PURPOSE AND VISION

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

- To provide a clear and consistent framework within which decisions about the use and development of land can be made.

- To express state, regional, local and community expectations for areas and land uses.

- To provide for the implementation of State, regional and local policies affecting land use and development.
SETTLEMENT

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

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

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

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

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

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

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

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


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

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

Create and reinforce settlement boundaries.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Strategies

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

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

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

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

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

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

CASEY PLANNING SCHEME
Green wedges - Metropolitan Melbourne

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

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

Policy documents
Consider as relevant:
• Upper Yarra Valley and Dandenong Ranges Region - Regional Strategy Plan (1996)
Supply of urban land

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

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

Ensure that sufficient land is available to meet forecast demand.

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

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

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

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

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

Policy guidelines
Consider as relevant:
- Victorian Government population projections and land supply estimates.
Structure planning

Objective
To facilitate the orderly development of urban areas.

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

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

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

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

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

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

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

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

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

Support opportunities to co-locate facilities.

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

Give clear direction on preferred locations for investment.

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

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

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

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

Encourage economic activity and business synergies.

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

Policy documents
Consider as relevant:

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

Strategies

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

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

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

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

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

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

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

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

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

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

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

Provide a diversity of housing type and distribution.

Retain unique characteristics of established areas impacted by growth.

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

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

Develop Growth Area Framework Plans that will:

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

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

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

**Policy documents**

Consider as relevant:

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

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

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

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

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

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

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

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

Improve connections to regional and metropolitan transport services.
Coastal settlement

Objective
To plan for sustainable coastal development.

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

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

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

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

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

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

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

Protect areas between settlements for non-urban use.

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

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

Ensure a sustainable water supply, stormwater and sewerage treatment for all development.

Minimise the quantity and enhance the quality of stormwater discharge from new development into the ocean, bays and estuaries.

Policy documents
Consider as relevant:

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

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

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

Policy documents
Consider as relevant:

Regional and local places

Objective
To facilitate integrated place-based planning.

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

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

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

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

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

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

Strategies
Use biodiversity information to identify important areas of biodiversity, including key habitat for rare or threatened species and communities, and strategically valuable biodiversity sites.
Strategically plan for the protection and conservation of Victoria’s important areas of biodiversity.
Ensure that decision making takes into account the impacts of land use and development on Victoria’s biodiversity, including consideration of:

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

- Protecting Victoria’s Environment – Biodiversity 2037 (Department of Environment, Land, Water and Planning, 2017)
- Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017)
- Any applicable biodiversity strategies, including the relevant Regional Catchment Strategy (prepared under Part 4 of the Catchment and Land Protection Act 1994)
Native vegetation management

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

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

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

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

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

Objective

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

Strategies

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

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

Apply the hierarchy of principles for coastal planning and management:

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

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

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

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

Encourage revegetation of cleared land abutting coastal reserves.

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

Avoid disturbance of coastal acid sulfate soils.

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

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

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

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

Policy documents
Consider as relevant:

- *Maribyrnong River Valley Design Guidelines* (Department of Planning and Community Development, 2010)
- *Healthy Waterways Strategy* (Melbourne Water, 2013)
Yarra River protection

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

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

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

Promote a sense of place and landscape identity by:

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

Retain and enhance people’s enjoyment of the river and its environment by:

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

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

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

- Alpine Resorts Strategic Plan (Victorian Government, Alpine Resorts Co-ordinating Council, 2012)
- The Memorandum of Understanding in relation to the Co-operative Management of the Australian Alps National Parks, agreed to by the member states and territories of Victoria, Australian Capital Territory and New South Wales
12.05

SIGNIFICANT ENVIRONMENTS AND Landscapes
Environmentally sensitive areas

Objective
To protect and conserve environmentally sensitive areas.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy documents
Consider as relevant:
- Victorian Coastal Strategy (Victorian Coastal Council, 2014)
Bushfire planning

Policy application

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

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

Objective

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

Strategies

Protection of human life

Give priority to the protection of human life by:

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

Bushfire hazard identification and assessment

Identify bushfire hazard and undertake appropriate risk assessment by:

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

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

- Directing population growth and development to low risk locations, being those locations assessed as having a radiant heat flux of less than 12.5 kilowatts/square metre under AS 3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).
- Ensuring the availability of, and safe access to, areas assessed as a BAL-LOW rating under AS 3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009) where human life can be better protected from the effects of bushfire.
- Ensuring the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future land use and development.
- Achieving no net increase in risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reducing bushfire risk overall.
- Assessing and addressing the bushfire hazard posed to the settlement and the likely bushfire behaviour it will produce at a landscape, settlement, local, neighbourhood and site scale, including the potential for neighbourhood-scale destruction.
- Assessing alternative low risk locations for settlement growth on a regional, municipal, settlement, local and neighbourhood basis.
- Not approving any strategic planning document, local planning policy, or planning scheme amendment that will result in the introduction or intensification of development in an area that has, or will on completion have, more than a BAL-12.5 rating under AS 3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009).

Areas of biodiversity conservation value

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

Use and development control in a Bushfire Prone Area

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

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

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

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

Objective
To assist the protection of:

- Life, property and community infrastructure from flood hazard.
- The natural flood carrying capacity of rivers, streams and floodways.
- The flood storage function of floodplains and waterways.
- Floodplain areas of environmental significance or of importance to river health.

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

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

Locate emergency and community facilities (including hospitals, ambulance stations, police stations, fire stations, residential aged care facilities, communication facilities, transport facilities, community shelters and schools) outside the 1 in 100 year floodplain and, where possible, at levels above the height of the probable maximum flood.

Locate use and development that involve the storage or disposal of environmentally hazardous industrial and agricultural chemicals or wastes and other dangerous goods (including intensive animal industries and sewage treatment plants) outside floodplains unless site design and management is such that potential contact between such substances and floodwaters is prevented, without affecting the flood carrying and flood storage functions of the floodplain.

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

- State Environment Protection Policy (Waters of Victoria)
- Victorian Floodplain Management Strategy (Department of Environment, Land, Water and Planning 2016)
Contaminated and potentially contaminated land

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

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

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

Policy documents
Consider as relevant:

- *State Environment Protection Policy (Prevention and Management of Contamination of Land)*
- *Ministerial Direction No. 1 - Potentially Contaminated Land*
Erosion and landslip

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

Strategies
Identify areas subject to erosion or instability in planning schemes and when considering the use and development of land.

