Located at public transport interchange points for the convenience of passengers and easy connections between public transport services.
- Located on arterial roads or connector streets.
- Of appropriate size to accommodate a mix of uses that meet local community needs.
- Oriented to support active street frontages, support street-based community interaction and pedestrian safety.
Planning for community facilities objective
To provide appropriately located sites for community facilities including schools, libraries, preschools and childcare, health services, police and fire stations, recreation and sports facilities.

Standard C4
A subdivision should:
- Implement any relevant regional and local community facility strategy, plan or policy for the area set out in this scheme.
- Locate community facilities on sites that are in or near activity centres and public transport.

School sites should:
- Be integrated with the neighbourhood and located near activity centres.
- Be located on walking and cycling networks.
- Have a bus stop located along the school site boundary.
- Have student drop-off zones, bus parking and on-street parking in addition to other street functions in abutting streets.
- Adjoin the public open space network and community sporting and other recreation facilities.
- Be integrated with community facilities.
- Be located on land that is not affected by physical, environmental or other constraints.

Schools should be accessible by the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.
Primary schools should be located on connector streets and not on arterial roads.
New State Government school sites must meet the requirements of the Department of Education and Training and abut at least two streets with sufficient widths to provide student drop-off zones, bus parking and on-street parking in addition to other street functions.

Built environment objective
To create urban places with identity and character.

Standard C5
The built environment should:
- Implement any relevant urban design strategy, plan or policy for the area set out in this scheme.
- Provide living and working environments that are functional, safe and attractive.
- Provide an integrated layout, built form and urban landscape.
- Contribute to a sense of place and cultural identity.

An application should describe the identity and character to be achieved and the elements that contribute to that identity and character.

Neighbourhood character objective
To design subdivisions that respond to neighbourhood character.

Standard C6
Subdivision should:
- Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Respond to and integrate with the surrounding urban environment.
- Protect significant vegetation and site features.
LOT DESIGN

Lot diversity and distribution objectives
To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.
To provide higher housing densities within walking distance of activity centres.
To achieve increased housing densities in designated growth areas.
To provide a range of lot sizes to suit a variety of dwelling and household types.

Standard C7
A subdivision should implement any relevant housing strategy, plan or policy for the area set out in this scheme.
Lot sizes and mix should achieve the average net residential density specified in any zone or overlay that applies to the land or in any relevant policy for the area set out in this scheme.
A range and mix of lot sizes should be provided including lots suitable for the development of:
- Single dwellings.
- Two dwellings or more.
- Higher density housing.
- Residential buildings and Retirement villages.

Unless the site is constrained by topography or other site conditions, lot distribution should provide for 95 per cent of dwellings to be located no more than 400 metre street walking distance from the nearest existing or proposed bus stop, 600 metres street walking distance from the nearest existing or proposed tram stop and 800 metres street walking distance from the nearest existing or proposed railway station.
Lots of 300 square metres or less in area, lots suitable for the development of two dwellings or more, lots suitable for higher density housing and lots suitable for Residential buildings and Retirement villages should be located in and within 400 metres street walking distance of an activity centre.

Lot area and building envelopes objective
To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.

Standard C8
An application to subdivide land that creates lots of less than 300 square metres should be accompanied by information that shows:
- That the lots are consistent or contain building envelope that is consistent with a development approved under this scheme, or
- That a dwelling may be constructed on each lot in accordance with the requirements of this scheme.

Lots of between 300 square metres and 500 square metres should:
- Contain a building envelope that is consistent with a development of the lot approved under this scheme, or
If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope.

If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.

Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope.

A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:

- The objectives of the relevant standards are met, and
- The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act.

Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:

- The building envelope must meet Standards A10 and A11 of Clause 54 in relation to the adjoining lot, and
- The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.

Lot dimensions and building envelopes should protect:

- Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.
- Existing or proposed easements on lots.
- Significant vegetation and site features.

**Solar orientation of lots objective**

To provide good solar orientation of lots and solar access for future dwellings.

**Standard C9**

Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.

Lots have appropriate solar orientation when:

- The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.
- Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north.
- Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.

**Street orientation objective**

To provide a lot layout that contributes to community social interaction, personal safety and property security.
Standard C10
Subdivision should increase visibility and surveillance by:

- Ensuring lots front all roads and streets and avoid the side or rear of lots being oriented to connector streets and arterial roads.
- Providing lots of 300 square metres or less in area and lots for 2 or more dwellings around activity centres and public open space.
- Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries.
- Providing roads and streets along public open space boundaries.

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.

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.
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-slip surface.
- Be of a quality and durability to ensure:
  - Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles.
  - Discharge of urban run-off.
  - Preservation of all-weather access.
  - Maintenance of a reasonable, comfortable riding quality.
  - A minimum 20 year life span.
- Be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with disabilities.

**Public transport network detail objectives**

To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users.

To provide public transport stops that are accessible to people with disabilities.

**Standard C19**

Bus priority measures must be provided along arterial roads forming part of the existing or proposed Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne to the requirements of the relevant roads authority.

Road alignment and geometry along bus routes should provide for the efficient, unimpeded movement of buses and the safety and comfort of passengers.

The design of public transport stops should not impede the movement of pedestrians.

Bus and tram stops should have:

- Surveillance from streets and adjacent lots.
- Safe street crossing conditions for pedestrians and cyclists.
- Safe pedestrian crossings on arterial roads and at schools including the provision of traffic controls as required by the roads authority.
- Continuous hard pavement from the footpath to the kerb.
- Sufficient lighting and paved, sheltered waiting areas for forecast user volume at neighbourhood centres, schools and other locations with expected high patronage.
- Appropriate signage.

Public transport stops and associated waiting areas should be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with physical disabilities.

**Neighbourhood street network detail objective**

To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.

**Standard C20**

The design of streets and roads should:

- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met.
- Provide street blocks that are generally between 120 metres and 240 metres in length and generally between 60 metres to 120 metres in width to facilitate pedestrian movement and control traffic speed.
- Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management, street tree planting, lighting and utility needs.
- Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users.
- Provide a low-speed environment while allowing all road users to proceed without unreasonable inconvenience or delay.
- Provide a safe environment for all street users applying speed control measures where appropriate.

- Ensure intersection layouts clearly indicate the travel path and priority of movement for pedestrians, cyclists and vehicles.

- Provide a minimum 5 metre by 5 metre corner splay at junctions with arterial roads and a minimum 3 metre by 3 metre corner splay at other junctions unless site conditions justify a variation to achieve safe sight lines across corners.

- Ensure streets are of sufficient strength to:
  - Enable the carriage of vehicles.
  - Avoid damage by construction vehicles and equipment.

- Ensure street pavements are of sufficient quality and durability for the:
  - Safe passage of pedestrians, cyclists and vehicles.
  - Discharge of urban run-off.
  - Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality.

- Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority.

- Ensure carriageways of neighbourhood streets are designed for a minimum 20 year life span.

- Provide pavement edges, kerbs, channel and crossover details designed to:
  - Perform the required integrated water management functions.
  - Delineate the edge of the carriageway for all street users.
  - Provide efficient and comfortable access to abutting lots at appropriate locations.
  - Contribute to streetscape design.

- Provide for the safe and efficient collection of waste and recycling materials from lots.

- Be accessible to people with disabilities.

- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met. Where the widths of connector streets do not comply with the requirements of Table C1, the requirements of the relevant public transport authority must be met.

A street detail plan should be prepared that shows, as appropriate:

- The street hierarchy and typical cross-sections for all street types.

- Location of carriageway pavement, parking, bus stops, kerbs, crossovers, footpaths, tactile surface indicators, cycle paths and speed control and traffic management devices.

- Water sensitive urban design features.

- Location and species of proposed street trees and other vegetation.

- Location of existing vegetation to be retained and proposed treatment to ensure its health.

- Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes.
Lot access objective
To provide for safe vehicle access between roads and lots.

Standard C21
Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.

Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets.

The design and construction of a crossover should meet the requirements of the relevant road authority.

Table C1 Design of roads and neighbourhood streets

Access Lane
A side or rear lane principally providing access to parking on lots with another street frontage.

<table>
<thead>
<tr>
<th>Traffic volume$^1$</th>
<th>300 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed$^2$</td>
<td>10 kph</td>
</tr>
<tr>
<td>Carriageway width$^3$ &amp; parking provision within street reservation</td>
<td>5.5 m$^4$ wide with no parking spaces to be provided. Appropriately signed.</td>
</tr>
<tr>
<td>Verge width$^4$</td>
<td>No verge required.</td>
</tr>
<tr>
<td>Kerbing$^5$</td>
<td></td>
</tr>
<tr>
<td>Footpath provision</td>
<td>None</td>
</tr>
<tr>
<td>Cycle path provision</td>
<td>None</td>
</tr>
</tbody>
</table>

Access Place
A minor street providing local residential access with shared traffic, pedestrian and recreation use, but with pedestrian priority.

<table>
<thead>
<tr>
<th>Traffic volume$^1$</th>
<th>300 vpd to 1000 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed$^2$</td>
<td>15 kph</td>
</tr>
<tr>
<td>Carriageway width$^3$ &amp; parking provision within street reservation</td>
<td>5.5 m$^4$ wide with 1 hard standing verge parking space per 2 lots. or 5.5 m$^4$ wide with parking on carriageway - one side. Appropriately signed.</td>
</tr>
<tr>
<td>Verge width$^4$</td>
<td>7.5 m minimum total width. For services provide a minimum of 3.5 m on one side and a minimum of 2.5 m on the other.</td>
</tr>
</tbody>
</table>

| Kerbing$^5$ | |
| Footpath provision | None |
| Cycle path provision | None |

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>
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<tr>
<td>Carriageway width$^3$ &amp; parking provision within street reservation</td>
<td>5.5 m$^4$ wide with no parking spaces to be provided. Appropriately signed.</td>
</tr>
<tr>
<td>Verge width$^4$</td>
<td>No verge required.</td>
</tr>
<tr>
<td>Kerbing$^5$</td>
<td></td>
</tr>
<tr>
<td>Footpath provision</td>
<td>None</td>
</tr>
<tr>
<td>Cycle path provision</td>
<td>None</td>
</tr>
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</table>

Access Place
A minor street providing local residential access with shared traffic, pedestrian and recreation use, but with pedestrian priority.

<table>
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<tr>
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<tbody>
<tr>
<td>Target speed$^2$</td>
<td>15 kph</td>
</tr>
<tr>
<td>Carriageway width$^3$ &amp; parking provision within street reservation</td>
<td>5.5 m$^4$ wide with 1 hard standing verge parking space per 2 lots. or 5.5 m$^4$ wide with parking on carriageway - one side. Appropriately signed.</td>
</tr>
<tr>
<td>Verge width$^4$</td>
<td>7.5 m minimum total width. For services provide a minimum of 3.5 m on one side and a minimum of 2.5 m on the other.</td>
</tr>
</tbody>
</table>

<p>| Kerbing$^5$ | |
| Footpath provision | None |
| Cycle path provision | None |</p>
<table>
<thead>
<tr>
<th>Kerbing</th>
<th>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</th>
</tr>
</thead>
</table>
| Footpath provision | Not required if serving 5 dwellings or less and the carriageway is designed as a shared zone and appropriately signed. 

or 

1.5m wide footpath offset a minimum distance of 1m from the kerb. |
| Cycle path provision | None |
| Access Street - Level 1 | A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated. |
| 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.

| Cycle path provision | Carriageway designed as a shared zone and appropriately signed. |

### Connector Street - Level 1

A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

<table>
<thead>
<tr>
<th>Traffic volume</th>
<th>3000 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed$^2$</td>
<td>50 kph$^1$ reduced to 40 kph at schools and 20 kph at pedestrian and cycle crossing points.</td>
</tr>
<tr>
<td>Carriageway width, cycle lane provision, parking provision and bus stops within street reservation</td>
<td>3.5m minimum lane width in each direction of travel.</td>
</tr>
<tr>
<td></td>
<td>4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections.</td>
</tr>
<tr>
<td></td>
<td>For on-street cycling, increase the minimum clear carriageway in each direction by:</td>
</tr>
<tr>
<td></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></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></td>
<td>- 1.7m where a dedicated 1.7m wide bicycle lane is marked on the carriageway.</td>
</tr>
<tr>
<td>Verge width$^4$</td>
<td>4.5m minimum each side.</td>
</tr>
<tr>
<td>Kerbing$^5$</td>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
<tr>
<td>Footpath provision</td>
<td>1.5m wide footpaths on both sides.</td>
</tr>
<tr>
<td></td>
<td>Footpath widened to a minimum 2.0m in the vicinity of a school, shop, public transport stop or other activity centre.</td>
</tr>
<tr>
<td></td>
<td>Footpaths offset a minimum distance of 1m from the kerb.</td>
</tr>
</tbody>
</table>

### Connector Street - Level 2

A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

<table>
<thead>
<tr>
<th>Traffic volume$^1$</th>
<th>3,000 vpd to 7,000 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed$^2$</td>
<td>60 kph$^3$ or 50km/h reduced to 40kph at schools.</td>
</tr>
<tr>
<td>Carriageway width, cycle lane provision, parking provision and bus stops within street reservation</td>
<td>3.5m minimum lane width in each direction of travel.</td>
</tr>
<tr>
<td></td>
<td>4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections.</td>
</tr>
<tr>
<td></td>
<td>7.0m minimum carriageway width in each direction of travel where there are two lanes in each direction separated by a non-trafficable central medium.</td>
</tr>
<tr>
<td></td>
<td>8.0m minimum carriageway width at approaches to and departures from roundabouts and T-intersections where there are two lanes in each direction separated by an non-trafficable central medium.</td>
</tr>
<tr>
<td>For on-street cycling, increase the minimum clear carriageway in each direction by:</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></td>
<td>1.7m where a dedicated 1.7m wide dedicated bicycle lane is marked on the carriageway</td>
</tr>
<tr>
<td></td>
<td>0.3m where there are two trafficable lanes in each direction separated by a non-trafficable central median and the carriageways are shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or</td>
</tr>
<tr>
<td></td>
<td>0.5m where there are two trafficable lanes in each direction separated by a non-trafficable central median and a 1.7m wide dedicated bicycle lane is marked on the carriageway.</td>
</tr>
<tr>
<td>An additional dedicated parking lane or indented parking within the verge must be provided where street parking is required. A parking lane width of 2.3m is required where parallel parking is provided.</td>
<td></td>
</tr>
<tr>
<td>Bus stops located at the kerbside, not indented within the verge.</td>
<td></td>
</tr>
</tbody>
</table>

| 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**

| Traffic volume | Greater than 7000vpd |
| Target speed | Arterial road design as required by the relevant roads authority. |
| Carriageway width & parking provision within street reservation | Arterial road design as required by the relevant roads authority. |
### 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>Verge width&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>Kerbing&lt;sup&gt;b&lt;/sup&gt;</td>
<td>Arterial road design as required by the relevant roads authority.</td>
</tr>
<tr>
<td>Footpath &amp; cycle path provision</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 \(d_a \times V_{ave} < 0.35 \text{ m}^2/\text{s}\) (where, \(d_a\) = average depth in metres and \(V_{ave}\) = average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.
SITE MANAGEMENT

Site management objectives
To protect drainage infrastructure and receiving waters from sedimentation and contamination.
To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.
To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.

Standard C26
A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Dust.
- Run-off.
- Litter, concrete and other construction wastes.
- Chemical contamination.
- Vegetation and natural features planned for retention.

Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.
Shared trenching objectives

To maximise the opportunities for shared trenching.
To minimise constraints on landscaping within street reserves.

Standard C27

Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.

Electricity, telecommunications and gas objectives

To provide public utilities to each lot in a timely, efficient and cost effective manner.
To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.

Standard C28

The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.

Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.

The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.

Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.

Fire hydrants objective

To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.

Standard C29

Fire hydrants should be provided:

- A maximum distance of 120 metres from the rear of the each lot.
- No more than 200 metres apart.

Hydrants and fire plugs must be compatible with the relevant fire service equipment. Where the provision of fire hydrants and fire plugs does not comply with the requirements of standard C29, fire hydrants must be provided to the satisfaction of the relevant fire authority.

Public lighting objective

To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.
To provide pedestrians with a sense of personal safety at night.
To contribute to reducing greenhouse gas emissions and to saving energy.
Standard C30

Public lighting should be provided to streets, footpaths, public telephones, public transport stops and to major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles.

Public lighting should be designed in accordance with the relevant Australian Standards.

Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.
APARTMENT DEVELOPMENTS

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To encourage apartment development that provides reasonable standards of amenity for existing
and new residents.
To encourage apartment development that is responsive to the site and the surrounding area.

Application
Provisions in this clause apply to an application to construct or extend an apartment development,
or to construct or extend a dwelling in or forming part of an apartment development, if:
- The apartment development is five or more storeys, excluding a basement, and is in the General
  Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone, or
- The apartment development is in the Commercial 1 Zone, Commercial 3 Zone, Special Use
  Zone, Comprehensive Development Zone, Capital City Zone, Docklands Zone, Priority
  Development Zone or Activity Centre Zone.

Operation
The provisions of this clause contain:
- Objectives. An objective describes the desired outcome to be achieved in the completed
development.
- Standards. A standard contains the requirements to meet the objective.
  A standard should normally be met. However, if the responsible authority is satisfied that an
  application for an alternative design solution meets the objective, the alternative design solution
  may be considered.
- Decision guidelines. The decision guidelines set out the matters that the responsible authority
  must consider before deciding if an application meets the objectives.

Requirements
A development:
- Must meet all of the objectives of this clause.
- Should meet all of the standards of this clause.
If a zone or a schedule to a zone, or a schedule to an overlay specifies a requirement different from
a requirement of a standard set out in Clause 58 (excluding Clause 58.04-1), the requirement in
Clause 58 applies.

For Clause 58.04-1 (Building setback):
- If a zone or a schedule to a zone specifies a building setback requirement different from a
  requirement set out in Clause 58.04-1, the building setback requirement in the zone or a schedule
to the zone applies.
- If the land is included in an overlay and a schedule to the overlay specifies a building setback
  requirement different from the requirement set out Clause 58.04-1 or a requirement set out in
  the zone or a schedule to the zone, the requirement for building setback in the overlay applies.
**Application requirements**

An application must be accompanied by:

- An urban context report.
- A design response.