Prevent inappropriate development in unstable areas or areas prone to erosion.

Promote vegetation retention, planting and rehabilitation in areas prone to erosion and land instability.

Policy guidelines
Consider as relevant:

- Any applicable regional catchment strategy.
- Any special area plan approved under the *Catchment and Land Protection Act 1994*. 
Salinity

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

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

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

Policy documents
Consider as relevant:
Noise abatement

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

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

Policy documents
Consider as relevant:

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

Objective
To assist the protection and improvement of air quality.

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

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

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

Policy documents
Consider as relevant:

- *State Environment Protection Policy (Air Quality Management)*
- *Recommended Separation distances for industrial residual air emissions* (Environment Protection Authority, 2013)
Land use compatibility

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

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

Policy documents
Consider as relevant:

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

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

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

Live music

Objective
To encourage, create and protect opportunities for the enjoyment of live music.

Strategies
Identify areas where live music venues are encouraged or where there are high concentrations of licensed premises or clusters of live music venues.
Implement measures to ensure live music venues can co-exist with nearby residential and other noise sensitive land uses.

Policy guidelines
Consider as relevant:

- The social, economic and cultural benefits to the community of:
  - Retaining an existing live music venue.
  - The development of new live music entertainment venues.
  - Clustering licensed premises and live music venues.
NATURAL RESOURCE MANAGEMENT

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

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

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

Strategies
Identify areas of productive agricultural land, including land for primary production and intensive agriculture.

Consider state, regional and local, issues and characteristics when assessing agricultural quality and productivity.

Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors.

Protect productive farmland that is of strategic significance in the local or regional context.

Protect productive agricultural land from unplanned loss due to permanent changes in land use.

Prevent inappropriately dispersed urban activities in rural areas.

Protect strategically important agricultural and primary production land from incompatible uses.

Limit new housing development in rural areas by:

- Directing housing growth into existing settlements.
- Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.
- Encouraging consolidation of existing isolated small lots in rural zones.

Identify areas of productive agricultural land by consulting with the Department of Economic Development, Jobs, Transport and Resources and using available information.

In considering a proposal to use, subdivide or develop agricultural land, consider the:

- Desirability and impacts of removing the land from primary production, given its agricultural productivity.
- Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.
- Compatibility between the proposed or likely development and the existing use of the surrounding land.
- The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.
- Land capability.

Avoid the subdivision of productive agricultural land from diminishing the long-term productive capacity of the land.

Give priority to the re-structure of inappropriate subdivisions where they exist on productive agricultural land.

Balance the potential off-site effects of a use or development proposal (such as degradation of soil or water quality and land salinisation) against the benefits of the proposal.
Protection of agricultural land - Metropolitan Melbourne

Strategy

Protect agricultural land in Metropolitan Melbourne’s green wedges and peri-urban areas to avoid the permanent loss of agricultural land in those locations.
Sustainable agricultural land use

Objective
To encourage sustainable agricultural land use.

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

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

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

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

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

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

Facilitate ongoing productivity and investment in high value agriculture.

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

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

Policy documents
Consider as relevant:

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

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

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

Policy documents
Consider as relevant:

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

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

Strategies
Ensure the continued availability of clean, high-quality drinking water by protecting water catchments and water supply facilities.
Consider the impacts of catchment management on downstream water quality and freshwater, coastal and marine environments.
Retain natural drainage corridors with vegetated buffer zones at least 30 metres wide along each side of a waterway to:
- Maintain the natural drainage function, stream habitat and wildlife corridors and landscape values,
- Minimise erosion of stream banks and verges, and
- Reduce polluted surface runoff from adjacent land uses.

Undertake measures to minimise the quantity and retard the flow of stormwater from developed areas.
Require appropriate measures to filter sediment and wastes from stormwater prior to its discharge into waterways, including the preservation of floodplain or other land for wetlands and retention basins.
Ensure that development at or near waterways provide for the protection and enhancement of the environmental qualities of waterways and their instream uses.
Ensure land use and development minimises nutrient contributions to water bodies and the potential for the development of algal blooms.
Require appropriate measures to restrict sediment discharges from construction sites.
Ensure planning is coordinated with the activities of catchment management authorities.

Policy guidelines
Consider as relevant:
- Any regional catchment strategy and related plans approved under the Catchment and Land Protection Act 1994.
- Any applicable implementation strategy approved by a catchment management authority or waterway management authority.
- Any special area or management plan under the Heritage Rivers Act 1992.

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

• 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)
Protection of declared irrigation districts

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

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

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

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

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

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

Policy documents
Consider as relevant:

- *Gippsland Region Sustainable Water Strategy* (Department of Sustainability and Environment, 2011)
- *Western Region Sustainable Water Strategy* (Department of Sustainability and Environment, 2011)
- *Northern Region Sustainable Water Strategy* (Department of Sustainability and Environment, 2009)
- *Central Region Sustainable Water Strategy* (Department of Sustainability and Environment, 2006)
Resource exploration and extraction

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

Urban design - Metropolitan Melbourne

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

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

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

Strategies
Ensure a comprehensive site analysis forms the starting point of the design process and provides the basis for the consideration of height, scale and massing of new development.

Ensure development responds and contributes to the strategic and cultural context of its location.

Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.

Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.

Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.

Ensure development is designed to protect and enhance valued landmarks, views and vistas.

Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.

Ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces.

Encourage development to retain existing vegetation.

Policy documents
Consider as relevant:


Subdivision design

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

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

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

Policy documents
Consider as relevant:

- Urban Design Guidelines for Victoria (Department of Environment, Land, Water and Planning,
  2017)
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
Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.

Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.

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 respecting the:

- Pattern of local urban structure and subdivision.
- Underlying natural landscape character and significant vegetation.
- Neighbourhood character 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.
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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.
Housing supply

Objective
To facilitate well-located, integrated and diverse housing that meets community needs.

Strategies
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.

Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.

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

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

Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.

Encourage the development of well-designed housing that:
- Provides a high level of internal and external amenity.
- Incorporates universal design and adaptable internal dwelling design.

Support opportunities for a range of income groups to choose housing in well-serviced locations.

Plan for growth areas to provide for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.

Policy documents
Consider as relevant:
Housing supply - Metropolitan Melbourne

Strategies

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.

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

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

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.

Create mixed-use neighbourhoods at varying densities that offer more choice in housing.
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.
16.01-5S Residential aged care facilities

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

Strategies
Recognise that residential aged care facilities contribute to housing diversity and choice, and are an appropriate use in a residential area.

Recognise that residential aged care facilities are different to dwellings in their purpose and function, and will have a different built form (including height, scale and mass).

Ensure local housing strategies, precinct structure plans and activity centre structure plans provide for residential aged care facilities.

Ensure that residential aged care facilities are located in residential areas, activity centres and urban renewal precincts, close to services and public transport.

Encourage planning for housing that:

- Delivers an adequate supply of land or redevelopment opportunities for residential aged care facilities.
- Enables older people to live in appropriate housing in their local community.

Provide for a mix of housing for older people with appropriate access to care and support services.

Ensure that proposals to establish residential aged care facilities early in the life of a growth area are in locations that will have early access to services and public transport.

Ensure that residential aged care facilities are designed to respond to the site and its context.

Promote a high standard of urban design and architecture in residential aged care facilities.

Policy guidelines
Consider as relevant:

- The Commonwealth Government’s Responsible ratios for the provision of aged care places under the Aged Care Act 1997.
ECONOMIC DEVELOPMENT

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

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

**Objective**
To strengthen and diversify the economy.

**Strategies**
Protect and strengthen existing and planned employment areas and plan for new employment areas.

Facilitate regional, cross-border and inter-regional relationships to harness emerging economic opportunities.

Facilitate growth in a range of employment sectors, including health, education, retail, tourism, knowledge industries and professional and technical services based on the emerging and existing strengths of each region.

Improve access to jobs closer to where people live.

Support rural economies to grow and diversify.
Diversified economy - Metropolitan Melbourne

Strategies

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

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

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

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

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

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

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

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

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

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

Objective

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

Strategies

Plan for an adequate supply of commercial land in appropriate locations.

Ensure commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.

Locate commercial facilities in existing or planned activity centres.

Provide new convenience shopping facilities to provide for the needs of the local population in new residential areas and within, or immediately adjacent to, existing commercial centres.

Provide small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.

Provide outlets of trade-related goods or services directly serving or ancillary to industry that have adequate on-site car parking.

Locate cinema based entertainment facilities within or on the periphery of existing or planned activity centres.

Apply a five year time limit for commencement to any planning permit for a shopping centre or shopping centre expansion of more than 1000 square metres leasable floor area.
Out-of-centre development

Objective
To manage out-of-centre development.

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

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

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

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

Objective
To ensure availability of land for industry.

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

Identify land for industrial development in urban growth areas where:

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

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

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

Policy documents
Consider as relevant:

- *Recommended separation distances for industrial residual air emissions* (Environment Protection Authority, 2013)
Sustainable industry

Objective
To facilitate the sustainable operation of industry.

Strategies
Ensure that industrial activities requiring substantial threshold distances are located in the core of industrial areas.
Encourage activities with minimal threshold requirements to locate towards the perimeter of the industrial area.
Minimise inter-industry conflict and encourage like industries to locate within the same area.
Protect industrial activity in industrial zones from the encroachment of commercial, residential and other sensitive uses that would adversely affect industry viability.
Encourage industrial uses that meet appropriate standards of safety and amenity to locate within activity centres.
Provide adequate separation and buffer areas between sensitive uses and offensive or dangerous industries and quarries to ensure that residents are not affected by adverse environmental effects, nuisance or exposure to hazards.
Encourage manufacturing and storage industries that generate significant volumes of freight to locate close to air, rail and road freight terminals.

Policy documents
Consider as relevant:

- *Recommended separation distances for industrial residual air emissions* (Environment Protection Authority, 2013)
State significant industrial land

Objective
To protect industrial land of state significance.

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

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

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

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

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

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

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

Policy documents
Consider as relevant:
Tourism 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)
- *Avalon Airport Master Plan* (Avalon Airport Australia Pty Ltd, 2015)
- *Avalon Airport Strategy* (Department of Business and Employment/AeroSpace Technologies of Australia, 1993) and its associated Aircraft Noise Exposure Concepts
Melbourne Airport

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

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

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

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

Link areas of production and manufacturing to export markets.

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

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

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

Minimise negative impacts of freight movements on urban amenity.

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

Policy documents
Consider as relevant:

Freight links - Metropolitan Melbourne

Strategy

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

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

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

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

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

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

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

Objective
To facilitate appropriate development of energy supply infrastructure.

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

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

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

Policy documents
Consider as relevant:

Renewable energy - Metropolitan Melbourne

Strategy

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

**Objective**

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

**Strategies**

Plan for the development of pipeline infrastructure subject to the *Pipelines Act 2005*.

Recognise existing transmission-pressure gas pipelines in planning schemes and protect from further encroachment by residential development or other sensitive land uses, unless suitable additional protection of pipelines is provided.

Plan new pipelines along routes with adequate buffers to residences, zoned residential land and other sensitive land uses and with minimal impacts on waterways, wetlands, flora and fauna, erosion prone areas and other environmentally sensitive sites.

Provide for environmental management during construction and on-going operation of pipeline easements.
Health facilities

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

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

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

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

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

Strategies

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

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

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

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

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

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

Strategy

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

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

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

Strategies

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

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

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

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

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

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

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

Ensure that open space networks:

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

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

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

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

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

Protect large regional parks and significant conservation areas.

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

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

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

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

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

Develop open space to maintain wildlife corridors and greenhouse sinks.

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

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

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

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

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

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

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

Objective
To strengthen the integrated metropolitan open space network.

Strategies
Develop a network of local open spaces that are accessible and of high-quality and include opportunities for new local open spaces through planning for urban redevelopment projects.
Ensure major open space corridors are protected and enhanced.
Develop open space networks in growth areas and in the surrounding region of Metropolitan Melbourne, where existing open space is limited and demand is growing, including:

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

Create continuous open space links and trails along the:

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

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

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

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

Support establishing community gardens and productive streetscapes.