**Urban context report**

The urban context report may use a site plan, photographs or other techniques and must include:

An accurate description of:

- Site shape, size, orientation and easements.
- Levels and contours of the site and the difference in levels between the site and surrounding properties.
- The location and height of existing buildings on the site and surrounding properties.
- The use of surrounding buildings.
- The location of private open space of surrounding properties and the location of trees, fences and other landscape elements.
- Solar access to the site and to surrounding properties.
- Views to and from the site.
- Street frontage features such as poles, street trees and kerb crossovers.
- The location of local shops, public transport services and public open spaces within walking distance.
- Movement systems through and around the site.
- Any other notable feature or characteristic of the site.

An assessment of the characteristics of the area including:

- Any environmental features such as vegetation, topography and significant views.
- The pattern of subdivision.
- Street design and landscape.
- The pattern of development.
- Building form, scale and rhythm.
- Connection to the public realm.
- Architectural style, building details and materials.
- Off-site noise sources.
- The relevant NatHERS climate zones (as identified in Clause 58.03-1).
- Social and economic activity.
- Any other notable or cultural characteristics of the area.

**Satisfactory urban context report**

If the responsible authority decides that the urban context report is not satisfactory, it may require more information from the applicant under Section 54 of the Act.
The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the urban context report meets the requirements of Clause 58.01-2 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

### Design response

The design response must explain how the proposed design:

- Responds to any relevant planning provision that applies to the land.
- Meets the objectives of Clause 58.
- Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme.
- Derives from and responds to the urban context report.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.
**URBAN CONTEXT**

**Urban context objectives**
To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.

To ensure that development responds to the features of the site and the surrounding area.

**Standard D1**
The design response must be appropriate to the urban context and the site.

The proposed design must respect the existing or preferred urban context and respond to the features of the site.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.

**Residential policy objectives**
To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

To support higher density residential development where development can take advantage of public and community infrastructure and services.

**Standard D2**
An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- The design response.

**Dwelling diversity objective**
To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

**Standard D3**
Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.

**Infrastructure objectives**
To ensure development is provided with appropriate utility services and infrastructure.

To ensure development does not unreasonably overload the capacity of utility services and infrastructure.
Standard D4

Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The capacity of the existing infrastructure.

- In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

Integration with the street objective

To integrate the layout of development with the street.

Standard D5

Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.

Development should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Development next to existing public open space should be laid out to complement the open space.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.

- The design response.
SITE LAYOUT

Energy efficiency objectives
To achieve and protect energy efficient dwellings and buildings.
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.
To ensure dwellings achieve adequate thermal efficiency.

Standard D6
Buildings should be:
- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table D1 Cooling load

<table>
<thead>
<tr>
<th>NatHERS climate zone</th>
<th>NatHERS maximum cooling load MJ/M² per annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Climate zone 21 Melbourne</td>
<td>30</td>
</tr>
<tr>
<td>Climate zone 22 East Sale</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 27 Mildura</td>
<td>69</td>
</tr>
<tr>
<td>Climate zone 60 Tullamarine</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 62 Moorabbin</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 63 Warrnambool</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 64 Cape Otway</td>
<td>19</td>
</tr>
<tr>
<td>Climate zone 66 Ballarat</td>
<td>23</td>
</tr>
</tbody>
</table>

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The size, orientation and layout of the site.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.
Communal open space objective
To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.

Standard D7
Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.

Communal open space should:
- Be located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.
- Be designed to protect any natural features on the site.
- Maximise landscaping opportunities.
- Be accessible, useable and capable of efficient management.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.
- The useability and amenity of the communal open space based on its size, location, accessibility and reasonable recreation needs of residents.
- The availability of and access to public open space.

Solar access to communal outdoor open space objective
To allow solar access into communal outdoor open space.

Standard D8
The communal outdoor open space should be located on the north side of a building, if appropriate. At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.

Safety objective
To ensure the layout of development provides for the safety and security of residents and property.

Standard D9
Entrances to dwellings should not be obscured or isolated from the street and internal accessways.
Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.

**Landscaping objectives**

To encourage development that respects the landscape character of the area.

To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.

To provide appropriate landscaping.

To encourage the retention of mature vegetation on the site.

To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect.

**Standard D10**

The landscape layout and design should:

- Be responsive to the site context.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site and integrate planting and water management.
- Allow for intended vegetation growth and structural protection of buildings.
- In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
- Provide a safe, attractive and functional environment for residents.
- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site stormwater infiltration.
- Maximise deep soil areas for planting of canopy trees.

Development should provide for the retention or planting of trees, where these are part of the urban context.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.

Development should provide the deep soil areas and canopy trees specified in Table D2.

If the development cannot provide the deep soil areas and canopy trees specified in Table D2, an equivalent canopy cover should be achieved by providing either:

- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.
Table D2 Deep soil areas and canopy trees

<table>
<thead>
<tr>
<th>Site area</th>
<th>Deep soil areas</th>
<th>Minimum tree provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>750 - 1000 square metres</td>
<td>5% of site area (minimum dimension of 3 metres)</td>
<td>1 small tree (6-8 metres) per 30 square metres of deep soil</td>
</tr>
<tr>
<td>1001 - 1500 square metres</td>
<td>7.5% of site area (minimum dimension of 3 metres)</td>
<td>1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil</td>
</tr>
<tr>
<td>1501 - 2500 square metres</td>
<td>10% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
<tr>
<td>&gt;2500 square metres</td>
<td>15% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
</tbody>
</table>

Note: Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for landscape character and environmental sustainability in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The location and size of gardens and the predominant plant types in the area.
- The health of any trees to be removed.
- The suitability of the proposed location and soil volume for canopy trees.
- The ongoing management of landscaping within the development.
- The soil type and drainage patterns of the site.

Access objective
To ensure the number and design of vehicle crossovers respects the urban context.

Standard D11
The width of accessways or car spaces should not exceed:
- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street. The location of crossovers should maximise the retention of on-street car parking spaces. The number of access points to a road in a Road Zone should be minimised. Developments must provide for access for service, emergency and delivery vehicles.
Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the streetscape.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and footpath.

Parking location objectives

To provide convenient parking for resident and visitor vehicles.
To protect residents from vehicular noise within developments.

Standard D12

Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

Decision guideline

Before deciding on an application, the responsible authority must consider the design response.

Integrated water and stormwater management objectives

To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.
To facilitate stormwater collection, utilisation and infiltration within the development.
To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

Standard D13

Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.
Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant water and stormwater management objective, policy or statement set out in this scheme.
• The design response.
• Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
• Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
• The capacity of the drainage network to accommodate additional stormwater.
• Whether the stormwater treatment areas can be effectively maintained.
• Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.
AMENITY IMPACTS

Building setback objectives
To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area.
To allow adequate daylight into new dwellings.
To limit views into habitable room windows and private open space of new and existing dwellings.
To provide a reasonable outlook from new dwellings.
To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.

Standard D14
The built form of the development must respect the existing or preferred urban context and respond to the features of the site.
Buildings should be set back from side and rear boundaries, and other buildings within the site to:
- Ensure adequate daylight into new habitable room windows.
- Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.
- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.
- Ensure the dwellings are designed to meet the objectives of Clause 58.

Decision Guidelines
Before deciding on an application, the responsible authority must consider:
- The purpose of the zone and/or overlay that applies to the land.
- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.
- The relationship between the proposed building setback and the building setbacks of existing adjacent buildings, including the interface with laneways.
- The extent to which the proposed dwellings are provided with reasonable daylight access through the layout of rooms and the number, size, location and orientation of windows.
- The impact of overlooking on the amenity of existing and proposed dwellings.
- The existing extent of overlooking into existing dwellings and private open space.
- Whether the development meets the objectives of Clause 58.

Internal views objective
To limit views into the private open space and habitable room windows of dwellings within a development.

Standard D15
Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.

Decision guideline
Before deciding on an application, the responsible authority must consider the design response.
Noise impacts objectives

To contain noise sources in developments that may affect existing dwellings.
To protect residents from external and internal noise sources.

Standard D16

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table D3 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table D3 Noise influence area

<table>
<thead>
<tr>
<th>Noise source</th>
<th>Noise influence area</th>
</tr>
</thead>
<tbody>
<tr>
<td>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></th>
<th>Design option A</th>
<th>Design option B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Door opening</td>
<td>A clear 850mm wide door opening.</td>
<td>A clear 820mm wide door opening located opposite the shower.</td>
</tr>
<tr>
<td>Door design</td>
<td>Either:</td>
<td>Either:</td>
</tr>
<tr>
<td></td>
<td>- A slide door, or</td>
<td>- A slide door, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens outwards, or</td>
<td>- A door that opens outwards, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens inwards that is clear of the circulation area and has readily removable hinges.</td>
<td>- A door that opens inwards and has readily removable hinges.</td>
</tr>
<tr>
<td>Circulation area</td>
<td>A clear circulation area that is:</td>
<td>A clear circulation area that is:</td>
</tr>
<tr>
<td></td>
<td>- A minimum area of 1.2 metres by 1.2 metres.</td>
<td>- A minimum width of 1 metre.</td>
</tr>
<tr>
<td></td>
<td>- Located in front of the shower and the toilet.</td>
<td>- The full length of the bathroom and a minimum length of 2.7 metres.</td>
</tr>
<tr>
<td></td>
<td>- Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.</td>
<td>- Clear of the toilet and basin. The circulation area can include a shower area.</td>
</tr>
<tr>
<td>Path to circulation area</td>
<td>A clear path with a minimum width of 900mm from the door opening to the circulation area.</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>Shower</td>
<td>A hobless (step-free) shower.</td>
<td>A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.</td>
</tr>
<tr>
<td>Toilet</td>
<td>A toilet located in the corner of the room.</td>
<td>A toilet located closest to the door opening and clear of the circulation area.</td>
</tr>
</tbody>
</table>

Building entry and circulation objectives
To provide each dwelling and building with its own sense of identity.
To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.
To ensure internal communal areas provide adequate access to daylight and natural ventilation.
**Standard D18**

Entries to dwellings and buildings should:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
  - Include at least one source of natural light and natural ventilation.
  - Avoid obstruction from building services.
  - Maintain clear sight lines.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of internal communal areas based on daylight access and the natural ventilation it will receive.

**Private open space objective**

To provide adequate private open space for the reasonable recreation and service needs of residents.

**Standard D19**

A dwelling should have private open space consisting of:

- An area of 25 square metres, with a minimum dimension of 3 metres at natural ground floor level and convenient access from a living room, or
- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or
- A balcony with an area and dimensions specified in Table D5 and convenient access from a living room, or
- A roof-top area of 10 square metres with a minimum dimension of 2 metres and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.

**Table D5 Balcony size**

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum area</th>
<th>Minimum dimension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio or 1 bedroom dwelling</td>
<td>8 square metres</td>
<td>1.8 metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>8 square metres</td>
<td>2 metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>12 square metres</td>
<td>2.4 metres</td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability and functionality of the private open space, including its size and accessibility.
- The amenity of the private open space based on the orientation of the lot, the wind conditions and the sunlight it will receive.
- The availability of and access to public or communal open space.

**Storage objective**
To provide adequate storage facilities for each dwelling.

**Standard D20**
Each dwelling should have convenient access to usable and secure storage space.
The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D6.

**Table D6 Storage**

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Total minimum storage volume</th>
<th>Minimum storage volume within the dwelling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>8 cubic metres</td>
<td>5 cubic metres</td>
</tr>
<tr>
<td>1 bedroom dwelling</td>
<td>10 cubic metres</td>
<td>6 cubic metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>14 cubic metres</td>
<td>9 cubic metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>18 cubic metres</td>
<td>12 cubic metres</td>
</tr>
</tbody>
</table>

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability, functionality and location of storage facilities provided for the dwelling.
**DETAILED DESIGN**

**Common property objectives**
To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.

To avoid future management difficulties in areas of common ownership.

**Standard D21**
Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

**Site services objectives**
To ensure that site services can be installed and easily maintained.

To ensure that site facilities are accessible, adequate and attractive.

**Standard D22**
The design and layout of dwellings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.

Mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

Mailboxes should be provided and located for convenient access as required by Australia Post.

**Decision guideline**
Before deciding on an application, the responsible authority must consider the design response.

**Waste and recycling objectives**
To ensure dwellings are designed to encourage waste recycling.

To ensure that waste and recycling facilities are accessible, adequate and attractive.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

**Standard D23**
Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
  - Adequate in size, durable, waterproof and blend in with the development.
  - Adequately ventilated.
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.

- Adequate facilities for bin washing. These areas should be adequately ventilated.

- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.

- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.

- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.

- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.

- Any relevant waste and recycling objective, policy or statement set out in this scheme.
INTERNAL AMENITY

Functional layout objective
To ensure dwellings provide functional areas that meet the needs of residents.

Standard D24
Bedrooms should:

- Meet the minimum internal room dimensions specified in Table D7.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Table D7 Bedroom dimensions

<table>
<thead>
<tr>
<th>Bedroom type</th>
<th>Minimum width</th>
<th>Minimum depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main bedroom</td>
<td>3 metres</td>
<td>3.4 metres</td>
</tr>
<tr>
<td>All other bedrooms</td>
<td>3 metres</td>
<td>3 metres</td>
</tr>
</tbody>
</table>

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D8.

Table D8 Living area dimensions

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum width</th>
<th>Minimum area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio and 1 bedroom dwelling</td>
<td>3.3 metres</td>
<td>10 sqm</td>
</tr>
<tr>
<td>2 or more bedroom dwelling</td>
<td>3.6 metres</td>
<td>12 sqm</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and amenity of habitable rooms.

Room depth objective
To allow adequate daylight into single aspect habitable rooms.

Standard D25
Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
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.
If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard the schedule to the zone applies.

**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant urban design and built form policy set out in the scheme.
- Whether the movement of pedestrians and cyclists, and vehicles providing for supplies and waste removal are appropriately accommodated.
- Whether the design complements the built form of the surrounding properties and the streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- Whether the land and building have availability of and connection to services.
- Whether the proposed development adversely impacts the amenity of the land and the locality including existing dwellings on adjoining sites.
- Whether the proposed development appropriately provides for landscaping.
- Whether the proposed development adversely affects solar access to existing open spaces and public places.
- Whether the proposal meets the car parking requirements specified in Clause 52.06 or in the schedule to the Parking Overlay.
- Whether the proposal meets the maximum building height specified in the schedule to the zone.
- Whether the proposal meets any relevant requirements specified in the zone or the schedule to the zone.
- Whether the proposal is consistent with any relevant approved development plan or incorporated plan.
- The objectives set out in the schedule to the zone.
- Whether the proposal provides adequate vehicle loading and unloading facilities.
- For land in a residential zone:
  - Whether the proposed development is consistent with any neighbourhood character objectives set out in the schedule to the zone.
  - Whether the development is compatible with residential use.
  - The scale and intensity of the development.
  - The design, height, setback and appearance of the proposed buildings and works.
BUILDINGS AND WORKS IN AN OVERLAY

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location, height and design of the proposed buildings and works including details of materials.
  - The location of any existing buildings, including fences and trees.
  - For land in a Neighbourhood Character Overlay, any buildings proposed to be demolished.
- For land in a Neighbourhood Character Overlay, a written description of the proposal including:
  - The built form and character of adjoining and nearby buildings.
  - How the proposal responds to the key features and objectives specified in the schedule to the overlay.
  - If demolition is proposed, the reason for the demolition.
  - How the proposal meets the requirements of Clause 54.02-1, 54.02-2, 54.03-1, 54.03-2, 54.03-3, 54.03-4, 54.04-1, 54.04-2, 54.04-3, 54.04-4, 54.06-1, 54.06-2, including any Clause 54 modification specified in the schedule to the overlay.
- For land in a Design and Development Overlay, a written description of the proposal including:
  - How the proposal responds to the design objectives specified in a schedule to the overlay.
  - How the proposal meets the requirements specified in a schedule to the overlay.
  - The built form and character of adjoining and nearby buildings.
- A photograph of the building or area affected by the proposal.
- For land in an Erosion Management Overlay, information showing:
  - The extent of any proposed earthworks.
  - The means proposed to stabilise disturbed areas.
- For an application under the Salinity Management Overlay, written advice including plan references and any conditions from the referral authority demonstrating that the referral authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the buildings and works will adversely affect that significance or the objectives.
- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.
- For an application in a Salinity Management Overlay, any comments from the relevant referral authority.
• For an application in a Neighbourhood Character Overlay, the relevant objectives, standards and decision guidelines of Clause 54.
• Any relevant decision guideline specified in the overlay and the schedule to the overlay.
REMOVE, DESTROY OR LOP A TREE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- If the tree to be removed, destroyed or lopped is identified as a significant tree in a schedule to the overlay, a report prepared by an arborist.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape, size and slope of the site.
  - The location of the tree to be removed, destroyed or lopped.
  - The location and type of other significant vegetation on the site.
  - The location, species and height of any significant trees on the site that have been removed or approved to be removed in the past 3 years.
- A written statement that describes:
  - The species, height and trunk girth of the tree to be removed, destroyed or lopped.
  - The reason the tree is to be removed, destroyed or lopped.
  - If provision is to be made to replace the tree elsewhere on the land.
  - If the tree is to be lopped, the extent of lopping proposed.
  - Any impacts on the significance of the area.
- A photograph of the tree to be removed, destroyed or lopped.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the proposal will adversely affect that significance or the objectives.
- Whether the tree proposed to be removed, destroyed or lopped contributes to the significance of the area and whether the proposal will adversely affect that significance.
- Whether the removal or lopping of the tree is needed because of the health of the tree.
- Whether the lopping of the tree will adversely affect the health, appearance or significance of the tree.
- Whether the removal of the tree will contribute to soil erosion, slippage or salinisation.
- Whether the removal or lopping of the tree is needed to create a defendable space to reduce the risk of bushfire to life and property.
- If the tree is a native tree, its role in conserving flora and fauna and whether the proposal will adversely affect the conservation of flora and fauna of the area.
- Whether provision is made to plant a new tree elsewhere on the land.
- The reasons for removing the tree including the health of the tree to be removed.
- The cumulative impact of the number of trees that have been removed or been approved for removal in the past 3 years.
- Any relevant decision guideline specified in the overlay or the schedule to the overlay.
APPLICATIONS UNDER A HERITAGE OVERLAY

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.

- A plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, including fences and trees.
  - The location, height and design of the proposed building or works including details of proposed materials.
  - Any buildings to be demolished.
  - An elevation of the proposed building.
  - The size and design of any proposed sign, including details of the supporting structure and any proposed illumination.
  - The location, style, size, colour and materials of any proposed solar energy facility (that is visible from the street frontage or any nearby public park), including details of the supporting structure.

- A written description of the proposal including:
  - Any impacts on the significance of the heritage place.
  - How the proposal responds to any relevant local heritage policy set out in the scheme.
  - If lopping of a tree is proposed, the reason for the lopping, the extent of lopping and an arborist report.

- The proposed colour schedule and nature of any materials and finishes.

- A photograph of the area affected by the proposal including any building, outbuilding, fence or tree which may be affected by the proposal.

- A photograph of the subject site and adjoining properties along the street frontage.

- If subdivision is proposed, the location, shape and size of the proposed lots to be created.

- If a sign is proposed:
  - The location, size and design of the proposed sign on the site or building.
  - The location and size of existing signage on the site including details of any signs to be retained or removed.

- If a solar energy facility is proposed that is visible from the street frontage or any nearby public park:
  - Measures proposed to minimise the visibility of the facility and protect the structural integrity of heritage features.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

General

- The significance of the heritage place and whether the proposal will adversely affect that significance.
Any applicable statement of significance, heritage study and any applicable conservation policy.

Whether the proposal will adversely affect the character or appearance of the building or heritage place.

Whether the proposal meets any relevant local heritage policy set out in the scheme.

**Demolition**
- Whether the outbuilding to be demolished contributes to the significance, character or appearance of the building or heritage place.

**Buildings and works**
- Whether the location, bulk, form and appearance of the proposed building or works will adversely affect the significance of the building or heritage place.
- Whether the proposed building or works will affect the health or appearance of a tree which is the subject of a Heritage Overlay.

**Alterations**
- Whether the proposed alterations will restore or reconstruct original fabric which has been removed or damaged.
- Whether the proposed alterations will adversely affect the significance, character and appearance of the heritage place.

**Fences**
- Whether the fence proposed to be demolished contributes to the significance, character and appearance of the building or heritage place.
- Whether the proposed fence, including its style, height and materials, is appropriate to the building or heritage place.

**Trees**
- Whether the proposed lopping will adversely affect the health, appearance or significance of the tree.

**Subdivision**
- Whether the proposed subdivision retains the significant setting (landscapes, landscape features and views) of the heritage place.
- Whether the proposed subdivision respects the rhythm and spacing of buildings in the streetscape.
- Whether the proposed subdivision will result in a new boundary fence, wall or structure that adversely affects the setting of the heritage place.

**Signage**
- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.
APPLICATIONS UNDER A SPECIAL BUILDING OVERLAY

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - The layout, size and use of existing and proposed buildings and works, including floor plan layout and vehicle parking areas.
  - Setbacks between existing and proposed buildings and site boundaries.
  - Natural surface levels of the site to Australian Height Datum.
  - Floor and surface levels of any existing and proposed buildings and works to Australian Height Datum.
  - Cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.
  - If subdivision is proposed, the location, shape and size of the proposed lots to be created.
- If a referral to the floodplain management authority is required, written advice, including endorsed plans of the proposal and any conditions, from the relevant floodplain management authority demonstrating that the floodplain management authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Clauses 13.01 and 13.03 of the Planning Policy Framework.
- Whether the proposal is consistent with any local floodplain development plan for the area incorporated into this scheme.
- If a referral to the floodplain management authority is required, any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The flood risk including:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessways.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
SIGNs

Information requirements

An application must be accompanied by the following information, as appropriate:

• A copy of title for the subject land and a copy of any registered restrictive covenant.

• A site context report, using a site plan, photographs or other methods to accurately describe:
  - The location of the proposed sign on the site or building and distance from property boundaries.
  - The location and size of existing signs on the site including details of any signs to be retained or removed.
  - The location and form of existing signs on adjoining properties and in the locality.
  - The location of closest traffic control signs.
  - Identification of any view lines or vistas that could be affected by the proposed sign.

• The dimensions, height above ground level and extent of projection of the proposed sign.

• The height, width and depth of the total sign structure including the method of support and any associated structures such as safety devices and service platforms.

• The colour, lettering style and materials of the proposed sign.

• The size of the proposed display (total display area including all sides of a multi-sided sign).

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

• Whether the proposal is consistent with any relevant local advertising policy set out in the scheme.

• Whether the proposal will impact the character of the area including:
  - Natural environment, heritage, waterway, open space and rural landscape values.
  - The desired future character of the area.
  - The cumulative impact of signs on the character of an area.
  - The need to avoid visual disorder or clutter of signs.

• Whether the proposal will impact views and vistas including:
  - Important views from the public realm.
  - Significant public views.
  - Views to existing signs.

• Whether the proportion, scale and form of the proposed sign relates to the site, building, streetscape, setting or landscape including:
  - The position of the proposed sign, including if it protrudes above existing buildings or landscape and natural elements.
  - Screening of unsightly elements.
  - The number, scale and location of existing signs.
  - The ability to rationalise or simplify the number of signs.
  - The ability to include landscaping to reduce the visual impact of the proposed sign structure.
- The extent to which the proposed sign requires the removal of vegetation.
  - Whether the proposed sign is consistent with any outdoor advertising theme.
  - Whether there is a need for identification and the opportunities for adequate identification on the site or locality.
  - Whether the proposed sign will adversely impact road safety.
**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 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 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>
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</tr>
</tbody>
</table>

Table 3 Classes of VicSmart application under Particular Provisions

<table>
<thead>
<tr>
<th>Name of particular provision</th>
<th>Class of application</th>
<th>Permit requirement provision</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMA应用 TPC 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 1 TO CLAUSE 59.16 INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

1.0 Information requirements

None specified

2.0 Decision guidelines

None specified
GENERAL PROVISIONS

This section sets out provisions about existing uses, decision guidelines, referral of applications and other matters.
GENERAL EXEMPTIONS
USES NOT REQUIRING A PERMIT

Any requirement in this scheme relating to the use of land, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- The use of land for a Road except within the Urban Floodway Zone and a Public Conservation and Resource Zone.
- The use of land for Natural systems.
- The use of land in a road if the use is associated with the use of adjoining land and is authorised by the Council under a local law.
- The use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.
- The use of land for wind measurement by an anemometer for three years or less.
- The use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.
- The use of land for a carnival or circus if the requirements of A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997 are met.
- The use of land for apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
- The use of land for temporary portable land sales office located on the land for sale.
- The use of land for a Telecommunications facility if the associated buildings and works meet the requirements of Clause 52.19.
- The use of land for a helicopter landing site if the use meets the requirements of Clause 52.15-1.
- The use of land for a minor utility installation.
- The use of land to display a sign.
- The use of land for power lines and electrical sub-stations associated with an energy generation facility or geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157.
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 any Act.
- Buildings or works with an estimated cost of $1,000,000 or less carried out by or on behalf of a municipality.
- Maintenance works carried out by a municipality or public authority to prevent or alleviate flood damage.
- An anemometer located on a site for three years or less.
- Buildings and works associated with a use on adjoining land or street trading if authorised under a local law.
- Gardening.
- Buildings and works associated with a minor utility installation.
- Power lines and electrical sub-stations associated with an Energy generation facility or Geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157.
- Buildings or works which are a modification necessary to comply with a direction under the Dangerous Goods Act 1985 or the Occupational Health and Safety Act 2004 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.
- Buildings and works associated with a telecommunications facility if the requirements of Clause 52.19 are met.
- Buildings and works associated with a dam if a licence is required to construct the dam or to take and use water from the dam under the Water Act 1989.
- Buildings and works associated with a carnival or circus if the requirements of A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997 are met.
- Buildings and works associated with apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
- A temporary portable classroom associated with an education centre located on a site for three years or less.
- A temporary shed or temporary structure for construction purposes, or a temporary portable land sales office located on the land for sale.
- A children’s cubbyhouse.
- External lighting normal to a dwelling.
- The construction, alteration, removal or demolition of an observational bore where a licence has been issued for those works under Part 5 of the Water Act 1989.
Any works associated with the use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.

A crop support or protection structure associated with horticulture, including a trellis, cloche, net and shadecloth. It does not include a structure with a solid roof or solid wall such as a glass house or igloo.

An annexe attached to a movable caravan located on land used for a camping and caravan park.

Works associated with geotechnical testing or service proving.

Buildings and works associated with the use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.

The construction of or putting up for display a sign consistent with the requirements of Clause 52.05-10.

Buildings and works not requiring a permit unless specifically required by the planning scheme

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- A fence.
- The construction of or putting up for display a sign (except for a sign consistent with the requirements of Clause 52.05-10 which is provided for in Clause 62.02-1).
- Roadworks.
- Street furniture including post boxes, telephone booths, fire hydrants, bus shelters, shade sails, traffic control devices and public toilets.
- Park furniture including seating, tables, shelters, rubbish bins, playground equipment, barbeques, shade sails, drinking fountains and public toilets.
- Furniture and works normally associated with an education centre including, but not limited to, outdoor furniture, playground equipment, art works, drinking fountains, rubbish bins and landscaping.
- Disability access and disability facilities associated with an education centre (not including a lift external to a building).
- Art work that is carried out by or on behalf of a public land manager.
- Oil pipelines.
- Buildings and works associated with a dependent person’s unit.
- The internal rearrangement of a building or works provided the gross floor area of the building, or the size of the works, is not increased and the number of dwellings is not increased.
- Repairs and routine maintenance to an existing building or works.
- Domestic services normal to a dwelling.
- A rainwater tank with a capacity of not more than 10,000 litres.
- Bicycle pathways and trails.
- A television antenna.
- A flagpole.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- An open-sided pergola or verandah to a dwelling with a finished floor level not more than 800 mm above ground level and a maximum building height of three metres above ground level.
- A deck to a dwelling with a finished floor level not more than 800 mm above ground level.
- A disabled access ramp.
- Any works necessary to prevent soil erosion, or to ensure soil conservation or reclamation.
- A solar energy facility attached to a building that primarily services the land on which it is situated.
- Buildings and works associated with cat cages and runs, bird cages, dog houses, and other domestic animal enclosures associated with the use of the land as a dwelling.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.
- An electric vehicle charging station.

This does not apply if a permit is specifically required for any of these matters.

**Vegetation removal**

Any requirement in this scheme relating to the construction or carrying out of works does not apply to the removal, destruction or lopping of trees and the removal of vegetation.

This does not apply if a permit is specifically required to remove, destroy or lop trees or to remove vegetation.
EVENTS ON PUBLIC LAND

Any requirement in this scheme relating to the use of land or the construction of a building or the construction or carrying out of works does not apply to:

- an event on public land; or
- temporary buildings or works required for the event;

where that event has been authorised by the public land manager or by the council under a local law.

An event includes land used to provide temporary cultural or community activities and entertainment such as a concert, festival or exhibition.

This does not apply to public land where a local provision of this scheme specifically regulates an event for a particular site.
SUBDIVISIONS NOT REQUIRING A PERMIT

Any requirement in this scheme relating to the subdivision of land does not apply to:

- A subdivision by an authority acquiring the land which does not create an additional lot.
- A subdivision by a public authority or utility service provider which does not create an additional lot other than for the sole purpose of a minor utility installation. This does not apply if a permit is required to subdivide land under any overlay.
- A subdivision by an authority acquiring the land which creates additional lots if the additional lots are severed parcels of land without legal access to an existing road and the additional lots are retained by the acquiring authority or sold to an abutting land owner on the condition that the lot be consolidated with abutting land.
- A subdivision which realigns the common boundary between two lots if all the land is in one urban zone and any of the following apply:
  - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is more than 230 square metres, and the area of either lot is reduced by less than 30 square metres.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is 230 square metres or less, and the area of either lot is reduced by less than 5 percent or by less than 30 square metres, which ever is lesser.
  - The new boundary coincides with a boundary fence that is more than five years old. This does not apply if all the land is in one ownership.
- A subdivision which realigns the common boundary between two lots if all the land is in one non-urban zone, the re-subdivision does not allow the number of dwellings the whole of the land could be used for under this scheme to increase, and any of the following apply:
  - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, and no part of the boundary is moved more than 1 metre. This does not apply if the area of the smaller lot would be less than the area specified by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, the new boundary coincides with the location of a fence that is more than 5 years old, and no part of the boundary is moved more than three metres.
DEMOLITION

A permit is not required for the demolition or removal of a building or works unless a permit is specifically required for demolition or removal.
EXTENT OF EXISTING USE RIGHTS

An existing use right is established in relation to use of land under this scheme if any of the following apply:

- The use was lawfully carried out immediately before the approval date.
- A permit for the use had been granted immediately before the approval date and the use commences before the permit expires.
- A permit for the use has been granted under Clause 63.08 and the use commences before the permit expires.
- Proof of continuous use for 15 years is established under Clause 63.11.
- The use is a lawful continuation by a utility service provider or other private body of a use previously carried on by a Minister, government department or public authority, even where the continuation of the use is no longer for a public purpose.
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.
This page contains information about the Hume Planning Scheme, specifically Section 63.08 titled "ALTERNATIVE USE". The text explains that if land is used for a use in Section 3 of a zone for which an existing use right is established, a permit may be granted to use the land for an alternative use which does not comply with this scheme. The responsible authority must be satisfied that the use of the land for the alternative use will be less detrimental to the amenity of the locality.
SHOP CONDITIONS

A permit must not be granted to:

- Construct or carry out a building or works under Clause 63.05 for a shop with a leasable floor area exceeding 500 square metres.
- Use land under Clause 63.08 for a shop with a leasable floor area exceeding 500 square metres.
DAMAGED OR DESTROYED BUILDINGS OR WORKS

If at least 50 percent of the gross floor area of a building or at least 50 percent of the area of any works is damaged or destroyed so that the use cannot continue without the building or works being reconstructed, the land must be used in conformity with this scheme, unless a permit is granted to continue the use, and to construct or carry out buildings or works.
PROOF OF CONTINUOUS USE

If, in relation to an application or proceeding under the Act or this scheme, including an application for a certificate of compliance under Section 97N of the Act, the extent of any existing use right for a period in excess of 15 years is in question, it is sufficient proof of the establishment of the existing use right if the use has been carried out continuously for 15 years prior to the date of the application or proceeding.

An existing use right may be established under this clause even if the use did not comply with the scheme immediately prior to or during the 15 year period, unless either:

- At any time before or after commencement of the 15 year period the use has been held to be unlawful by a decision of a court or tribunal.
- During the 15 year period, the responsible authority has clearly and unambiguously given a written direction for the use to cease by reason of its non-compliance with the scheme.
DECISION GUIDELINES

Before deciding on an application under Clause 63.05, 63.08 or 63.10, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider the extent to which compliance can be achieved with all scheme requirements that can reasonably be met.
LAND USED FOR MORE THAN ONE USE

If land is used for more than one use and one is not ancillary to the other, each use must comply with this scheme.
LAND USED IN CONJUNCTION WITH ANOTHER USE

If a provision of this scheme provides that a use of land must be used ‘in conjunction with’ another use of the land:

- there must be an essential association between the two uses; and
- the use must have a genuine, close and continuing functional relationship in its operation with the other use.
SUBDIVISION OF LAND IN MORE THAN ONE ZONE

If a provision of this scheme provides that a permit is required to subdivide land and the land is in more than one zone a permit may be granted even if one of the lots does not comply with the minimum lot size requirements of a zone.

Permit Requirement

A permit may be granted to create one lot smaller than specified in the scheme if all of the following are met:

- The lot to be subdivided is in more than one zone and cannot comply with the minimum lot area specified in the scheme.
- The proposed subdivision does not create lots where any lot extends into more than one zone. This does not apply to any lots created for the following purposes:
  - To comply with the requirements of the Urban Floodway Zone.
  - To provide access to a road.
- The remainder of the proposed lots must comply with the minimum lot area specified in the scheme.
DECISION GUIDELINES

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.
APPROVAL OF AN APPLICATION OR PLAN

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

This clause does not apply to a VicSmart application.
APPROVAL OF AN APPLICATION TO SUBDIVIDE LAND

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any body corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

This clause does not apply to a VicSmart application.
REFERRAL AND NOTICE PROVISIONS

Scope

These provisions set out the types of applications which must be referred under Section 55 of the Act or for which notice must be given under Section 52(1)(c) of the Act. The provisions do not apply to the seeking of advice about an application or where a responsible authority may choose to give notice under another sub-section of Section 52(1) of the Act.

These provisions also specify when a plan must be referred under Section 8(1)(a) of the Subdivision Act 1988.

Referrals

Applications of the kind listed in Clauses 66.01, 66.02, 66.03 and 66.04 must be referred to the person or body specified as a referral authority in accordance with Section 55 of the Act.

Any requirement for referral under this or another clause does not apply if in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the referral authority, or the referral authority has considered the proposal for which the application is made within the past three months and has stated in writing that it does not object to the granting of the permit for the proposal.

Notice

Notice of an application of the kind listed below in Clauses 66.05 and 66.06 must be given in accordance with Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified.

Any requirement for notice under this or another clause does not apply if, in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the person or body to be notified.
**SUBDIVISION REFERRALS**

An application of the kind listed in the table below must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To subdivide land other than:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A boundary realignment.</td>
<td>The relevant water, drainage or sewerage authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- The subdivision of an existing building already connected to services.</td>
<td>The relevant electricity supply or distribution authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A two lot subdivision.</td>
<td>The relevant gas supply authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- The subdivision of land into lots each containing an existing dwelling or car parking space.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Country Fire Authority</td>
<td>Determining referral authority</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></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Minister administering the Land Act 1958</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></td>
<td></td>
</tr>
<tr>
<td></td>
<td>The relevant gas supply authority</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></td>
<td></td>
</tr>
<tr>
<td></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></td>
<td></td>
</tr>
<tr>
<td></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></td>
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<tr>
<td></td>
<td>The Executive Director specified in the Heritage Act 2017</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

**Note:** A subdivision which does not require referral under Clause 66.01 must be referred if it is listed as a requirement under any other provision of Clause 66.