Policy documents
Consider as relevant:

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

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

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

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

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

Policy documents
Consider as relevant:

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

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

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

Integrate developments with infrastructure and services, whether they are in existing suburbs, growth areas or regional towns.
Integrated water management

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

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

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

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

**Strategies**
Facilitate the upgrading and maintenance of telecommunications facilities.
Ensure that modern telecommunications facilities are widely accessible to business, industry and the community.
Ensure the communications technology needs of business, domestic, entertainment and community services are met.
Ensure that the use of land for a telecommunications facility is not prohibited in any zone.
Encourage the continued deployment of broadband telecommunications services that are easily accessible by:

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

Ensure a balance between the provision of important telecommunications services and the need to protect the environment from adverse impacts arising from telecommunications infrastructure.
Planning should have regard to national implications of a telecommunications network and the need for consistency in infrastructure design and placement.

**Policy documents**
Consider as relevant:

Telecommunications - Metropolitan Melbourne

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

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

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

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

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

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

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

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

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

Encourage development that facilitates sustainable waste and resource recovery.

Policy guidelines
Consider as relevant:

- Any applicable Regional Waste and Resource Recovery Implementation Plan.

Policy documents
Consider as relevant:

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

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

Municipal profile

The City of Casey is located in Melbourne’s south-east region. It forms part of the Casey-Cardinia Growth Area and is one of the fastest growing municipalities in Australia. Covering an area of 395 square kilometres, Casey is characterised by a diverse environment that extends from the foothills of the Dandenong Ranges to the shores of Western Port, providing an interface between country Victoria (Gippsland) and metropolitan Melbourne.

Casey comprises five distinct geographical regions:

- The foothills of the Dandenong Ranges, which are characterised by areas used for grazing, horse agistment and passive recreation, are located north of Casey’s population centre and include the rural-residential and village locales of Harkaway, Lysterfield South and Narre Warren North.

- The residential and commercial heart, which generally follows the Princes Highway and South Gippsland Highway corridors, and includes the suburbs of Beaconsfield (part), Berwick, Cranbourne, Doveton, Eumemmerring, Endeavour Hills, Hallam, Hampton Park and Narre Warren.

- The urban growth area, which is characterised by strong building activity and rapid population growth, is located centrally in Casey extending to the east, south and west of the established urban area, and includes the developing suburbs of Botanic Ridge, Clyde (part), Clyde North, Cranbourne East, Cranbourne North, Cranbourne West, Junction Village, Lynbrook, Lyndhurst and Narre Warren South.

- The farm belt, which is mainly used for market gardening, flower growing and grazing, is located in Casey’s south and includes the rural and village locales of Clyde, Cranbourne South, Devon Meadows and Pearcedale. Part of the farm belt also contains urban growth areas that are transitioning from farming in Clyde, Cranbourne South and Devon Meadows.

- The Western Port coastal environs, which include the villages of Blind Bight, Cannons Creek, Tooradin and Warneet, contain extensive and internationally significant coastal reserves that also form a link between the popular tourist destinations of the Mornington Peninsula and Philip Island.

Prior to European settlement, the Bunurong and Wurundjeri peoples occupied the Casey area. As a result, a number of sites of significance to these indigenous communities are located throughout the municipality, particularly within coastal areas and near creeks and waterholes.

Casey is experiencing rapid growth in all areas, including housing, industry, and commercial and retail facilities, which is supported by the ongoing roll-out of associated infrastructure. New housing is the major growth catalyst and is particularly evident in the urban growth areas, which will benefit over time from major new and upgraded transport infrastructure to support the vibrant communities that are establishing.

Casey is served by a range of activity centres varying in size from local convenience activity centres to its two primary activity centres: Fountain Gate-Narre Warren CBD Metropolitan Activity Centre and Cranbourne Town Centre Major Activity Centre. The Fountain Gate-Narre Warren CBD is the urban focal point for the northern part of the municipality, being approximately 40 kilometres from Melbourne’s GPO, while for the southern part it is the Cranbourne Town Centre, which is approximately 45 kilometres from the GPO. It is expected that the role of these two centres in providing high-level regional services will increase over the next decade as links with the Cardinia Employment Corridor and Gippsland along the two highway corridors continue to grow.

Casey’s rapid growth, size and geographical diversity have added a layer of complexity to its planning. Its suburban areas are framed by a backdrop of open, green and fertile pasture land, an environmentally significant coastline in the south and wooded foothills in the north. Pressures brought about by urban development mean that planning is required to give careful consideration...
to the protection of the City’s resources, natural ecosystems and heritage places associated with
its pre- and post-contact history, and to the promotion of integrated development planning to create
a sustainable urban environment.

21.01-2
Community context
Casey is a diverse and multi-cultural community, its Aboriginal cultural heritage having provided
the foundation upon which this rich cultural diversity has developed over the years. The current
community of Casey is an amalgam of a number of individual communities contained within
discrete geographical boundaries; some are well established, while others are emerging and being
shaped.

From a demographic perspective, the age and development of Casey’s communities are not uniform.
The issues in each community differ depending on their stage of evolution and their population
mix. In developing communities such as Narre Warren South, new roads, community facilities
and shops are most important. In established communities such as Endeavour Hills, youth issues
are more prominent. In older communities such as Doveton, the refurbishment or redevelopment
of community facilities is important. There are many areas with a growing aged population that
require access to a broad range of services and facilities, including home care, meals-on-wheels
and seniors’ clubrooms, while there are some facilities, such as shared paths, that benefit all age
groups and communities.

Like many of metropolitan Melbourne’s outer municipalities, Casey is experiencing significant
development pressures in its established residential areas. These pressures are characterised by
the substantial investment in new medium-density housing, stemming from the comparatively low
cost and generous size of residential allotments in older areas when compared to other metropolitan
municipalities. The South East Growth Corridor Plan seeks to provide for further growth in these
areas, as well as forming and developing new communities in areas such as Cranbourne West,
Cranbourne North and Clyde North.

In managing these development pressures there is a need to identify and protect various intrinsic
community values, such as the maintenance of Casey’s “country feel, city living” image. To this
end, Council recognises that its local areas have different neighbourhood characteristics, such as
built form, landscape features and community identity, and acknowledges that new and infill
development must be appropriately managed to ensure these characteristics are retained and
enhanced.