**Mandatory conditions for subdivision permits**

A permit for subdivision must contain the following conditions:

The owner of the land must enter into an agreement with:

- a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider’s requirements and relevant legislation at the time; and

- a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:

- a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider’s requirements and relevant legislation at the time; and
a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

This requirement does not apply to a permit granted to:

- Subdivide land in a rural zone, public land zone, Urban Floodway Zone or Special Use Zone if the responsible authority is satisfied that connection to telecommunication services is not warranted.
- Realign the common boundary between two lots (boundary realignment).
- Subdivide an existing building already connected to telecommunication services.

A permit granted to subdivide land in a manner that does not require referral under Clause 66.01 must contain the following conditions:

- The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority’s requirements and relevant legislation at the time.
- All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
- The plan of subdivision submitted for certification under the *Subdivision Act 1988* must be referred to the relevant authority in accordance with Section 8 of that Act.

This requirement does not apply to a permit granted to subdivide land into lots each containing an existing dwelling or car parking space.

### Referrals under the Subdivision Act – certification of plans

For the purpose of Section 8(1)(a) of the *Subdivision Act 1988* referral of a plan is required if:

- A referral is required by a permit issued under this scheme. The plan must be referred to the relevant referral authority.
- A plan creates, varies or removes an easement or restriction likely to be of interest to a referral authority. The plan must be referred to the relevant referral authority.
- The only access to a lot on a plan is over Crown land and the Minister administering the *Land Act 1958* has not consented or provision has not been made for a road to be reserved or proclaimed. The plan must be referred to that Minister.
- In the opinion of the Council the plan may affect existing sewerage, water, drainage or other works. The plan must be referred to the referral authority responsible for those works.
USE AND DEVELOPMENT REFERRALS

An application of the kind listed in the tables below must be referred to the person or body specified as the referral authority. The tables below specify whether the referral authority is a determining referral authority or a recommending referral authority.

**Works approval or licence**

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>For a use or development requiring any of the following:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Works approval in accordance with Section 19A of the Environment Protection Act 1970.</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A licence to discharge or emit waste in accordance with Section 20 of the Environment Protection Act 1970.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Amendment of a licence under Section 20A of the Environment Protection Act 1970.</td>
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<td></td>
</tr>
</tbody>
</table>

**Native vegetation**

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>- To remove, destroy or lop native vegetation in the Detailed Assessment Pathway as defined in the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017).</td>
<td>Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987)</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>- To remove, destroy or lop native vegetation if a property vegetation plan applies to the site.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- To remove, destroy or lop native vegetation on Crown land which is occupied or managed by the responsible authority.</td>
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<td></td>
</tr>
</tbody>
</table>

**Cattle feedlot**

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for a cattle feedlot.</td>
<td>Minister for Agriculture</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>If the site is located within a special water supply catchment area under the Catchment and Land Protection Act 1994, the relevant water authority under the Water Act 1989 and the Secretary to the Department administering the Catchment and Land Protection Act 1994</td>
<td>Determining referral authority</td>
<td></td>
</tr>
<tr>
<td>If the number of cattle is 5000 or more, the Environment Protection Authority</td>
<td>Determining referral authority</td>
<td></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>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>
</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: 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

<table>
<thead>
<tr>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authority</td>
<td></td>
</tr>
</tbody>
</table>

- A notification is required under the Occupational Health and Safety Regulations 2007.
- A licence is required under the Dangerous Goods (Explosives) Regulations 2011.
- A licence is required under Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture.

#### 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

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for stone extraction.</td>
<td>Secretary to the Department administering the <strong>Heritage Act</strong> 1995.</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

Secretary to the Department administering the **Mineral Resources (Sustainable Development) Act** 1990.

- To use or develop land for stone extraction on Crown land or land abutting Crown land, other than a government road.

Secretary to the Department administering the **Land Act 1958, Crown Land (Reserves) Act 1978, National Parks Act 1975 and Forests Act 1958.**

Determining referral authority

- To use or develop land for stone extraction:
  - In Special Areas declared under Section 27 of the **Catchment and Land Protection Act** 1994.

Secretary to the Department administering the **Catchment and Land Protection Act** 1994.

Determining referral authority
<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>- On land where the use or development involves the removal or destruction of native vegetation if the total area to be cleared is 10 hectares or greater.</td>
<td>Secretary to the Department administering the Flora and Fauna Guarantee Act 1988</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- On land which has been identified in this scheme as being subject to high erosion risk or areas identified as being subject to salinity management.</td>
<td>Secretary to the Department administering Section 201 of the Water Act 1989</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- To use or develop land for stone extraction:</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- In areas with communities or taxa listed or critical habitat determined under the Flora and Fauna Guarantee Act 1988.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- On land which has been identified in this scheme as containing sites of flora or fauna significance.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- To use or develop land for stone extraction on land which has been identified in this scheme as flood prone.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- On land which abuts a local road which intersects with a road declared as a freeway or an arterial road under the Road Management Act 2004 and if the development is expected to increase traffic movement at the intersection of the local road and the declared road by ten percent or more.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- On land which abuts a road declared as a freeway or an arterial road under the Road Management Act 2004. This does not apply to a development which generates less than one hundred commercial trips per day, with roadworks at the entrance to the site built in accordance with the requirements of the Roads Corporation and the declared road is not a freeway.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

HUME PLANNING SCHEME
### Geothermal energy extraction

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for geothermal energy extraction.</td>
<td>Secretary to the Department administering the <em>Geothermal Energy Resources Act 2005</em></td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Greenhouse gas sequestration

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for greenhouse gas sequestration.</td>
<td>Secretary to the Department administering the <em>Greenhouse Gas Geological Sequestration Act 2008</em></td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Integrated Public Transport Planning

An application to subdivide land, to construct a building or to construct or carry out works for any of the following:

- A residential development comprising 60 or more dwellings or lots.
- A residential building comprising 60 or more lodging rooms.
- A residential village comprising 60 or more dwellings.
- A retirement village comprising 60 or more dwellings or lots.
- A new retail premises of 4000 or more square metres of leasable floor area.
- An increase of more than 1000 square metres to the leasable floor area of an existing retail premises which is 4000 or more square metres leasable floor area.
- An office development of 10,000 or more square metres of leasable floor area.
- A place of assembly comprising 400 or more seats or 600 or more square metres of gross floor area.
- An education centre.
- A major sports and recreation facility.
- Any alteration or development of public transport infrastructure or stops, unless undertaken for the Head, Transport for Victoria.

This does not apply to:

- Buildings and works associated with an existing place of assembly, education centre, major sports and recreation facility or retirement village.
- A development consistent with an adopted Structure Plan that has been prepared in consultation with and endorsed by the Head, Transport for Victoria.
### 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>
**REFFERAL OF PERMIT APPLICATIONS UNDER OTHER STATE STANDARD PROVISIONS**

An application of the kind listed in the table below, where the planning scheme includes the specified clause, must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 36.03-5 (PCRZ)</td>
<td>An application for the use or development of an Emergency services facility.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 37.03-5 (UFZ)</td>
<td>An application under the zone within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>An application under the zone outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 37.07-5 (UGZ)</td>
<td>An application under the zone within Metropolitan Melbourne.</td>
<td>Victorian Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>An application under the zone outside Metropolitan Melbourne.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 44.02-8 (SMO)</td>
<td>An application under the overlay and any site capability report.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 44.03-6 (FO)</td>
<td>An application under the overlay within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>An application under the overlay outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 44.04-7 (LSIO)</td>
<td>An application under the overlay within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>An application under the overlay outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 44.05-6 (SBO)</td>
<td>An application under the overlay within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause</td>
<td>Kind of application</td>
<td>Referral authority</td>
<td>Type of referral authority</td>
</tr>
<tr>
<td>--------------</td>
<td>--------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td></td>
<td>An application under the overlay outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
</tbody>
</table>
| Clause 44.06-6 (BMO) | An application to construct a building or carry out works associated with a dwelling. This does not apply to a non habitable outbuilding that meets the following requirements:  
- The outbuilding is ancillary to a dwelling,  
- 10 metres of defendable space is provided around the outbuilding in accordance with the vegetation management requirements at Table 6 of Clause 53.02,  
- The canopy of each tree within the defendable space is separated by at least 2 metres, and  
- Where the outbuilding is located less than 10 metres from a dwelling the outbuilding construction requirements at Table 7 of Clause 53.02 are met. | Relevant fire authority | Recommending referral authority |
<p>|              | An application to subdivide land.                                                    | Relevant fire authority                                     | Recommending referral authority |
|              | An application under the overlay other than an application to construct a building or carry out works associated with a dwelling or an application to subdivide land. | Relevant fire authority                                     | Determining referral authority   |
| Clause 44.07-4 (SRO) | An application of the kind specified in a schedule to the overlay.                  | Referral authority specified in a schedule to the overlay | Determining referral authority   |
| Clause 45.01-3 (PAO) | An application under the overlay.                                                    | Acquiring authority specified in the schedule to the overlay | Determining referral authority   |
| Clause 45.07-6 (CLPO) | An application under the overlay.                                                    | Roads Corporation                                           | Determining referral authority   |
| Clause 52.05 | An application to display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the Road Management Act 2004. | Roads Corporation                                           | Determining referral authority   |
| Clause 52.27 | An application under the Clause in association with a bar, hotel or nightclub that is to operate after 1am. | Victorian Commission for Gambling and Liquor Regulation     | Determining referral authority   |</p>
<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 52.29</td>
<td>An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or an arterial road under the 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>Referral authority type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 2.0 of Schedule 4 to Clause 37.01 (SUZ)</td>
<td>An application for use, or buildings or works so long as the requirements of Clause 45.08 apply</td>
<td>Australia Pacific Airports (Melbourne) Pty Ltd</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 3.0 of Schedule 4 to Clause 37.01 (SUZ)</td>
<td>An application for subdivision so long as the requirements of Clause 45.08 apply</td>
<td>Australia Pacific Airports (Melbourne) Pty Ltd</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 4.0 of Schedule 4 to Clause 37.01 (SUZ)</td>
<td>An application for buildings and works so long as the requirements of Clause 45.08 apply</td>
<td>Australia Pacific Airports (Melbourne) Pty Ltd</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Schedule to Clause 52.03 – Melbourne Airport – Future Runway Development Plan, May 2007</td>
<td>All applications</td>
<td>Secretary to the Department of Economic Development, Jobs, Transport and Resources</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 5.0 of Schedule 10 to Clause 42.01 (ESO)</td>
<td>An application required under Schedule 10 to Clause 42.01.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 5.0 of Schedule 11 to Clause 42.01 (ESO)</td>
<td>An application required under Schedule 11 to Clause 42.01.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 8.0 of Schedule 1 to Clause 37.07 (UGZ)</td>
<td>To use, subdivide or consolidate land, to construct a building or construct or carry out works, or to demolish a building or works. This does not apply to an application for a sign, fence, road works or unenclosed building or works ancillary to a dwelling.</td>
<td>The relevant water board or water supply authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 3.0 of Schedule 2 to Clause 37.07 (UGZ)</td>
<td>An application for residential subdivision on land shown within the Greenvale Reservoir Protection Area as depicted on Plan 5 of the Greenvale North R1 Precinct Structure Plan.</td>
<td>Melbourne Water</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 8.0 of Schedule 4 to Clause 37.07 (UGZ)</td>
<td>An application to subdivide land or construct a building or carry out works (where the value of those works is in excess of $500,000) on land in a local town centre</td>
<td>Metropolitan Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause</td>
<td>Kind of application</td>
<td>Referral authority</td>
<td>Referral authority type</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>--------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>Clause 5.0 of Schedule 9 to Clause 42.01 (ESO)</td>
<td>All applications</td>
<td>The relevant water storage manager</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 8.0 of Schedule 5 to 37.07 (UGZ)</td>
<td>An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land in the Lockerbie Principal Town Centre and within the local town centres.</td>
<td>Metropolitan Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>None specified</td>
<td>An application to subdivide land or construct a building or carry out works within 250 metres of the premises boundary described in EPA licence 45279 affecting 600 Sunbury Road, Bulla, issued under section 20 of the Environment Protection Act 1970.</td>
<td>Minister administering the Mineral Resources (Sustainable Development) Act 1990</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Schedule 9 to Clause 37.07 (UGZ)</td>
<td>An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land shown as Harpers Creek Local Town Centre or Redstone Hill Major Town Centre must be referred in accordance with section 55 of the Act to the Victorian Planning Authority.</td>
<td>Victorian Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Schedule 10 to Clause 37.01 (SUZ)</td>
<td>An application to subdivide land, use land or construct a building or carry out works required under Schedule 10 to Clause 37.01.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Schedule 9 to Clause 37.07 (UGZ)</td>
<td>An application to subdivide land, or construct a building of carry out works on land within 500m of the Extractive Works Area boundary must be referred in accordance with Section 55 of the Planning and Environment Act 1987.</td>
<td>Secretary to the Department administering the Mineral Resources (Sustainable Development) Act 1990</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Schedule 9 to Clause 37.07 (UGZ)</td>
<td>Any application for subdivision, use or development on land shown in the Sunbury South Precinct Structure Plan as ‘Landfill Buffer (500m)’ must be referred in accordance with section 55 of the Planning and Environment Act 1987</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Schedule 9 to Clause 37.07 (UGZ)</td>
<td>Any application to subdivide land or use land shown within the Sunbury South Precinct Structure Plan as ‘Organic Waste Facility Buffer (1.3km)’ while the Veolia green waste facility is still operational at</td>
<td>Environment Protection Authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause</td>
<td>Kind of application</td>
<td>Referral authority</td>
<td>Referral authority type</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>--------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>570 Sunbury Road Bulla, must be referred in accordance with section 55 of the Planning and Environment Act 1987.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Schedule 9 to Clause 37.07 (UGZ)</td>
<td>An application to subdivide land, use land or construct a building or carry out works on land shown as ‘Potential Residential’, ‘Potential Industrial’ or ‘Potential Residential Expansion Area’ as depicted on Plan 3 of the Sunbury South Precinct Structure Plan.</td>
<td>Melbourne Water</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Schedule 10 to Clause 37.07 (UGZ)</td>
<td>An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land in the Emu Creek Town Centre and Yellow Gum Town Centre must be referred in accordance with section 55 of the Act to the Victorian Planning Authority.</td>
<td>Victorian Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Schedule 10 to Clause 37.07 (UGZ)</td>
<td>An application to subdivide land, use land or construct a building or carry out works on land shown as ‘Potential Residential’ as depicted on Plan 3 of the Lancefield Road Precinct Structure Plan.</td>
<td>Melbourne Water</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Schedule 10 to Clause 42.01 (ESO)</td>
<td>An application required under Schedule 10 to 42.01.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
NOTICE OF PERMIT APPLICATIONS UNDER STATE STANDARD PROVISIONS

Notice of an application of the kind listed in the table below must be given to the person or body specified as a person or body to be notified.

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Person or body to be notified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 45.08-6</td>
<td>An application to use or subdivide land, or to construct a building or construct or carry out works.</td>
<td>The airport lessee company of Melbourne Airport in accordance with the Commonwealth Airports Act 1996</td>
</tr>
</tbody>
</table>
| Clause 52.09-8 | An application to use or subdivide land or construct a building for Accommodation, Education centre or Hospital:  
  - Within an Extractive Industry Interest Area.  
  - On land which is within 500 metres of land on which a work plan has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.  
  An application to construct a building or construct or carry out works on land for which a work plan has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.  
  These requirements do not apply to an extension to buildings or works. | The Secretary of the Department administering the Mineral Resources (Sustainable Development) Act 1990 |
| Clause 52.21 | An application to construct, use or illuminate a private tennis court under any provision of this scheme. | The owners and occupiers of adjoining and opposite properties |
| Clause 52.27 | An application in association with a bar, hotel or nightclub that is to operate after 1am. | Chief Commissioner of Victoria Police |
| Clause 53.09 | An application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the Victorian Code for Broiler Farms 2009. | Environment Protection Authority |
| Clause 67.02 | An application for a permit which, except for the provisions of Clause 67, would be made to the Minister in accordance with Section 96 of the Act. This does not apply to an application for a sign or advertisement, or to remove, destroy or lop native vegetation under Clause 52.17 of this scheme | The owners and occupiers of adjoining land  
The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust |
| Clause 67.03 | An application for a permit to remove, destroy or lop native vegetation under Clause 52.17, which, except for the provisions of Clause 67, would be made to the Minister in accordance with Section 96 of the Act. This does not apply if the application is of a kind which must be referred to the Secretary under Section 55 of the Act. | The Secretary to the Department administering the Flora and Fauna Guarantee Act 1988 |
NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

In addition to the notice requirements of Clause 66.05, notice of an application of the kind specified in the schedule to this clause must be given to the person or body specified in the schedule. If a local provision of the scheme specifies a notice requirement and that requirement is not included in the schedule to this clause, it is not a notice requirement under Section 52(1)(c) of the Act.
### SCHEDULE TO CLAUSE 66.06 NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

#### 1.0 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>
</table>
| Schedule 9 to Clause 37.07 (UGZ) | An application on land shown as ‘gas pipeline measurement length’ on ‘Plan 3 – Future Urban Structure’ in the incorporated Sunbury South Precinct Structure Plan, where the application is to use land for, or to construct a building to accommodate, any of the following:  
- Accommodation (other than a dwelling)  
- Child care centre  
- Cinema based entertainment facility  
- Corrective institution  
- Education centre  
- Hospital  
- Place of assembly  
- Retail premises  
- Service station | Licensee under the *Pipelines Act 2005 of the Derrimut to Sunbury pipeline* |
| Schedule 9 to Clause 37.07 (UGZ) | An application on land shown as ‘gas pipeline measurement length’ and within the ‘walkable catchment boundary’ where the application is:  
- To construct a building or carry out works for five or more dwellings.  
- To subdivide land to create a lot less than 300sqm unless it is the subdivision of an existing building or car space. | Licensee under the *Pipelines Act 2005 of the Derrimut to Sunbury pipeline* |
| Schedule 9 to Clause 37.07 (UGZ) | An application within the Melbourne Airport N-Contours as depicted in the Approved Melbourne Airport Master Plan under the *Airports Act 1996 (Cth)*. | Airport lessee company of Melbourne Airport in accordance with the *Airports Act 1996 (Cth)*. |
| Schedule 10 to Clause 37.07 (UGZ) | An application within the Melbourne Airport N-Contours as depicted in the Approved Melbourne Airport Master Plan under the *Airports Act 1996 (Cth)*. | Airport lessee company of Melbourne Airport in accordance with the *Airports Act 1996 (Cth)*. |
| Schedule 11 to Clause 37.07 (UGZ) | An application within the Melbourne Airport N-Contours as depicted in the Approved Melbourne Airport Master Plan under the *Airports Act 1996 (Cth)*. | Airport lessee company of Melbourne Airport in accordance with the *Airports Act 1996 (Cth)*. |
APPLICATIONS UNDER SECTION 96 OF THE ACT

This clause applies to an application for a permit which, except for the provisions of this clause, would be made to the Minister in accordance with Section 96 of the Act.
EXEMPTIONS FROM SECTION 96(1) AND 96(2) OF THE ACT

In accordance with Section 6(2)(ka) of the Act, the following classes of use and development are exempted from Section 96(1) and 96(2) of the Act:

**Class 1**

Use of land for -

Car park, camping and caravan park, community facility (including child care centre, maternal and infant welfare centre, neighbourhood house, place of assembly and toilet block), dwelling, stone extraction, hospital, industry, leisure and recreation, office, residential village, retail premises or service station.

**Class 2**

Development of land for -

A Class 1 use, demolition of a building or works, lighting and floodlighting of a recreation facility or building, sign or advertisement or subdivision.

**Class 3**

Any other use or development.
NOTICE REQUIREMENTS

In accordance with Section 52(1)(c) of the Act, notice must be given to:

- The owners and occupiers of adjoining land.
- The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust.

This does not apply to an application:

- For a sign or advertisement.
- To remove, destroy or lop native vegetation under Clause 52.17 of this scheme.
- If a permit is only required under any of the following overlays:
  - Salinity Management Overlay
  - Floodway Overlay
  - Land Subject to Inundation Overlay
  - Special Building Overlay
  - Bushfire Management Overlay
NOTICE REQUIREMENTS - NATIVE VEGETATION

In accordance with Section 52(1)(c) of the Act, notice of an application to remove, destroy or lop native vegetation under Clause 52.17 of this scheme must be given to the Secretary to the Department administering the *Flora and Fauna Guarantee Act 1988*.

This does not apply if the application is of a kind which must be referred to the Secretary under Section 55 of the Act.
NOTICE EXEMPTION

In accordance with Section 52(4) of the Act, an application for a sign or advertisement on land managed, occupied or owned by the responsible authority is exempt from the notice requirement of Clause 52(1)(a) of the Act.
OPERATIONAL PROVISIONS

This section sets out provisions about the operation, administration and enforcement of this planning scheme, the meaning of terms used in this planning scheme, and other matters.
OPERATION OF THIS PLANNING SCHEME
OPERATION OF THE MUNICIPAL PLANNING STRATEGY

Municipal Planning Strategy

The Municipal Planning Strategy at Clause 02 sets out the vision for the future development of the municipality and sets the strategic directions about how the municipality is expected to change through the implementation of planning policy and the planning scheme.

A planning authority must take into account the Municipal Planning Strategy when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Municipal Planning Strategy when it makes a decision under this planning scheme.

Relationship to the Municipal Strategic Statement

For the purposes of section 12A(3) of the Act, the Municipal Strategic Statement is:

- A Municipal Strategic Statement at Clause 21.
- Where Clause 21 is not included in this scheme:
  - The Municipal Planning Strategy at Clause 02.
  - Local provisions in the Planning Policy Framework at Clauses 10 to 19.
  - A schedule to Clause 74.01.

Transitional

If this planning scheme includes a Municipal Strategic Statement at Clause 21, the provisions of Clauses 23.01 and 23.02 apply.
OPERATION OF THE PLANNING POLICY FRAMEWORK

Purpose of the Planning Policy Framework

The Planning Policy Framework provides a context for spatial planning and decision making by planning and responsible authorities. The Planning Policy Framework is dynamic and will be built upon as planning policy is developed and refined, and changed as the needs of the community change.

The Planning Policy Framework seeks to ensure that the objectives of planning in Victoria (as set out in section 4 of the Act) are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

Operation

The Planning Policy Framework sets out the planning policies that form part of this planning scheme. It comprises Clauses 10 to 19.

A planning policy applies to all land subject to this planning scheme unless the policy specifies otherwise.

A planning policy provides guidance for decision making and can help the community to understand how the responsible authority will consider a proposal.

The consistent application of planning policy over time should achieve a desired outcome.

A planning authority must take into account the Planning Policy Framework when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Planning Policy Framework when it makes a decision under this planning scheme. This does not apply to policy guidelines and policy documents.

Policy guidelines

A planning policy may include policy guidelines. Policy guidelines indicate how objectives can be met and how strategies can be implemented.

A responsible authority must take a relevant policy guideline into account when it makes a decision under this planning scheme, but is not required to give effect to it. If the responsible authority is satisfied that an alternative approach meets the objective, the alternative may be considered.

Policy documents

A planning policy may include reference to a policy document. A policy document may be an incorporated, background and other document.

A background document listed in the table or the schedule to Clause 72.08 that applies to Clauses 10 to 19 is a policy document for applicable planning policies.

Integrated decision making

Society has various needs and expectations such as land for settlement, protection of the environment, economic wellbeing, various social needs, proper management of resources and infrastructure. Planning aims to meet these needs and expectations by addressing aspects of economic, environmental and social wellbeing affected by land use and development.

Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.
Planning authorities should identify the potential for regional impacts in their decision making and coordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources.

**Transitional**

If this planning scheme includes a Municipal Strategic Statement at Clause 21 and local planning policies at Clause 22, the provisions of Clauses 23.01, 23.02 and 23.03 apply. To the extent of any inconsistency, Clauses 23.02 and 23.03 prevail over this clause.
OPERATION OF ZONES

In each zone and schedule to a zone which contains a table of uses, the controls over the use of land are divided into three sections.

Section 1 uses
A use in Section 1 does not require a permit. Any condition opposite the use must be met. If the condition is not met, the use is in Section 2 and requires a permit unless the use is specifically included in Section 3 as a use that does not meet the Section 1 condition.

Section 2 uses
A use in Section 2 requires a permit. Any condition opposite the use must be met. If the condition is not met, the use is prohibited.

Making decisions about Section 2 uses
Because a use is in Section 2 does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the zone and any of the other decision guidelines in Clause 65.

Section 3 uses
A use in Section 3 is prohibited.
OPERATION OF OVERLAYS

If an overlay is shown on the planning scheme map, the provisions of the overlay apply in addition to the provisions of the zone and any other provision of this scheme.

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the overlay and any of the other decision guidelines in Clause 65.
OPERATION OF PARTICULAR PROVISIONS

The requirements of particular provisions apply to the specified categories of use and development and other matters in addition to any provisions which apply due to any other provision of this planning scheme.
OPERATION OF VICSMART APPLICATIONS AND PROCESS

VicSmart applications

Any provision of this planning scheme may specify:

- Classes of application that are VicSmart applications to which Clause 71.06 applies.
- Information requirements for each class of VicSmart application.
- Decision guidelines for each class of VicSmart application.

An application is a VicSmart application if all of the following requirements are met:

- The application is in a class or classes specified in a provision of this planning scheme.
- A permit is required only under the provisions of this planning scheme that are specified as a VicSmart application, and not under any other provision of this planning scheme.
- Nothing authorised by the grant of a permit would result in a breach of a registered restrictive covenant.
- If the application requires referral to a referral authority under Clause 66, the referral requirements in Clause 71.06-2 are met.

VicSmart process

Despite any other provision of this planning scheme:

- A VicSmart application is exempt from the requirements of the Act and planning scheme specified in this clause.
- The responsible authority must assess a VicSmart application in accordance with the requirements of this clause.

If there is any inconsistency between the requirements of this clause and another provision of this planning scheme, this clause prevails.

Referral requirements

If an application requires referral to a referral authority under Clause 66:

- The application must have been considered by the referral authority within the past 3 months of the application being made to the responsible authority.
- The referral authority must have stated in writing that it does not object to the granting of the permit for the proposal.

Information requirements

A VicSmart application must be accompanied by the information requirements specified for the relevant class of application. The information requirements of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, do not apply unless the information requirements for the relevant class of application specify otherwise.

If in the opinion of the responsible authority an information requirement is not relevant to the evaluation of a VicSmart application, the responsible authority may waive or reduce the information requirement.

Exemption from notice and review

A VicSmart application is exempt from:

- The notice requirements of section 52(1)(a), (b), (c) and (d) of the Act.
- The decision requirements of section 64(1), (2) and (3) of the Act.
- The review rights of section 82(1) of the Act.
Matters to be considered

In deciding a VicSmart application, the responsible authority:

- Must only consider the decision guidelines specified for the relevant class of application.
- Is exempt from considering the following matters:
  - The requirements of section 60(1)(b), (c), (e) and (f) and (1A) (b) to (h) and (j) of the Act.
  - The Municipal Planning Strategy and Planning Policy Framework unless the decision guidelines for the relevant class of application specify otherwise.
  - The decision guidelines of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, unless the decision guidelines for the relevant class of application specify otherwise.
  - The decision guidelines in Clause 65.
- In deciding an application for review in relation to a VicSmart application, the Tribunal is exempt from the matters specified in section 84B(2)(b) to (g) and (i) to (ja) of the Act.

Decision guidelines

Before deciding a VicSmart application, the responsible authority must consider the decision guidelines specified for the relevant class of application unless in the opinion of the responsible authority a decision guideline is not relevant to the evaluation of the application.
ADMINISTRATION AND ENFORCEMENT OF THIS PLANNING SCHEME
RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

The responsible authority for the administration and enforcement of this planning scheme or a provision of this planning scheme is specified in this clause and the schedule to this clause.

The person nominated under section 198(1)(a) of the Act or the responsible authority under section 198(1)(b) of the Act, to whom a person may apply for a planning certificate, is specified in the schedule to this clause.

Minister is responsible authority

The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for 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.

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 Hume 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 scheme for:

- 2-16 Nicholas Street, Broadmeadows.
- Clause 51.01 of the scheme in respect of the “Melbourne Metro Rail Project: Upgrades to the Rail Network Incorporated Document, May 2018”.
- Any other provision of the scheme as it applies to the use or development of land for the Melbourne Metro Rail Project: Upgrades to the Rail Network.
- Jacksons Hill, Sunbury, comprising the following parcels and as shown on Map 1:
  - Lot 1 PS424958P Vol 10465 Fol 392
  - Lot SS PS420874S Vol 10447 Fol 249
  - Crown Allotment 13 Section 25 Parish of Holden Vol 10139 Fol 037
  - Lot B PS342871H Vol 10265 Fol 554
  - Crown Allotment 12 Section 25 Parish of Holden Vol 10139 Fol 036
  - Crown Allotment 11 Section 25 Parish of Holden Vol 10139 Fol 035

Map 1 to the Schedule to Clause 72.01:
3.0  
31/07/2018  
VC148  

Person or responsible authority for issuing planning certificates:
Minister for Planning.

4.0  
31/07/2018  
VC148  

Responsible authority for VicSmart applications:
The Chief Executive Officer of the Hume 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:

Hume City.
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’. 
HUME PLANNING SCHEME

SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

Maps comprising part of this planning scheme:

1. 1DPO, 1EAO, 1ESO, 1HO, 1VPO, 1LSIO, 1BMO
2. 2DPO, 2ESO, 2HO, 2ICO, 2IPO, 2PAO, 2SCO, 2VPO, 2LSIO
3. 3MAEO, 3DPO, 3ESO, 3HO, 3ICO, 3IPO, 3PAO, 3DCPO
4. 4DDO, 4DPO, 4ESO, 4HO, 4PAO, 4RFO, 4RO, 4VPO, 4RXO, 4LSIO, 4DCPO, 4IPO, 4BMO
5. 5DPO, 5VPO, 5ESO, 5LSIO
6. 6DPO, 6EAO, 6ESO, 6HO, 6ICO, 6IPO, 6PAO, 6SCO, 6DDO, 6LSIO
7. 7ESO, 7HO, 7ICO, 7IPO, 7PAO, 7SCO, 7BMO
8. 8MAEO, 8ESO, 8HO, 8PAO, 8BMO
9. 9MAEO, 9EAO, 9HO, 9ICO, 9PAO, 9BMO
10. 10DCPO, 10DPO, 10HO, 10ICO, 10IPO, 10PAO, 10ESO, 10LSIO
11. 11DCPO, 11DDO, 11DPO, 11ESO, 11HO, 11PAO, 11RFO, 11LSIO, 11BMO
12. 12ESO
13. 13MAEO, 13ESO, 13HO, 13ICO, 13IPO, 13PAO
14. 14MAEO, 14ESO, 14HO, 14ICO, 14IPO, 14PAO, 14SCO
15. 15MAEO, 15ESO, 15HO, 15PAO, 15RO, 15BMO
16. 16DCPO, 16DPO, 16HO, 16MAEO, 16HO, 16PAO, 16SBO, 16ESO, 16EAO, 16BMO
17. 17DCPO, 17DPO, 17EAO, 17HO, 17PAO, 17SBO, 17VPO, 17EAO, 17LSIO, 17ESO, 17SCO
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22. 22DDO, 22MAEO, 22DPO, 22EAO, 22ESO, 22HO, 22PAO, 22SBO, 22LSIO, 22BMO
23. 23MAEO, 23ESO, 23HO, 23PAO, 23SBO, 23DPO, 23EAO, 23LSIO
24. 24MAEO, 24DPO, 24EAO, 24ESO, 24HO, 24PAO, 24SBO, 24LSIO
25. 25MAEO, 25ESO, 25HO, 25LSIO
26. 26MAEO, 26ESO, 26SBO, 26HO
72.04
21/09/2018
VC150

DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

The documents listed in the table and the schedule to this clause are incorporated documents under section 6(2)(j) of the Planning and Environment Act 1987.

An incorporated document forms part of this planning scheme.

If a document is not listed in the table or the schedule, it is not an incorporated document.

A document is not incorporated in this planning scheme by reason only that it is referred to in the scheme.

Note: Clause 72.08 contains a list of background documents relevant to this planning scheme. A background document does not form part of the planning scheme.

Table to Clause 72.04

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<td>A Code of Practice for Telecommunications Facilities in Victoria, July 2004</td>
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<td>Apiary Code of Practice, May 2011</td>
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<td>Australian Standard AS2890.2-2002 Parking facilities: Off-street commercial vehicle facilities, Standards Australia 2002</td>
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<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>
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<td>Building in bushfire-prone areas - CSIRO &amp; Standards Australia (SAA HB36-1993), May 1993</td>
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<td>Code of Practice for Bushfire Management on Public Land, 2012</td>
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<td>Code of Practice for Timber Production 2014</td>
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<td>Construction Techniques for Sediment Pollution Control, Environment Protection Authority May 1991</td>
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<td>Design Vehicles and Turning Path Templates, Austroads, 1995 (AP-34/95)</td>
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<td>Growth Area Framework Plans, Department of Sustainability and Environment, September 2006</td>
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<td>Guide to Road Design, Part 6A: Pedestrian and Cycle Paths, Austroads</td>
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<td>Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management (Publication 891.4, Environment Protection Authority, 2016)</td>
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<td>Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning 2017)</td>
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<td>Local Government Planning Guide for Dry Land Salinity - Department Conservation and Natural Resources, 1995</td>
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<td>Pavement Design - A Guide to the Structural Design of Road Pavements, Austroads, (AP-17/92)</td>
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<td>Planning requirements for racing dog keeping and training (Department of Environment, Land, Water and Planning, August 2017)</td>
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## SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

### Incorporated documents

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<td>15 Donnybrook Road, Mickleham (Lot 2 on PS 602884B VOL 11042 FOL 481) Internally Illuminated Business Identification Panel Sign – June 2009</td>
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<tr>
<td>182 – 200 Hume Highway, Somerton (Lot 1 on TP 618468P) Honda MPE Australian Headquarters, March 2010</td>
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<td>Aitken College Master Plan, 1010 Mickleham Road Greenvale, July 2014</td>
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<td>Bulla Restructure Plan dated 17 February 2000</td>
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<td>Craigieburn comprehensive development plan- G Adams Corporation- Silverton LTD, May 2001</td>
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<tr>
<td>Ring and the E6 Transport Corridor, July 2010 (updated May 2012)</td>
<td></td>
</tr>
<tr>
<td>Sunbury Electrification Project Incorporated Document February 2010</td>
<td>C117</td>
</tr>
<tr>
<td>Name of document</td>
<td>Introduced by:</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Sunbury South Precinct Structure Plan June 2018</td>
<td>C207</td>
</tr>
<tr>
<td>Sunbury Road (Powlett Street to Bulla-Diggers Rest Road) Upgrade Project,</td>
<td>C235hume</td>
</tr>
<tr>
<td>Incorporated Document, October 2019</td>
<td></td>
</tr>
<tr>
<td>Tourist Facility, 45 Mundy Road, Sunbury, June 2010 (Lot 1 PS 419963)</td>
<td>C144</td>
</tr>
<tr>
<td>Woodlands Precinct Structure Plan (September 2016)</td>
<td>C213</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>Loddon Mallee North Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Loddon Mallee South Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Wimmera Southern Mallee Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
</tbody>
</table>
## Background documents