The building and strengthening of all communities, in terms of physical planning and community
development and recognising their diverse needs, values and characteristics, will be key tools in
managing development pressures into the future. It will underpin the land use planning decisions
by Council and ensure that the balance of competing planning, economic, social and environmental
objectives is managed in a way that reflects local community values and aspirations.

21.01-3
Environmental context
Casey boasts a beautiful and diverse environment that is characterised by extensive areas of land
with outstanding agricultural, natural landscape, cultural heritage or environmental value. These
include the Western Port coastal environs that are listed under the Ramsar Convention on Wetlands
of International Importance, the Cranbourne Gardens and Churchill National Park. Most of these
areas fall within the Southern Ranges, Westernport and South East Green Wedges that are set out
under Plan Melbourne Casey shares its Green Wedges with neighbouring and nearby municipalities:

- South East – Frankston, Greater Dandenong and Kingston.
- Southern Ranges – Cardinia, Knox and Yarra Ranges.
- Westernport – Cardinia and Frankston.
The protection and management of these areas, and the ecosystems that underpin them, are important to ensure the City maintains soil fertility and clean, fresh air and water. The bushland and waterways provide recreational opportunities and are a source of inspiration, pride and cultural identity. They also provide both permanent and seasonal habitat for a broad range of native animals, birds, reptiles, insects and microbes, including some rare species listed under Commonwealth legislation and protected by international treaties.

However, it is widely acknowledged that the biological diversity of the City is in a state of decline, primarily from residential, industrial and agricultural development pressures, including those pressures arising from the need to satisfy the considerable recreational demands of a large growing population. The resultant land use impacts have reduced the pre-settlement biodiversity of the municipality to about 7 per cent of its former extent.

As such, the management of remnant vegetation and fauna throughout the City is important in order to achieve a net gain in the extent and quality of native vegetation, and protect and conserve biodiversity. Of particular importance is the protection and enhancement of biolink corridors that provide critical linkages for the survival of threatened species in Casey, such as the Southern Brown Bandicoot and the Dwarf Galaxias. In general, the most extensive and highest quality vegetation remnants and fauna habitats are found on public land, such as within Churchill National Park, the Cranbourne Gardens and the Western Port coastal environs. However, biodiversity resources on private land include some of the rarest and most threatened flora and fauna populations and vegetation types within the region.

These sites need to be protected through the planning process, not only on a case-by-case basis but also as part of a coordinated strategic approach that has regard to the State Government’s Native Vegetation Framework. This would enable the retention of unique examples of pre-existing flora and fauna, the protection of important sites and the provision of a future seed resource for revegetation using locally indigenous species.

Water management is a critical component of the conservation of biodiversity. There is a fundamental link between what we do on the land and the quality of our waterways, and the quantity, quality and seasonal flow of water all contribute to the health of aquatic environments. The major waterways of the City include Cardinia, Dandenong, Eumemmerring and Troups Creeks, the Hallam Valley Main Drain and Western Port itself. There is a need to prevent and reduce stormwater impacts on waterways, while opportunities exist to develop a series of green corridors and recreational linkages along them. The wider management of catchments at a regional level is also important in achieving the coordination of land and water management programs.

Increasing controls on waste collection and disposal, combined with State-legislated targets for the recovery of resources, present significant challenges for waste management in Casey. Appropriate locations for waste disposal or resource-recovery facilities in the metropolitan region are scarce, and Council has a significant role in the protection of existing sites, the planning for future sites and the application of appropriate waste management technologies.

At a broader level, climate change predictions necessitate planning for a carbon-constrained future in which greenhouse gas emissions will have to be limited and the reliance on non-renewable resources will need to be reduced. As a consequence, people will need to change the nature and patterns of energy generation and use, manage resources more efficiently, modify the way that buildings are designed and sited, and alter transport usage and some agricultural and land use practices. This will require a commitment by both the public and private sector to embrace new green technologies and achieve land use and development outcomes focused on environmentally sustainable solutions. The low-lying areas along the Western Port coast, including the villages of Cannons Creek, Tooradin and Warneet, have been identified as being sensitive to the impacts of climate change from rising sea levels.
**Economic context**

The City of Casey has a broad economic base that is reflective of the two main periods of the City’s development: pre-World War 2, when the City was broadly rural and newly settled, and the post-war expansion of population and settlement that is continuing today.

The pre-war period has left the municipality with a strong agricultural base that includes horticultural and animal husbandry industries, with a particular focus on market gardens, dog breeding and the equine industry. Most of these industries are located in the south and east of the municipality. There is also the presence of number of extractive industries, such as clay, sand and rock.

The post-war period led to continued economic expansion and the emergence of population-driven employment sectors. Typically, these jobs fell within the building and construction, manufacturing, retail goods and services, professional, education and health services’ sectors. The City has a good range of these industries, with a large manufacturing precinct located in Hallam, smaller service industries’ precincts located in Doveton, Cranbourne, Narre Warren and Berwick. Berwick has a strong medical and education focus, highlighted by the Casey and St John of God Hospitals, the Chisholm Institute of TAFE and Federation University campuses. Retail, office and professional services’ jobs are located in the key activity centres, such as Fountain-Gate-Narre Warren CBD, Cranbourne Town Centre and Berwick Village.

As Casey will continue to experience significant population and housing growth for the foreseeable future, growth in population-driven employment sectors will continue to expand and provide a broad range of employment options. However, as the structure of the economy is changing, new types of jobs will be created based around knowledge, innovation and technological expertise. It is these types of jobs that need to be secured and grown if Casey is able to provide suitable employment choices for its residents.

With a number of highly valued natural assets, including the Cranbourne Gardens, Cranbourne Racecourse, the Ramsar-listed wetlands along the Western Port coastline, Tooradin and Warneet boat launching facilities, Churchill National Park, Lysterfield Park and the Dandenong Police Paddocks Reserve, tourism will also be a key employment sector for the future.

The municipality also sits within a broader regional context, with the neighbouring City of Greater Dandenong, and Dandenong South in particular, being a significant employment destination for Casey’s residents. In the future, the Shire of Cardinia will also be an important employment destination for Casey’s residents, with Casey itself ultimately fulfilling a similar role for residents of these municipalities. Improving public transport and road connections to both municipalities will therefore be an important objective for the future.