<table>
<thead>
<tr>
<th>Name of background document</th>
<th>Amendment number - clause reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assessment of Grasslands, Camp Road, Broadmeadows, Victoria (1996)</td>
<td>Clause 42.01s07</td>
</tr>
<tr>
<td>Assessment of Remnant Native Vegetation at the Broadmeadows Military Area</td>
<td>Clause 42.01s07</td>
</tr>
<tr>
<td>Biodiversity Conservation Strategy for Melbourne’s Growth Corridors (Department of Environment and Primary Industries, 2013)</td>
<td>Clause 43.03s03, Clause 43.03s04</td>
</tr>
<tr>
<td>Bulla General Plan - Towards 2011 (1993)</td>
<td>Clause 42.01s01</td>
</tr>
<tr>
<td>Cooper Street Precinct Study, including landscape design guidelines and background report (1996)</td>
<td>Clause 42.01s02</td>
</tr>
<tr>
<td>Delivering Melbourne’s Newest Sustainable Communities: Background Technical Report 2a: Biodiversity Assessment of Melbourne’s Western Investigation Area (Biosis Research 2009)</td>
<td>Clause 42.01s10, Clause 42.01s11</td>
</tr>
<tr>
<td>Delivering Melbourne’s Newest Sustainable Communities: Report for Public Consultation, Urban Growth Boundary Review (Department of Planning and Community Development 2009)</td>
<td>Clause 42.01s10, Clause 42.01s11</td>
</tr>
<tr>
<td>Delivering Melbourne’s Newest Sustainable Communities: Strategic Impact Assessment Report for the Environment Protection and Biodiversity Conservation Act 1999 (Department of Sustainability and Environment 2009)</td>
<td>Clause 42.01s10, Clause 42.01s11</td>
</tr>
<tr>
<td>Evans Street Native Grassland Management Plan (1995)</td>
<td>Clause 42.01s03</td>
</tr>
<tr>
<td>Flora, Fauna and Net Gain Assessment, 650 Hume Highway, Craigieburn, Brett Lane &amp; Associates (2008)</td>
<td>Clause 42.01s08</td>
</tr>
<tr>
<td>Final Flora and Fauna Assessment: 700 Hume Highway, Craigieburn, Ecology Australia (2005)</td>
<td>Clause 42.01s08</td>
</tr>
<tr>
<td>The Gateway, 700 Hume Hwy, Craigieburn, Victoria: Golden Sun Moth Survey, Biosis Research (2006)</td>
<td>Clause 42.01s08</td>
</tr>
<tr>
<td>Greenvale/Attwood Strategy Plan - Towards 2011 (June 1993)</td>
<td>Clause 43.04s10</td>
</tr>
<tr>
<td>Greenvale Reservoir Catchment: Drinking Water Quality Risk Management Plan (March 2008)</td>
<td>Clause 42.01s09, Clause 43.04s19</td>
</tr>
<tr>
<td>Horne Street Urban Design Guidelines</td>
<td>Clause 43.02s02, Clause 43.02s03</td>
</tr>
<tr>
<td>Hume City Council Planning Guidelines for outdoor Advertising (1995)</td>
<td>Clause 43.02s02, Clause 43.02s03</td>
</tr>
<tr>
<td>Hume Growth Area Plan (DSE 2005)</td>
<td>Clause 43.04s19, Clause 43.04s22</td>
</tr>
<tr>
<td>Hume Industrial Estate, 700 Hume Highway, Craigieburn, Victoria: Net Gain Assessment, Biosis Research (2007)</td>
<td>Clause 42.01s08</td>
</tr>
<tr>
<td>Jacksons Hill Master Plan, October 2018</td>
<td>C232, Clauses 21.02 and 21.04</td>
</tr>
<tr>
<td>Melbourne Water’s Shared Pathway Guidelines</td>
<td>Clause 43.04s16</td>
</tr>
<tr>
<td>Merri Creek and Environs Strategy (1999)</td>
<td>Clause 42.01s02</td>
</tr>
<tr>
<td>Name of background document</td>
<td>Amendment number - clause reference</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------------------------</td>
<td>------------------------------------</td>
</tr>
<tr>
<td>Merri Creek Concept Plan: Flora and Fauna Study (1993)</td>
<td>Clause 42.01s06</td>
</tr>
<tr>
<td>Merri Creek Cultural Heritage Report (1993)</td>
<td>Clause 42.01s02</td>
</tr>
<tr>
<td>Merri Creek Plan: Strategy for Restoration of the Merri Creek (1997)</td>
<td>Clause 42.01s02</td>
</tr>
<tr>
<td>Moonee Ponds Concept Plan: The Moonee Ponds Creek Archaeological Survey (1991)</td>
<td>Clause 42.01s02</td>
</tr>
<tr>
<td>Moonee Ponds Creek Concept Plan (1992)</td>
<td>Clause 42.01s02</td>
</tr>
<tr>
<td>Moonee Ponds Creek Concept Plan: Flora and Fauna Study (1991)</td>
<td>Clause 42.01s02</td>
</tr>
<tr>
<td>Moonee Ponds Creek Concept Plan: Recreation Assessment and Visual Assessment (1991)</td>
<td>Clause 42.01s02</td>
</tr>
<tr>
<td>Mount Ridley Local Structure Plan (1997)</td>
<td>Clause 42.01s05</td>
</tr>
<tr>
<td>Native Woodland Protection Area Guidelines (1997)</td>
<td>Clause 42.01s05</td>
</tr>
<tr>
<td>Remnant Native Grasslands and Grassy Woodlands of the Melbourne Area: An action plan for conservation based on biological values (1990)</td>
<td>Clause 42.01s02, 42.01s03, 42.01s04, 42.01s06, 42.02s03</td>
</tr>
<tr>
<td>Rural Areas Strategy Plan - Towards 2011 (1993)</td>
<td>Clause 42.01s01</td>
</tr>
<tr>
<td>Sites of Biological Significance in the Merri Corridor - An investigation</td>
<td>Clause 42.02s03</td>
</tr>
<tr>
<td>Sites of Faunal and Habitat significance in North East Melbourne (1997)</td>
<td>Clause 42.01s05, 42.01s06, 42.02s03</td>
</tr>
<tr>
<td>Victoria’s Native Vegetation Management: A Framework For Action (Department of Natural Resources and Environment 2002)</td>
<td>Clause 42.01s10, 42.01s11, 43.04s13, 43.04s16, 43.04s18, 43.04s23</td>
</tr>
</tbody>
</table>

HUME PLANNING SCHEME
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>Act</td>
<td>The <em>Planning and Environment Act 1987</em>.</td>
</tr>
<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>Building Regulations</td>
<td>The <em>Building Regulations 1994</em>.</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 Gambling Regulation Act 2003.</td>
</tr>
<tr>
<td>Garden area</td>
<td>Any area on a lot with a minimum dimension of 1 metre that does not include:</td>
</tr>
<tr>
<td></td>
<td>a) a dwelling or residential building, except for:</td>
</tr>
<tr>
<td></td>
<td>i. an eave, fascia or gutter that does not exceed a total width of 600mm;</td>
</tr>
<tr>
<td></td>
<td>ii. a pergola;</td>
</tr>
<tr>
<td></td>
<td>iii. unroofed terraces, patios, decks, steps or landings less than 800mm in height;</td>
</tr>
<tr>
<td></td>
<td>iv. a basement that does not project above ground level;</td>
</tr>
<tr>
<td></td>
<td>v. any outbuilding that does not exceed a gross floor area of 10 square metres; and</td>
</tr>
<tr>
<td></td>
<td>v. domestic services normal to a dwelling or residential building;</td>
</tr>
<tr>
<td></td>
<td>b) a driveway; or</td>
</tr>
<tr>
<td></td>
<td>c) an area set aside for car parking.</td>
</tr>
<tr>
<td>Geelong G21 region</td>
<td>The area covered by the Colac Otway, Golden Plains, Greater Geelong, Queenscliffe and Surf Coast planning schemes.</td>
</tr>
<tr>
<td>Gippsland region</td>
<td>The area covered by the Bass Coast, Baw Baw, East Gippsland, Latrobe, South Gippsland and Wellington planning schemes.</td>
</tr>
<tr>
<td>Great South Coast region</td>
<td>The area covered by the Corangamite, Glenelg, Moyne, Southern Grampians and Warrnambool planning schemes.</td>
</tr>
<tr>
<td>Gross floor area</td>
<td>The total floor area of a building, measured from the outside of external walls or the centre of party walls, and includes all roofed areas.</td>
</tr>
<tr>
<td>Ground level</td>
<td>The natural level of a site at any point.</td>
</tr>
<tr>
<td>Habitable room</td>
<td>Any room of a dwelling or residential building other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, lobby, photographic darkroom, clothes drying room and other space of a specialised nature occupied neither frequently nor for extended periods.</td>
</tr>
<tr>
<td>High quality productive agricultural land</td>
<td>Land which is used for animal husbandry or crop raising, and is capable of continuing to sustain agricultural production, and:</td>
</tr>
<tr>
<td></td>
<td>a) is of prime, or very good, agricultural quality, having regard to soil type, growing season, and availability of infrastructure, and is of sufficient extent to support agricultural activities on an economically viable scale; or</td>
</tr>
<tr>
<td></td>
<td>b) has been identified through a regional, sub-regional, or local study as being of particularly good quality and strategic significance for agriculture in the regional or local context.</td>
</tr>
<tr>
<td>Hume region</td>
<td>The area covered by the Alpine, Benalla, Greater Shepparton, Indigo, Mansfield, Mitchell, Moira, Murrindindi, Strathbogie, Towong, Wangaratta and Wodonga planning schemes.</td>
</tr>
<tr>
<td>Land capability assessment</td>
<td>The assessment of the physical ability of the land to sustain specific uses having regard to its management, and without long term on-site detriment to the environment.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>------------------------------</td>
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</tr>
<tr>
<td>Leasable floor area</td>
<td>That part of the net floor area able to be leased. It does not include public or common tenancy areas, such as malls, verandahs, or public conveniences.</td>
</tr>
<tr>
<td>Loddon Mallee North region</td>
<td>The area covered by the Buloke, Campaspe, Gannawarra, Mildura and Swan Hill planning schemes.</td>
</tr>
<tr>
<td>Loddon Mallee South region</td>
<td>The area covered by the Central Goldfields, Greater Bendigo, Loddon, Macedon Ranges and Mount Alexander planning schemes.</td>
</tr>
<tr>
<td>Lot</td>
<td>A part (consisting of one or more pieces) of any land (except a road, a reserve, or common property) shown on a plan, which can be disposed of separately and includes a unit or accessory unit on a registered plan of strata subdivision and a lot or accessory lot on a registered cluster plan.</td>
</tr>
<tr>
<td>Mean building height</td>
<td>The vertical distance between the mean ground level and the finished roof height at its highest point.</td>
</tr>
<tr>
<td>Mean ground level</td>
<td>One half the sum of the highest and lowest levels along ground level of the outer surface of all external building walls.</td>
</tr>
<tr>
<td>Metropolitan Melbourne</td>
<td>The area covered by the Banyule, Bayside, Boroondara, Brimbank, Cardinia, Casey, Darebin, Frankston, Glen Eira, Greater Dandenong, Hobsons Bay, Hume, Kingston, Knox, Manningham, Maribyrnong, Maroondah, Melbourne, Melton, Monash, Moonee Valley, Moreland, Mornington Peninsula, Nillumbik, Port of Melbourne, Port Phillip, Stonnington, Whitehorse, Whittlesea, Wyndham, Yarra and Yarra Ranges Planning Schemes and the area within the urban growth boundary in the Mitchell Planning Scheme.</td>
</tr>
<tr>
<td>Mineral</td>
<td>Any substance which occurs naturally as part of the earth's crust, including:</td>
</tr>
<tr>
<td></td>
<td>a) oil shale and coal; and</td>
</tr>
<tr>
<td></td>
<td>b) hydrocarbons and mineral oils contained in oil shale or coal, or extracted from oil shale or coal by chemical or industrial processes.</td>
</tr>
<tr>
<td></td>
<td>It does not include water, stone, or petroleum.</td>
</tr>
<tr>
<td>Movable building</td>
<td>A structure, other than a tent, caravan, or vehicle, which is designed to be moved from place to place on more than one occasion.</td>
</tr>
<tr>
<td>Native vegetation</td>
<td>Plants that are indigenous to Victoria, including trees, shrubs, herbs, and grasses.</td>
</tr>
<tr>
<td>Net floor area</td>
<td>The total floor area of all floors of all buildings on a site. It includes half the width of any party wall and the full width of all other walls. It does not include the area of stairs, loading bays, accessways, or car parking areas, or any area occupied by machinery required for air conditioning, heating, power supply, or lifts.</td>
</tr>
<tr>
<td>Plot ratio</td>
<td>The gross floor area of all buildings on a site, divided by the area of the site.</td>
</tr>
<tr>
<td>Private open space</td>
<td>An outdoor area of a dwelling or residential building or land for the exclusive use of the occupants.</td>
</tr>
<tr>
<td>Property vegetation plan</td>
<td>A plan which relates to the management of native vegetation within a property, and which is contained within an agreement made pursuant to section 69 of the Conservation, Forests and Lands Act 1987.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>----------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Prostitution</td>
<td>The provision by one person to or for another person (whether or not of a different sex) of sexual services in return for payment or reward.</td>
</tr>
<tr>
<td>Public land manager</td>
<td>The Minister, government department, public authority or municipal council having responsibility for the care or management of public land. In relation to Crown land reserved under an Act and managed or controlled by a committee of management, other than Parks Victoria or a municipal council, it means the Minister administering that Act and does not include the committee of management.</td>
</tr>
<tr>
<td>Radio mast</td>
<td>A mast, for radio transmission or reception in a dwelling, that is: a) with antenna, more than 14 metres above the ground; b) if attached to a building, with antenna, more than 5 metres above the roof line; c) including antenna, wider than 6 metres; or d) excluding antenna, wider than 50 centimetres at any point exceeding 3 metres above the ground.</td>
</tr>
<tr>
<td>Retail</td>
<td>The sale of goods or materials, in any quantity or manner, other than by wholesale.</td>
</tr>
<tr>
<td>Secluded private open space</td>
<td>That part of private open space primarily intended for outdoor living activities which enjoys a reasonable amount of privacy.</td>
</tr>
<tr>
<td>Setback</td>
<td>The minimum distance from any allotment boundary to a building.</td>
</tr>
<tr>
<td>Sexual services</td>
<td>Has the same meaning as it has in the Sex Work Act 1994.</td>
</tr>
<tr>
<td>Site coverage</td>
<td>The proportion of a site covered by buildings.</td>
</tr>
<tr>
<td>Stone</td>
<td>Basalt, freestone, granite, limestone, sandstone, or other building stone, or rock, ordinarily used for building, manufacturing, road making, or construction; or clay (not fine clay, bentonite, or kaolin), earth, gravel, quartz (not quartz crystals), sand, soil, slate, or other similar material.</td>
</tr>
<tr>
<td>Storey</td>
<td>That part of a building between floor levels. If there is no floor above, it is the part between the floor level and ceiling. It may include an attic, basement, built over car parking area, and mezzanine.</td>
</tr>
<tr>
<td>Stormwater</td>
<td>The net increase in run-off from urban development due to water not being able to seep into the ground because of impervious surfaces, such as roofs and roads.</td>
</tr>
<tr>
<td>Street leg length</td>
<td>The distance between street intersections or junctions, or points and locations where vehicles must slow down, usually to a maximum speed of 20 kilometres per hour.</td>
</tr>
<tr>
<td>Street reserve</td>
<td>Land set aside for a street pavement and verge.</td>
</tr>
<tr>
<td>Sustainable agriculture</td>
<td>The use of farming practices and systems which maintain or enhance: a) the economic viability of agricultural production; b) the natural resource base; and c) other ecosystems which are influenced by agricultural activities.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Telecommunications line</strong></td>
<td>A wire, cable, optic fibre, tube, conduit, waveguide or other physical medium used, or to be used, as a continuous artificial guide for or in connection with carrying communications by means of guided electromagnetic energy.</td>
</tr>
<tr>
<td><strong>Telecommunications network</strong></td>
<td>A system or series of systems that carries, or is capable of carrying, communications by means of guided and unguided electromagnetic energy.</td>
</tr>
<tr>
<td><strong>Telecommunications tower</strong></td>
<td>A tower, pole or mast used as part of a Telecommunications network.</td>
</tr>
<tr>
<td><strong>Tenement</strong></td>
<td>Land comprised in:</td>
</tr>
<tr>
<td></td>
<td>a) a lot which does not adjoin another lot in the same ownership; or</td>
</tr>
<tr>
<td></td>
<td>b) lots in the same ownership and which adjoin each other.</td>
</tr>
<tr>
<td></td>
<td>Lots are considered to adjoin each other if they are separated only by a stream, stream reserve, or unmade or unused government road or rail reserve.</td>
</tr>
<tr>
<td><strong>Utility service provider</strong></td>
<td>A person, other than a public authority or municipal council, having responsibility under an Act for the generation, transmission, distribution or supply of electricity, gas, power, telecommunications, water supply, drainage or sewerage services.</td>
</tr>
<tr>
<td><strong>Verge</strong></td>
<td>The part of the street reserve between the carriageway and the boundary of adjacent lots or other limit to the street reserve. It may accommodate public utilities, a footpath, indented parking, stormwater flows, street lighting poles and planting.</td>
</tr>
<tr>
<td><strong>Wall height</strong></td>
<td>The vertical distance between the top of the eaves at the wall line, parapet or flat roof (not including a chimney), whichever is the highest, and the natural ground level.</td>
</tr>
<tr>
<td><strong>Wholesale</strong></td>
<td>The sale of goods or materials, to be sold by others.</td>
</tr>
<tr>
<td><strong>Wimmera Southern Mallee region</strong></td>
<td>The area covered by the Hindmarsh, Horsham, Northern Grampians, West Wimmera and Yarriambiack planning schemes.</td>
</tr>
</tbody>
</table>
**SIGN TERMS**

The following table lists terms which may be used in this planning scheme in relation to signs. A term listed in the first column, under the heading "Sign term", has the meaning set out beside that term in the second column, under the heading "Definition".

<table>
<thead>
<tr>
<th>Sign term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Above-verandah sign</td>
<td>A sign above a verandah or, if no verandah, that is more than 3.7 metres above pavement level, and which projects more than 0.3 metre outside the site.</td>
</tr>
<tr>
<td>Display area</td>
<td>The area of that part of a sign used to display its content, including borders, surrounds and logo boxes. It does not include safety devices, platforms and lighting structures. If the sign does not move or rotate, the area is one side only.</td>
</tr>
<tr>
<td>Animated sign</td>
<td>A sign that can move, contains moving or scrolling parts, changes its message, flashes, or has a moving or flashing border.</td>
</tr>
<tr>
<td>Bed and breakfast sign</td>
<td>A sign at a dwelling that advertises bed and breakfast accommodation in the dwelling.</td>
</tr>
<tr>
<td>Bunting sign</td>
<td>An advertisement that consists of bunting, streamers, flags, windvanes, or the like.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td>A sign that provides business identification information about a business or industry on the land where it is displayed. The information may include the name of the business or building, the street number of the business premises, the nature of the business, a business logo or other business identification information.</td>
</tr>
<tr>
<td>Direction sign</td>
<td>A sign not exceeding 0.3 square metre that directs vehicles or pedestrians. It does not include a sign that contains commercial information.</td>
</tr>
<tr>
<td>Electronic sign</td>
<td>A sign that can be updated electronically. It includes screens broadcasting still or moving images.</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>A sign illuminated by external lighting provided for that purpose.</td>
</tr>
<tr>
<td>High-wall sign</td>
<td>A sign on the wall of a building so that part of it is more than 10 metres above the ground.</td>
</tr>
<tr>
<td>Home based business sign</td>
<td>A sign at a dwelling that advertises a home based business carried on in the dwelling, or on the land around the dwelling.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>A sign illuminated by internal lighting or which contains lights or illuminated tubes arranged as an advertisement.</td>
</tr>
<tr>
<td>Major promotion sign</td>
<td>A sign which is 18 square metres or greater that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land on 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>c) with an advertisement area not exceeding 6 square metres; and d) that has a clearance under it of at least 2.7 metres.</td>
<td></td>
</tr>
<tr>
<td>Promotion sign</td>
<td>A sign of less than 18 square metres that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.</td>
</tr>
<tr>
<td>Reflective sign</td>
<td>A sign finished with material specifically made to reflect external light.</td>
</tr>
<tr>
<td>Sign</td>
<td>Includes a structure specifically built to support or illuminate a sign.</td>
</tr>
<tr>
<td>Sky sign</td>
<td>A sign: a) on or above the roof of a building, but not a verandah; b) fixed to the wall of a building and which projects above the wall; or c) fixed to a structure (not a building) so that part of it is more than 7 metres above the ground.</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></td>
</tr>
<tr>
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<td>--------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Adult sex product shop</td>
<td>Land used to sell or hire sexually explicit material, including:</td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) publications classified as restricted under the Classification (Publications, Films and Computer Games) (Enforcement) Act 1995; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) materials and devices (other than contraceptives and medical treatments) used in conjunction with sexual behaviour.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agriculture</td>
<td>Land used to:</td>
<td>Animal husbandry</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables;</td>
<td>Aquaculture</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) keep, breed, board, or train animals, including livestock, and birds; or</td>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) propagate, cultivate, rear, or harvest living resources of the sea or inland waters.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Airport</td>
<td></td>
<td>Transport terminal</td>
<td></td>
</tr>
<tr>
<td>Amusement park</td>
<td></td>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
<tr>
<td>Amusement parlour</td>
<td>A building that contains:</td>
<td>Place of assembly</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) three or more coin, card, or token operated amusement machines;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
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</tr>
<tr>
<td>b) one or more coin, card, or token operated amusement machines with more than one screen or console that can be played by three or more people simultaneously; or</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) two or more coin, card, or token operated billiard, snooker, or pool tables.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>It does not include coin, card, or token operated children's rides, amusement machines if there is the ability to receive a monetary reward, or premises used for a Bar or Hotel.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Animal husbandry</td>
<td>Land used to keep, breed, board, or train animals, including birds.</td>
<td>Animal production</td>
<td>Agriculture</td>
</tr>
<tr>
<td>Animal production</td>
<td>Land used to keep or breed farm animals for the production of livestock, eggs, fibre, meat, milk or other animal products.</td>
<td>Grazing animal production</td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Animal training</td>
<td>Land used to train animals, other than domestic animals, horses, or racing dogs.</td>
<td></td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Apiculture</td>
<td>Land used to keep honeybee hives and to extract honey or other bee hive products.</td>
<td></td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Aquaculture</td>
<td>Land used to keep or breed aquatic animals, or cultivate or propagate aquatic plants.</td>
<td></td>
<td>Agriculture</td>
</tr>
<tr>
<td>Art and craft centre</td>
<td>Land used to manufacture, display, and sell, works of art or craft, such as handicrafts, paintings, and sculptures.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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<tr>
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<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Art gallery</td>
<td>Land used to display works of art, including ceramics, furniture, glass, paintings, screen based art, sculptures, and textiles.</td>
<td></td>
<td>Exhibition centre</td>
</tr>
<tr>
<td>Bank</td>
<td></td>
<td></td>
<td>Office</td>
</tr>
<tr>
<td>Bar</td>
<td>Land used to sell liquor for consumption on the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td>Beauty salon</td>
<td></td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>A dwelling used, by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence.</td>
<td></td>
<td>Dwelling</td>
</tr>
<tr>
<td>Betting agency</td>
<td>Land used for gambling by wagering, and where there is the ability to receive a monetary reward.</td>
<td></td>
<td>Gambling premises</td>
</tr>
<tr>
<td>Boat and caravan storage</td>
<td>Land used to store boats, caravans, or vehicle-towed boat trailers.</td>
<td></td>
<td>Store</td>
</tr>
<tr>
<td>Boat launching facility</td>
<td>Land used to launch boats into the water and to retrieve boats from the water.</td>
<td>Boat ramp slipway</td>
<td>Recreational boat facility</td>
</tr>
<tr>
<td>Boat ramp</td>
<td></td>
<td></td>
<td>Boat launching facility</td>
</tr>
<tr>
<td>Bottle shop</td>
<td>Land used to sell packaged liquor for consumption off the premises.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Broiler farm</td>
<td>Land used to keep broiler chickens for the production of meat.</td>
<td></td>
<td>Poultry farm</td>
</tr>
<tr>
<td>Brothel</td>
<td>Land made available for prostitution by a person carrying on the business of providing prostitution services at the business's premises.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bus terminal</td>
<td></td>
<td></td>
<td>Transport terminal</td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td>Land used to allow accommodation in caravans, cabins, tents, or the like.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------</td>
<td>------------------------------------</td>
</tr>
<tr>
<td>Caretaker's house</td>
<td>A dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation, or plant.</td>
<td></td>
<td>Dwelling</td>
</tr>
<tr>
<td>Carnival</td>
<td>Land, other than an Exhibition centre or trade fair, used for a temporary fair or amusements which provide entertainment such as side shows, merry-go-rounds, and stalls for games or snacks.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Car park</td>
<td>Land used to park motor vehicles. It may include charging of electric vehicles.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Car sales</td>
<td></td>
<td>Motor vehicle, boat, or caravan sales</td>
<td></td>
</tr>
<tr>
<td>Car wash</td>
<td></td>
<td>Service industry</td>
<td></td>
</tr>
<tr>
<td>Cattle feedlot</td>
<td>Land used for a cattle feedlot as defined by the Victorian Code for Cattle Feedlots 1995.</td>
<td></td>
<td>Intensive animal production</td>
</tr>
<tr>
<td>Cemetery</td>
<td>Land used to dispose of human remains by burial. It may include funeral chapels or the like.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child care centre</td>
<td>Land used to care for five or more children who are not permanently resident on the land.</td>
<td>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>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>----------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>Conference centre</td>
<td>Function centre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>Land used to prepare and sell food and drink for immediate consumption, where substantial provision is made for consumption both on and off the premises.</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td>Convenience shop</td>
<td>A building with a leasable floor area of no more than 240 square metres, used to sell food, drinks, and other convenience goods. It may also be used to hire convenience goods.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Corrective institution</td>
<td>Land used to hold and reform persons committed to it by the courts, such as a prison, remand centre, and other type of detention facility.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Crematorium</td>
<td>Land used to cremate human remains. It may include funeral chapels or the like.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Crop raising</td>
<td>Land used to propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables.</td>
<td></td>
<td>Agriculture</td>
</tr>
<tr>
<td>Dance studio</td>
<td></td>
<td></td>
<td>Indoor recreation facility</td>
</tr>
<tr>
<td>Data centre</td>
<td></td>
<td></td>
<td>Utility installation</td>
</tr>
<tr>
<td>Department store</td>
<td></td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>A movable building on the same lot as an existing dwelling and used to provide accommodation for a person dependent on a resident of the existing dwelling.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Display home centre</td>
<td>One or more buildings constructed as a dwelling, but used for display, to encourage people to buy or construct similar dwellings. It may include a sales office.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dog breeding</td>
<td></td>
<td></td>
<td>Domestic animal husbandry</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
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<td>-------------------------------------------------</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td>Land used to board domestic animals, such as boarding kennels and a cattery. It includes domestic animal day care.</td>
<td>Dog breeding Domestic animal boarding</td>
<td>Domestic animal husbandry</td>
</tr>
<tr>
<td>Domestic animal husbandry</td>
<td>Land used to keep, breed, board or train domestic animals.</td>
<td>Animal husbandry</td>
<td></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>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Dry cleaner</td>
<td>Land used to professionally clean or launder clothing or household articles. It may include the use of dry cleaning processes.</td>
<td>Service industry</td>
<td></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>Shop</td>
<td></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 Caretaker’s house</td>
<td>Accommodation</td>
</tr>
<tr>
<td>Education centre</td>
<td>Land used for education.</td>
<td>Child care centre</td>
<td>Education centre</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Employment training centre</td>
<td>Employment training centre</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Primary school</td>
<td>Primary school</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Secondary school</td>
<td>Secondary school</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Tertiary institution</td>
<td>Tertiary institution</td>
</tr>
<tr>
<td>Earth and energy resources industry</td>
<td>Land used for the exploration, removal or processing of natural earth or energy resources. It includes any activity incidental to this purpose including the construction and use of temporary accommodation.</td>
<td>Greenhouse gas sequestration</td>
<td>Ground resources industry</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Greenhouse gas sequestration exploration</td>
<td>Ground resources industry</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Geothermal energy exploration</td>
<td>Ground resources industry</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Geothermal energy extraction</td>
<td>Ground 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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<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
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<td>-----------------------------------------</td>
</tr>
<tr>
<td>Mineral exploration</td>
<td></td>
<td>Mineral exploration</td>
<td></td>
</tr>
<tr>
<td>Mineral extraction</td>
<td></td>
<td>Mineral extraction</td>
<td></td>
</tr>
<tr>
<td>Petroleum exploration</td>
<td></td>
<td>Petroleum exploration</td>
<td></td>
</tr>
<tr>
<td>Petroleum extraction</td>
<td></td>
<td>Petroleum extraction</td>
<td></td>
</tr>
<tr>
<td>Stone exploration</td>
<td></td>
<td>Stone exploration</td>
<td></td>
</tr>
<tr>
<td>Stone extraction</td>
<td></td>
<td>Stone extraction</td>
<td></td>
</tr>
<tr>
<td>Electoral office</td>
<td>An office used for electioneering by a candidate in a local, State, or Federal Government election.</td>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Emergency services facility</td>
<td>Land used to provide facilities for emergency services, such as fire prevention and ambulance services. It may include administrative, operational or storage facilities associated with the provision of emergency services.</td>
<td></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></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>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>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>Freezing and cool storage</td>
<td>Land used to store, sell, and distribute fuel.</td>
<td>Liquid fuel depot</td>
<td>Store</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Solid fuel depot</td>
<td></td>
</tr>
<tr>
<td>Fuel depot</td>
<td>Land used to store, sell, and distribute fuel.</td>
<td>Conference centre</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>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</td>
<td>Retail premises</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Gaming premises</td>
<td></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</td>
</tr>
<tr>
<td></td>
<td></td>
<td>gardening supplies</td>
<td></td>
</tr>
<tr>
<td>Geothermal energy exploration</td>
<td>Land used for geothermal energy exploration in accordance with the Geothermal Energy Resources Act 2005.</td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Geothermal energy extraction</td>
<td>Land used for geothermal energy extraction in accordance with the Geothermal Energy Resources Act 2005.</td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Golf course</td>
<td></td>
<td></td>
<td>Outdoor recreation facility</td>
</tr>
<tr>
<td>Golf driving range</td>
<td></td>
<td></td>
<td>Outdoor recreation facility</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td>Land used for animal production where the animals’ food is obtained by directly grazing, browsing or foraging plants growing on the land. It includes:</td>
<td></td>
<td>Animal production</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------</td>
<td>------------------------------</td>
</tr>
<tr>
<td>Emergency, seasonal and supplementary feeding;</td>
<td>the incidental penning, feeding and housing of animals for weaning or other husbandry purposes.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Emergency feeding</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>Seasonal feeding</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>Supplementary feeding</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 in accordance with the <em>Greenhouse Gas Geological Sequestration Act 2008.</em></td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td>Greenhouse gas sequestration exploration</td>
<td>Land used for the exploration of greenhouse gas sequestration formations in accordance with the <em>Greenhouse Gas Geological Sequestration Act 2008.</em></td>
<td>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></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Hairdresser</td>
<td></td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Hall</td>
<td></td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Helicopter landing site</td>
<td>Land used for the take-off and landing of a helicopter, with or without a permanent landing pad,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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<td>----------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
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<td>----------------------------------</td>
</tr>
<tr>
<td>Heliport</td>
<td>A transport terminal for the assembly and distribution of goods or passengers.</td>
<td></td>
<td>Transport terminal</td>
</tr>
<tr>
<td>Home based business</td>
<td>An occupation carried on in a dwelling, or on the land around a dwelling, by a resident of the dwelling. It may include a use defined elsewhere, but not a Brothel.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Horse husbandry</td>
<td>Land used to keep, breed, board or train horses.</td>
<td>Horse riding school</td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Horse riding school</td>
<td>Horse husbandry</td>
<td>Horse stables</td>
<td></td>
</tr>
<tr>
<td>Horse stables</td>
<td>Horse husbandry</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Horticulture</td>
<td>Land used to propagate, cultivate, or harvest flowers, fruit, vegetables, vines, or the like.</td>
<td>Market garden</td>
<td>Crop raising</td>
</tr>
<tr>
<td>Hospital</td>
<td>Land used to provide health services (including preventative care, diagnosis, medical and surgical treatment, and counselling) to persons admitted as in-patients. It may include the care or treatment of out-patients.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td>An agricultural property used to provide accommodation for persons, away from their normal place of residence, to experience living on land used for agricultural purposes.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Hotel</td>
<td>Land used to sell liquor for consumption on and off the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>A building used for indoor leisure, recreation, or sport.</td>
<td>Dancing studio</td>
<td>Minor sports and recreation facility</td>
</tr>
</tbody>
</table>
| Industry                   | Land used for any of the following operations:
  a) any process of manufacture;                                                                                                               | Materials recycling           |                                  |
  Refuse disposal            | Transfer station                                                                                                                              |                               |                                  |
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>b) dismantling or breaking up of any article;</td>
<td>Research and development centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) treating waste materials;</td>
<td>Rural industry</td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) winning clay, gravel, rock, sand, soil, stone, or other materials (other than Mineral, stone, or soil extraction);</td>
<td>Service industry</td>
<td></td>
</tr>
<tr>
<td></td>
<td>e) laundering, repairing, servicing or washing any article, machinery, or vehicle, other than on-site work on a building, works, or land; or f) any process of testing or analysis.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>If on the same land as any of these operations, it also includes: a) storing goods used in the operation or resulting from it; b) providing amenities for people engaged in the operation; c) selling by wholesale, goods resulting from the operation; and d) accounting or administration in connection with the operation.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>If Materials recycling, goods resulting from the operation may be sold by retail.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td>Land open to the public and used by non-paying persons for leisure or recreation, such as a cycle track, park, picnic or barbecue area, playground, plaza, and walking or jogging track.</td>
<td>Minor sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td>Intensive animal production</td>
<td>Land used for animal production where the animals’ food is imported from outside the immediate building, enclosure, paddock or pen.</td>
<td>Cattle feedlot</td>
<td>Animal production</td>
</tr>
<tr>
<td></td>
<td>It does not include: a) an abattoir or sale yard; or b) grazing animal production, pig farm, poultry farm or poultry hatchery.</td>
<td>Intensive dairy farm</td>
<td></td>
</tr>
<tr>
<td>Intensive dairy farm</td>
<td>Land used for intensive animal production where cattle are kept or bred for the production of milk.</td>
<td></td>
<td>Intensive animal production</td>
</tr>
<tr>
<td>Jetty</td>
<td></td>
<td></td>
<td>Marina</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
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</tr>
<tr>
<td>Kindergarten</td>
<td></td>
<td>Child care centre</td>
<td></td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td>Land used to propagate, grow, and sell plants, or sell and distribute garden supplies.</td>
<td>Garden supplies&lt;br&gt;Plant nursery</td>
<td>Retail premises</td>
</tr>
<tr>
<td>Laundromat</td>
<td>Land used to clean or launder clothing or household items using self-service machines.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Leisure and recreation</td>
<td>Land used for leisure, recreation, or sport.</td>
<td>Major sports and recreation facility&lt;br&gt;Minor sports and recreation facility&lt;br&gt;Motor racing track</td>
<td></td>
</tr>
<tr>
<td>Library</td>
<td></td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Liquid fuel depot</td>
<td>Land used to store, sell by wholesale, and distribute fuel.</td>
<td></td>
<td>Fuel depot</td>
</tr>
<tr>
<td>Mail centre</td>
<td>Land used to sort mail for distribution.</td>
<td></td>
<td>Warehouse</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>Land used for leisure, recreation or sport, and where there is substantial provision made for spectators, such as a grandstand, and to which spectators are usually charged admission.</td>
<td>Race course&lt;br&gt;Leisure and recreation</td>
<td></td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td>Land used, as an incidental part of an industry, to retail goods made materially different on the land by that industry.</td>
<td></td>
<td>Retail premises</td>
</tr>
<tr>
<td>Marina</td>
<td>Land used to moor boats, or store boats above or adjacent to the water. It may include boat recovery facilities, and facilities to repair, fuel, and maintain boats and boat accessories.</td>
<td>Jetty&lt;br&gt;Mooring pole&lt;br&gt;Pier&lt;br&gt;Pontoon</td>
<td>Recreational boat facility</td>
</tr>
<tr>
<td>Market</td>
<td>Land used to sell goods, including foodstuffs, from stalls.</td>
<td></td>
<td>Retail premises</td>
</tr>
<tr>
<td>Market garden</td>
<td></td>
<td></td>
<td>Horticulture</td>
</tr>
<tr>
<td>Materials recycling</td>
<td>Land used to dismantle, treat, process, store, recycle, or sell refuse, used or surplus materials.</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td>Medical centre</td>
<td>Land used to provide health or surgical services (including preventative care, diagnosis, medical and surgical treatment, pathology services, and counselling) to out-patients only.</td>
<td></td>
<td>Office</td>
</tr>
<tr>
<td>Milk depot</td>
<td>Land used to receive milk and milk products for distribution to consumers, but where milk is not processed or pasteurised.</td>
<td></td>
<td>Warehouse</td>
</tr>
<tr>
<td>Mineral exploration</td>
<td>Land used for the exploration of minerals in accordance with the <em>Mineral Resources (Sustainable Development) Act 1990.</em></td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Mineral extraction</td>
<td>Land used for extraction of minerals in accordance with the <em>Mineral Resources (Sustainable Development) Act 1990.</em></td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Minor sports and recreation facility</td>
<td>Land used for leisure, recreation, or sport, without substantial provision for spectators, and which is usually open to non-paying spectators.</td>
<td>Indoor recreation facility</td>
<td>Leisure and recreation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Open sports ground</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restricted recreation facility</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td>Land used for a utility installation comprising any of the following: a) sewerage or water mains; b) storm or flood water drains or retarding basins; c) flow measurement device or a structure to gauge waterway flow; d) siphons, water storage tanks, disinfection booster stations and channels; e) gas mains providing gas directly to consumers; f) a sewerage treatment plant, and any associated disposal works, required to serve a neighbourhood; g) a pumping station required to serve a neighbourhood;</td>
<td>Water retarding basin</td>
<td>Utility installation</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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<tr>
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</tr>
<tr>
<td>h) power lines designed to operate at less than 220,000 volts but excluding any power lines directly associated with an Energy generation facility or Geothermal energy extraction; or 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>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></td>
<td>Marina</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>Museum</td>
<td>Land used to display archaeological, biological, cultural, geographical, geological, historical, scientific, or other like works or artefacts.</td>
<td>Exhibition centre</td>
<td></td>
</tr>
<tr>
<td>Natural systems</td>
<td>Land in substantially its natural state which is used to maintain ecological systems, or to preserve an area of historic, scientific, aesthetic, or cultural significance.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nightclub</td>
<td>A building used to provide entertainment and dancing. It may include the provision of food and</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td>drink for consumption on the premises. It does not include the sale of packaged liquor, or gaming.</td>
<td></td>
<td>Bank</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>Land used for administration, or clerical, technical, professional or other like business activity. No goods or materials intended for manufacture, sale, or hire may be stored on the land. Other than electoral office and medical centre, it does not include any other defined use.</td>
<td>Bank</td>
<td>Electoral office</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Medical centre</td>
<td>Real estate agency</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Travel agency</td>
<td></td>
</tr>
<tr>
<td>Open sports ground</td>
<td>Land used for organised games of sport, but which is available for informal outdoor leisure or recreation when not being used or prepared for an organised game. It may include lights, change rooms, pavilions, and shelters.</td>
<td>Amusement park</td>
<td>Minor sports and recreation facility</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Golf course</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Golf driving range</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Paintball games facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Zoo</td>
<td></td>
</tr>
<tr>
<td>Outdoor recreation facility</td>
<td>Land used for outdoor leisure, recreation, or sport. It does not include an Open sports ground or informal outdoor recreation.</td>
<td>Amusement park</td>
<td>Minor sports and recreation facility</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Golf course</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Golf driving range</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Paintball games facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Zoo</td>
<td></td>
</tr>
<tr>
<td>Paintball games facility</td>
<td></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>Party supplies</td>
<td></td>
<td></td>
<td>Restricted retail premises</td>
</tr>
<tr>
<td>Petroleum exploration</td>
<td>Land used for petroleum exploration in accordance with the Petroleum Act 1998.</td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Petroleum extraction</td>
<td>Land used for petroleum extraction in accordance with the Petroleum Act 1998.</td>
<td></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>
</tbody>
</table>