The strength of Casey’s economy has rested on retail, medical, service industry, manufacturing, construction and agribusinesses. It is important for Casey to continue to attract new businesses that are employment generators and add value to the existing goods and services that are produced and distributed in the City.

There is also a need to continue to attract major new businesses to the region that not only support the growth in residential population, but also help to diversify the economy. Promoting diverse business types and employment is critical to a developing city that comprises a range of backgrounds and skills in the resident population base.

New clusters of technology- and export-oriented industries are also integral to a developing economy to generate wealth, attract skilled staff and to create a clear point of difference for a municipality. Successful establishment of these innovative clusters also provides a strategic base for training, research and development, as well as new venture capital.

**Regional context**

Casey’s municipal neighbours are Yarra Ranges and Knox to the north, Greater Dandenong and Frankston to the west, Mornington Peninsula to the south and Cardinia to the east. Excluding Yarra Ranges and Knox, Casey and its other four neighbours had a combined population of approximately
745,700 people in 2011, according to State Government estimates. The population of the region is forecast to grow to over 1,038,000 people by 2031, making it similar in size to the City of Adelaide and an important region in its own right.

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City of Casey Greenhouse Strategy – Local Action Plan (City of Casey, 2002).

Heritage of the City of Casey – Historic Sites in the former Cranbourne Shire (City of Casey, in association with Graeme Butler & Associates, 1996).

Port Phillip and Western Port Native Vegetation Plan (Port Phillip and Westernport Catchment Management Authority, 2006).

Port Phillip and Western Port Regional Catchment Strategy 2004-2009 (Port Phillip and Westernport Catchment Management Authority, 2004).


South East Growth Corridor Plan (Growth Areas Authority, 2012).

Fountain Gate-Narre Warren CBD Structure Plan (City of Casey, 2018).
Key issues
The key issues facing Casey can be grouped into five strategic themes:

Settlement and housing
- The management of rapid urban growth to meet the social and physical needs of a diverse community.
- The management of urban development and its impacts on surrounding rural areas and areas of landscape, environmental and heritage significance.
- The provision of diverse housing types and lot sizes to meet the needs of a changing community.

Environment
- The protection and restoration of Casey’s biodiversity.
- The protection and management of areas of State, national and international significance.
- The protection of life and property arising from the impacts of climate change, flooding and wildfire.
- The protection and enhancement of significant rural landscapes.
- The formulation of ecologically sustainable land use and development practices.

Economic development
- The development of a diverse, prosperous and sustainable economic base for Casey.
- The development of a strong knowledge-based business sector.
- The need to support and strengthen existing businesses, including home-based businesses.
- The protection and sustainable use of agricultural land.
- The development of Casey’s tourism and eco-tourism potential.

Transport
- The development of a transport system that addresses Casey’s accessibility needs and provides for increased use of public transport.
- The need to upgrade regional transport routes in order to improve access for Casey’s residents to the major employment precincts to the west.
- The development of a multi-use trail network in Casey that links community places and other key destinations.

Built environment
- The protection and enhancement of local neighbourhood character.
- The retention and maintenance of heritage places for the benefit of present and future generations.
- The protection of Casey’s diverse local areas, townships and villages from inappropriate use and development.

Casey’s land use vision
The Casey C21: A vision for our future strategy (“Casey C21 Strategy”), which was adopted by Council on 3 September 2002, articulates the land use vision for Casey. It arose out of the recognition by Council that a holistic, long-term vision needed to be created for the municipality that complemented and strengthened the key directions of the City’s Council Plan.
This vision was created from the “ground up”, comprising strategic directions that are based on a
detailed understanding of the values of the Casey community and how those values vary in a spatial
sense. It is about creating Casey’s own identity as a city by developing and strengthening its
communities, protecting and enhancing its natural assets, improving the accessibility of its residents
to services, and stimulating economic development by building on its advantages.

Casey C21 – Building a Great City is an update of the Casey C21 Strategy that was adopted by
Council on 19 July 2011. While retaining the direction and vision of the original strategy, it refines
these into a form that is more accessible to the community and updates various references and
actions arising from the implementation of the strategy. Any reference to the Casey C21 Strategy
throughout the Local Planning Policy Framework of this planning scheme should therefore also
be read as a reference to Casey C21 – Building a Great City.

21.02-3

Casey’s Municipal Strategic Statement

The Municipal Strategic Statement (MSS) is based on the Casey C21 Strategy, which is the main
reference document of the Local Planning Policy Framework of this planning scheme. Only those
aspects of the strategy relevant to land use, subdivision and development planning policy have
been included in this MSS, but the responsible authority will have regard to all of the strategy in
its decision-making.

The conceptual model for Casey’s MSS examines the municipality using two discrete, but related,
analytical approaches:

- A thematic approach, based on the development of strategic responses to key economic, social
  and environmental development and land use planning issues, comprising the following five
  themes (refer to Clauses 21.03-21.07):
    - Settlement and housing.
    - Environment.
    - Economic development.
    - Transport.
    - Built environment.

- A local area approach, based on the analysis of the following 17 local areas derived from
  those identified in the Casey C21 Strategy (refer to Clauses 21.08-21.25):
    - Berwick Northern Area (including part of Beaconsfield).
    - Berwick Southern Area (including part of Clyde North).
    - Botanic Ridge/Junction Village.
    - Casey Coast (including Blind Bight, Cannons Creek, Tooradin, Warneet and part of southern
      Pearcedale).
    - Casey Farm (including Clyde, part of Clyde North, Devon Meadows, Pearcedale and
      Cranbourne South).
    - Casey Foothills (including Harkaway, Lysterfield South, Narre Warren North and part of
      Endeavour Hills and the northern area of Berwick).
    - Cranbourne.
    - Cranbourne East.
    - Cranbourne North.
    - Cranbourne West.
    - Doveton/Eumemmerring.
The two approaches are necessary, as a single approach fails to cover the full spectrum of planning issues. Some issues have widespread relevance to the municipality, whereas other issues are location-specific. The thematic approach set out in Clauses 21.03-21.07 complements the local area approach set out in Clauses 21.08 to 21.25. The combination of the two approaches ensures that both broad thematic issues and location-specific issues are addressed as part of Council’s longer term strategic vision, and also demonstrates how the broader thematic issues are translated into their local context.

Both approaches respond to the issues in the form of objectives, strategies and implementation actions.