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**HUME 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>Place of assembly</td>
<td>Land where people congregate for religious, spiritual or cultural activities, entertainment, or meetings.</td>
<td>Amusement parlour&lt;br&gt;Carnival&lt;br&gt;Cinema&lt;br&gt;Cinema-based entertainment facility&lt;br&gt;Circus&lt;br&gt;Drive-in theatre&lt;br&gt;Exhibition centre&lt;br&gt;Function centre&lt;br&gt;Hall&lt;br&gt;Library&lt;br&gt;Nightclub&lt;br&gt;Place of worship&lt;br&gt;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>Primary produce sales</td>
<td>Land used to display and sell primary produce, grown on the land or adjacent land. It may include processed goods made substantially from the primary produce.</td>
<td></td>
<td>Retail premises</td>
</tr>
<tr>
<td>Primary school</td>
<td></td>
<td></td>
<td>Education centre</td>
</tr>
<tr>
<td>Race course</td>
<td></td>
<td></td>
<td>Major sports and recreation facility</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Land used to keep, breed, board or train racing dogs.</td>
<td>Racing dog training</td>
<td>Animal husbandry</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>Racing dog training</td>
<td>Racing dog husbandry</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Railway station</td>
<td>Land used to assemble and distribute goods and passengers and includes facilities to park and manoeuvre vehicles. It may include the selling of food, drinks and other convenience goods and services.</td>
<td>Transport terminal</td>
<td></td>
</tr>
<tr>
<td>Real estate agency</td>
<td>Office</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reception centre</td>
<td>Function centre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Recreational boat facility</td>
<td>Land used to provide facilities for boats operated primarily for pleasure or recreation, including boats operated commercially for pleasure or recreation.</td>
<td>Boat launching facility</td>
<td>Marina</td>
</tr>
<tr>
<td>Refuse disposal</td>
<td>Land used to dispose of refuse, by landfill, incineration, or other means.</td>
<td>Industry</td>
<td></td>
</tr>
<tr>
<td>Renewable energy facility</td>
<td>Land used to generate energy using resources that can be rapidly replaced by an ongoing natural process. Renewable energy resources include the sun, wind, the ocean, water flows, organic matter and the earth’s heat. It includes any building or other structure or thing used in or in connection with the generation of energy by a renewable resource. It does not include a renewable energy facility principally used to supply energy for an existing use of the land.</td>
<td>Wind energy facility</td>
<td>Energy generation facility</td>
</tr>
<tr>
<td>Research and development centre</td>
<td>Land used to develop or test electronic technology, biotechnology, or any other scientific discipline. It may include administration, promotion, conference, display, laboratory, assembly, and manufacturing areas.</td>
<td>Industry</td>
<td></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>Utility installation</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><strong>Residential aged care facility</strong></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><strong>Residential building</strong></td>
<td>Land used to accommodate persons, but does not include camping and caravan park, corrective institution, dependent person's unit, dwelling, group accommodation, host farm, residential village or retirement village.</td>
<td>Community care accommodation</td>
<td>Accommodation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Residential hotel</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rooming house</td>
<td></td>
</tr>
<tr>
<td><strong>Residential hotel</strong></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><strong>Residential village</strong></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><strong>Restaurant</strong></td>
<td>Land used to prepare and sell food and drink, for consumption on the premises. It may include: a) entertainment and dancing; and b) the supply of liquor other than in association with the serving of meals, provided that tables and chairs are set out for at least 75% of patrons present on the premises at any one time. It does not include the sale of packaged liquor.</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td><strong>Restricted place of assembly</strong></td>
<td>Land used by members of a club or group, or by members’ guests, for religious or cultural activities, entertainment, or meetings. It may</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition                                                                                                                                                                                                                                                                                                                                                                                                                                                                ��</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td>include food and drink for consumption on the premises, and gaming.</td>
<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>Minor sports and recreation facility</td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td>Land used to sell or hire:                                                                卷</td>
<td>a) automotive parts and accessories;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) camping, outdoor and recreation goods</td>
<td>Equestrian supplies</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) electric light fittings;</td>
<td>Party supplies</td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) animal supplies including equestrian and pet goods;</td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td></td>
<td>e) floor and window coverings;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>f) furniture, bedding, furnishings, fabric and manchester and homewares;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>g) household appliances, household electrical goods and home entertainment goods;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>h) party supplies;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>i) swimming pools;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>j) office equipment and supplies;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>k) baby and children’s goods, children’s play equipment and accessories;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>l) sporting, cycling, leisure, fitness goods and accessories; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>m) goods and accessories which:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>* Require a large area for handling, display and storage of goods; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>* Require direct vehicle access to the building by customers for the purpose of loading or unloading goods into or from their vehicles after purchase or hire.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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<td>--------------------</td>
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<td>------------------------------------------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td>Included in</td>
<td>It does not include the sale of food, clothing and footwear unless ancillary to the primary use.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail premises</td>
<td>Land used to:</td>
<td>Food and drink premises</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) sell goods by retail, or by retail and wholesale;</td>
<td>Gambling premises</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) sell services; or</td>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) hire goods.</td>
<td>Manufacturing sales</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Market</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Motor vehicle, boat, or caravan sales</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Postal agency</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Primary produce sales</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Trade supplies</td>
<td></td>
</tr>
<tr>
<td>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></td>
</tr>
<tr>
<td>Rice growing</td>
<td></td>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td>Road freight terminal</td>
<td></td>
<td>Transport terminal</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Land used for a rooming house as defined in the Residential Tenancies Act 1997.</td>
<td>Residential building</td>
<td></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></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>Store</td>
<td></td>
</tr>
<tr>
<td>Saleyard</td>
<td>Land used to hold, sell, and buy farm animals.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sawmill</td>
<td>Land used to handle, cut, and process timber from logs.</td>
<td>Rural industry</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>
<td>-------------------------------</td>
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</tr>
<tr>
<td>Secondary school</td>
<td></td>
<td></td>
<td>Education centre</td>
</tr>
<tr>
<td>Service industry</td>
<td>Land used to launder, repair, service or wash articles, machinery, or vehicles.</td>
<td>Car wash</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>Dry cleaner</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) selling of motor vehicle accessories or parts;</td>
<td>Motor repairs</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</td>
<td>Retail premises</td>
</tr>
<tr>
<td></td>
<td>the selling of bread, pastries, cakes or other products baked on the premises;</td>
<td>Beauty salon</td>
<td></td>
</tr>
<tr>
<td></td>
<td>demonstrations of products including music performances in shops selling recorded music.</td>
<td>Bottle shop</td>
<td></td>
</tr>
<tr>
<td></td>
<td>It does not include:</td>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td></td>
<td>food and drink premises;</td>
<td>Dry cleaning agent</td>
<td></td>
</tr>
<tr>
<td></td>
<td>gambling premises;</td>
<td>Department store</td>
<td></td>
</tr>
<tr>
<td></td>
<td>landscape gardening supplies;</td>
<td>Hairdresser</td>
<td></td>
</tr>
<tr>
<td></td>
<td>manufacturing sales;</td>
<td>Laundromat</td>
<td></td>
</tr>
<tr>
<td></td>
<td>market;</td>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td></td>
<td>motor vehicle, boat, or caravan sales;</td>
<td>Supermarket</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>

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**Sign**
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Slipway</td>
<td>Land used to generate electricity from solar energy using ground-mounted photovoltaic and thermal technology, where the primary role is to export power to the electricity network. It does not include the generation of electricity principally used for an existing use of land.</td>
<td>Boat launching facility</td>
<td>Renewable energy facility</td>
</tr>
<tr>
<td>Solar energy facility</td>
<td>Land used to generate electricity from solar energy using ground-mounted photovoltaic and thermal technology, where the primary role is to export power to the electricity network. It does not include the generation of electricity principally used for an existing use of land.</td>
<td>Renewable energy facility</td>
<td></td>
</tr>
<tr>
<td>Solid fuel depot</td>
<td>Land used to sell solid fuel, such as briquettes, coal, and fire wood.</td>
<td>Fuel depot</td>
<td></td>
</tr>
</tbody>
</table>
| Stone exploration         | Land used to search for stone, including:  
    a) conducting geological, geophysical, and geochemical surveys;  
    b) costeaining and bulk sampling;  
    c) drilling; and  
    d) taking samples for chemical, physical, or other testing.                                                                                                                                 | Earth and energy resources industry |           |
<p>| Stone extraction          | Land used for the extraction or removal of stone in accordance with the <em>Mineral Resources (Sustainable Development) Act 1990</em>.                                                                               | Earth and energy resources industry |           |
| Store                     | Land used to store goods, machinery, or vehicles.                                                                                                                                                        | Boat and caravan storage  | Warehouse                           |
|                           |                                                                                                                                                                                                           | Freezing and cool storage |                                    |
|                           |                                                                                                                                                                                                           | Rural store               |                                    |
|                           |                                                                                                                                                                                                           | Shipping container storage|                                    |
|                           |                                                                                                                                                                                                           | Vehicle store             |                                    |
| Supermarket               |                                                                                                                                                                                                           | Shop                      | Food and drink premises            |
| Take away food premises   | Land used to prepare and sell food and drink for immediate consumption off the premises. It may include up to 10 seats available for consumption on the premises.                                           |                           |                                      |
| Telecommunications facility| Land used to accommodate any part of the infrastructure of a Telecommunications network. It                                                                                                                                 | Utility installation      |                                      |</p>
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Includes Definition</td>
<td>includes any telecommunications line, equipment, apparatus, telecommunications tower, mast, antenna, tunnel, duct, hole, pit, pole, or other structure or thing used, or for use in or in connection with a Telecommunications network.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tertiary institution</td>
<td>Education centre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Timber production</td>
<td>Land used to propagate, cultivate, manage and harvest timber.</td>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td>Timber yard</td>
<td>Land used to sell sawn, dressed, and treated timber, wood fibre boards, and the like. It includes cutting the timber and boards to order, and selling hardware, paints, tools, and materials used in conjunction with the use and treatment of timber.</td>
<td>Trade supplies</td>
<td></td>
</tr>
<tr>
<td>Trade supplies</td>
<td>Land used to sell by both retail and wholesale, or to hire, materials, tools, equipment, machinery or other goods for use in: a) automotive repairs and servicing; b) building; c) commerce; d) industry; e) landscape gardening; f) the medical profession; g) primary production; or h) local government, government departments or public institutions.</td>
<td>Timber yard</td>
<td>Retail premises</td>
</tr>
<tr>
<td>Tramway</td>
<td>Land used to provide a system of transport in vehicles connected to a network of tracks, and includes tram stops, shunting areas and associated passenger facilities.</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>Transfer station</td>
<td>Land used to collect, consolidate, temporarily store, sort or recover refuse, used or surplus materials before transfer for disposal, recycling or use elsewhere.</td>
<td></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>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, Bus terminal, Heliport, Railway station, Road freight terminal, Wharf</td>
<td></td>
</tr>
<tr>
<td>Travel agency</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Utility installation | Land used:  
  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.  
  It may include keeping the animals on the premises for treatment.                                                |                                                                         |                                                                             |
<p>| Warehouse          | Land used to store or display goods. It may include the storage and distribution of goods for wholesale and the storage and distribution of goods for online retail. It does not include premises allowing in-person retail or display of goods for retail, or allowing persons to collect goods that have been purchased online. | Commercial display area, Fuel depot, Mail centre, Milk depot, Store |                                                                             |</p>
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<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></td>
<td>Energy generation facility</td>
</tr>
<tr>
<td>Water retarding basin</td>
<td>Land used to store storm or flood water on a temporary basis.</td>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Wharf</td>
<td>Land used to provide facilities for ships, such as bulk and container ships, passenger ships, and defence force marine craft.</td>
<td>Transport terminal</td>
<td></td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Land used to generate electricity by wind force. It includes land used for: a) any turbine, building or other structure or thing used in or in connection with the generation of electricity by wind force b) an anemometer. It does not include turbines principally used to supply electricity for domestic or rural use of the land.</td>
<td>Renewable energy facility</td>
<td></td>
</tr>
<tr>
<td>Winery</td>
<td>Land used to display, and sell by retail, vineyard products, in association with the growing of grape vines and the manufacture of the vineyard products. It may include the preparation and sale of food and drink for consumption on the premises.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zoo</td>
<td></td>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
</tbody>
</table>
NESTING DIAGRAMS

The information in the table to Clause 73.03 is set out in the following diagrams as a means of indicating the nesting of land use terms.

The table to Clause 73.03 prevails if there is any inconsistency between the table and the diagrams or list.

Land use terms that are not nested are listed at Clause 73.04-17.

Land use terms in bold font are defined in Clause 73.03.

Accommodation group

- Camping and caravan park
- Corrective institution
- Dependent person's unit
- Bed and breakfast
- Dwelling
- Caretaker's house
- Group accommodation
- Host farm
- Residential aged care facility
- Community care accommodation
- Residential building
- Residential hotel
- Motel
- Residential village
- Rooming house
- Retirement village
HUME PLANNING SCHEME

73.04-3  Agriculture group (sub-group of Animal production)
21/09/2018
VC150

- Agriculture
- Animal husbandry
- Animal production
- Grazing animal production
- Intensive animal production
- Cattle feedlot
  - Intensive dairy farm
- Pig farm
- Poultry farm
- Broiler farm
- Poultry hatchery

73.04-4  Education centre group
08/08/2019
VC159

- Child care centre
- Kindergarten
- Employment training centre
- Education centre
  - Primary school
  - Secondary school
  - Tertiary institution
Earth and energy resources group

- Geothermal energy exploration
- Geothermal energy extraction
- Greenhouse gas sequestration
- Greenhouse gas sequestration exploration
- Mineral exploration
- Mineral extraction
- Petroleum exploration
- Petroleum extraction
- Stone exploration
- Stone extraction
Place of assembly group

- Amusement parlour
- Carnival
- Cinema
- Cinema-based entertainment facility
- Circus
- Drive-in theatre

- Art gallery
- Exhibition centre
- Museum
- Function centre
- Conference centre
- Hall
- Reception centre
- Library
- Nightclub
- Place of worship
- Restricted place of assembly
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

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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.