**Casey’s Strategic Framework Plan**

Casey’s key strategic directions for future land use planning and development are illustrated by the Strategic Framework Plan. The purpose of the Strategic Framework Plan is to identify locations where specific land use outcomes will be supported and promoted. It also identifies potential development opportunity areas where significant land use change may be expected, as well as areas where land use constraints may restrict future development.

Separate Local Area Maps have also been prepared for each of the 17 local areas (refer Clauses 21.08-21.25). These maps advance the broad strategic directions shown on the Strategic Framework Plan.

The major strategic directions identified on the Strategic Framework Plan are:

- A hierarchy of activity centres that caters for the growth of individual centres.
- Regional transport corridors supported by a “mile-grid” of arterial roads.
- An open space network to create linear corridors that link major destinations.
- Capacity for new suburban areas within the Urban Growth Boundary to cater for up to an additional 82,400 lots, as of 2018.
- Green Wedge land that is afforded long-term protection from urban growth pressures.
- A mix of housing opportunities incorporating suburban and large-lot housing (“lifestyle living”).
- Land for future employment growth in a number of large new employment precincts.
- Environmental protection of conservation areas.

**Reference documents**

*Casey C21: A vision for our future* (City of Casey, 2002).
*Casey C21: Building a Great City* (City of Casey, 2011).
*Casey Housing Strategy* (City of Casey, 2019)
*City of Casey Activity Centres Strategy* (City of Casey, in association with Ratio Consultants Pty Ltd, 2006).
City of Casey Conservation Strategy (City of Casey, in association with Environment Link Pty Ltd, 2002).


Heritage Strategy (City of Casey, 2001).

South East Growth Corridor Plan (Growth Areas Authority, 2012).

Fountain Gate-Narre Warren CBD Structure Plan (City of Casey, 2018).
SETTLEMENT AND HOUSING

Overview
The sustained building and strengthening of communities will improve physical, social, environmental and economic outcomes for local areas. It will result in the identification and articulation of the community’s vision for their area and ensure that land use planning and development decisions better reflect these local values and aspirations.

Enhancing and strengthening the liveability of Casey’s communities will in turn provide an incentive for greater choice, quality and diversity within local areas.

Casey is experiencing significant population increases associated with large numbers of young couples with young families moving into new residential estates. However, there are also a number of established suburbs with maturing populations. There is an increasing ethnic mix in some areas, and household type, income levels, education levels and other socio-economic characteristics vary widely across the municipality. Different communities of interest amongst Casey’s residents also extend across geographic boundaries (such as religious or sporting communities).

Housing in Casey should provide for the needs and preferences of dynamic and evolving communities. In particular, there is a need for housing diversity to cater for more single and dual person households into the future.

Objective 1
To provide a framework for urban growth and development that will support and strengthen the diverse communities in Casey.

Strategies
Strategy 1.1 Create clear physical delineations between Casey’s communities.
Strategy 1.2 Focus activity into identified activity centres and community places to create a sense of place, create physical community landmarks and focal points, and reinforce community identity.
Strategy 1.3 Maintain, enhance and reinforce inter-suburban breaks, with an emphasis on the progressive development of the Hallam Valley Floodplain (‘Casey Valley Parklands’) as passive parkland accessible by the public.
Strategy 1.4 Maintain key rural views.
Strategy 1.5 Recognise and maintain areas with existing significant neighbourhood character, enhanced landscapes, views and vistas.
Strategy 1.6 Discourage transition rural-residential lot sizes between suburban Casey and surrounding rural areas.
Strategy 1.7 Encourage rural-residential and rural-living lots in identified locations, but not as a buffer or transition.
Strategy 1.8 Provide for appropriate non-residential uses to establish in residential areas for the convenience of local residents.
Strategy 1.9 Ensure all new development makes an appropriate contribution to upgrading local physical and community infrastructure.
Strategy 1.10 Manage land release and development having regard to the South East Growth Corridor Plan.
Strategy 1.11 Provide a safe and convenient open space system that offers a variety of opportunities and caters for a wide range of community needs.

Objective 2
To provide quality housing to accommodate significant population increases and to suit a range of household types and lifecycle needs.

Strategies
Strategy 2.1 Encourage and facilitate diverse housing and lot sizes to cater for different household types, particularly single and dual person households.
Encourage well designed higher density housing in appropriate suburban residential areas that respects and enhances neighbourhood character, responds to its local landscape context, and minimises off-site amenity impacts.

Strategy 2.3
Encourage higher-density housing, particularly one and two bedroom dwellings, on well located sites within 400 metres to 800 metres walking distance of activity centres, community facilities and public transport.

Strategy 2.4
Encourage consolidation of adjoining lots in the Residential Growth Zone to achieve the preferred intensity and scale of development and to facilitate efficient use of site.

Strategy 2.5
Provide for properly serviced rural-residential and large-lot opportunities in appropriate areas that reflect local environmental attributes, and which contribute to the range of housing and lifestyle choices in Casey.

Strategy 2.6
Plan new suburban subdivisions to ensure a range of lot sizes is provided throughout Casey's growth areas.

Strategy 2.7
Encourage the balanced provision of well located affordable housing to meet special housing needs within the community, including aged care, student housing, low-cost housing, social housing and public housing.

Strategy 2.8
Encourage the redevelopment and renewal of existing public housing stock that meets local community needs and expectations.

Strategy 2.9
Encourage the provision of well designed, adaptable, accessible and ecologically sustainable housing.

21.03-4
Objective 3
To recognise, value, provide and facilitate a choice of facilities, including learning centres and services that reflect the diverse needs of the Casey community.

Strategies

Strategy 3.1
Provide the community with a range of leisure and recreation opportunities to increase the overall participation by residents in leisure activities.

Strategy 3.2
Provide a range of sports facilities and functions, using a hierarchy of provision (Regional, Municipal, District and Local) at multi-use, single-use or stand alone facilities.

Strategy 3.3
Develop a diverse mix of quality arts facilities and performing arts facilities that service Casey and the region.

Strategy 3.4
Recognise and protect the Old Cheese Factory (Berwick) as an opportunity to create an arts and cultural icon in Melbourne.

Strategy 3.5
Facilitate the establishment of Places of Assembly/Worship around planned neighbourhood nodes in new residential areas, and close to similar non-residential uses where located on the periphery of an activity centre or commercial/industrial area.

Strategy 3.6
Provide visible clusters of local facilities to encourage active participation in community life.

Strategy 3.7
Develop a network of community-based learning centres throughout Casey ranging from pre-schooling to tertiary education, including community centres, neighbourhood houses and other local learning centres.

Strategy 3.8
Investigate future demand for new tertiary education facilities in designated growth areas.

Strategy 3.9
Develop new double-unit pre-schools co-located with other community facilities, including primary schools, in Casey's growing suburbs.

Strategy 3.10
Encourage the establishment of new learning centres on, or with good accessibility to major public transport routes.

Strategy 3.11
Provide for the master-planning of new learning centres to, among other things:

- Ensure access and car parking for learning centres is adequately provided on-site, or in the case of public schools, in a shared parking area in an abutting community place, where available.
- Ensure there are three road frontages to each new learning centre, with the fourth side adjoining parklands.

21.03-5
Implementation
These strategies will be implemented by the following measures:

Policy guidelines

- Using the Retail Policy at Clause 22.01 to consolidate the role of the Fountain Gate-Narre Warren CBD as a Metropolitan Activity Centre, the Cranbourne Town Centre as Major Activity Centres and the hierarchical development of all other designated activity centres.
- Using the Non-Residential Uses in Residential and Future Residential Areas Policy at Clause 22.02 to facilitate the provision of non-residential uses in appropriate locations where they do not detract from the amenity, character and function of existing and future residential land uses.

- Using the Non Agricultural Uses in Green Wedge Areas Policy at Clause 22.08 to protect Casey’s Green Wedge farm land from ad-hoc and inappropriate development.

Application of zones and overlays

- Applying the Neighbourhood Residential Zone to areas where there is identified significant neighbourhood, heritage, environmental and landscape character values.

- Applying the General Residential Zone – Schedule 1 to established residential areas, including land that is more than approximately 800 metres walking distance from activity centres and train stations and more than approximately 400 metres walking distance of a strategic bus route.

- Applying the General Residential Zone – Schedule 2 to established residential areas, including land within an approximate walking distance of 400 to 800 metres from activity centres and train stations, and within approximately 400 metres walking distance of a strategic bus route.

- Applying the Residential Growth Zone to areas identified for substantial change including land within approximately 400 metres walking distance of activity centres, train stations and strategic bus routes.

- Applying the Low Density Residential Zone – Schedule 1 to established low density residential areas that may not be fully serviced but can treat and retain all wastewater on-site, and that are affected by bushfire risk, significant landscape character values or biodiversity values.

- Applying the Low Density Residential Zone – Schedule 2 to established low density residential areas that have access to services, are, or can be, fully serviced with reticulated sewerage and that are not affected by bushfire risk, significant landscape character values or biodiversity values.

- Applying the Township Zone to the coastal and rural settlements of Blind Bight, Cannons Creek, Harkaway, Narre Warren North and Warneet to provide for a range of appropriate residential, commercial and industrial uses.

- Applying the Urban Growth Zone to undeveloped land designated for future urban purposes, to manage the transition from non-urban to urban in accordance with a precinct structure plan.

- Applying the Commercial 1 Zone to activity centres with a primary retail function, or with an office and commercial function.

- Applying the Commercial 2 Zone to activity centres with an office and manufacturing function, or with a restricted retail, manufacturing and service business function.

- Applying the Mixed Use Zone to activity centres with a mixed use function, including employment centres and community activity clusters.

- Applying the Activity Centre Zone to provide for the integrated use and development of land for activity centres of metropolitan and regional significance consistent with the adopted structure plans.

- Applying the Rural Living Zone to provide for residential development and living opportunities in a rural environment that are already developed for this purpose.

- Applying the Green Wedge Zone and Green Wedge A Zone to the rural areas of Casey outside the Urban Growth Boundary to recognise local agricultural and environmental attributes, maintain the viability of rural industry and facilitate sustainable land management practices.

- Applying the Farming Zone to non-urban land inside the Urban Growth Boundary, to protect it from use and development that may compromise any future use of the land for urban purposes.

- Applying the Public Use Zone to identify land required for the provision of public uses, services and facilities.
Applying the Public Park and Recreation Zone to recognise, protect and conserve areas for recreation and open space.

Applying the Special Use Zone to provide for the use and development of land for site-specific purposes.

Applying the Development Plan Overlay to provide for the integrated and orderly planning of future and developing residential and employment areas, activity centres and other mixed use/commercial areas as appropriate.

Applying the Public Acquisition Overlay to all land required for the future provision of public uses, services and facilities.

Applying the Development Contributions Plan Overlay to future and developing residential areas, employment areas and activity centres to facilitate the timely delivery of appropriate transport, physical and community infrastructure.

**Further strategic work and other actions**

- Identifying areas with significant heritage, environmental or landscape characteristics, and preparing and implementing neighbourhood character assessments for those areas.

**Reference documents**

*Casey C21: A vision for our future* (City of Casey, 2002).

*Casey C21: Building a Great City* (City of Casey, 2011).

*Casey Housing Strategy* (City of Casey, 2019)

*City of Casey Activity Centres Strategy* (City of Casey, in association with Ratio Consultants Pty Ltd, 2006).


*South East Growth Corridor Plan* (Growth Areas Authority, 2012).

*Fountain Gate-Narre Warren CBD Structure Plan* (City of Casey, 2018).
21.03-7

Housing framework plan

CASEY PLANNING SCHEME

Legend
- Municipal boundary
- Urban growth boundary
- Established areas
- Railway line
- Railway station
- Strategic bus routes
- Substantial change areas
- Incremental change areas
  (General Residential Zone Schedule 1)
- Incremental change areas
  (General Residential Zone Schedule 2)
- Minimal change areas
- Low density residential areas
- Urban growth areas
  (Refer to relevant PDP)
- Other zoning
ENVIRONMENT

Overview

The City of Casey contains natural places of State, national and international significance, including the Western Port coastal and marine environment, the Cardinia Creek Valley, Barnham Swamp, the Cranbourne Gardens, and the Police Paddocks/Churchill National Park/Lysterfield Lake environs. In addition, there are clusters of remnant vegetation and associated wildlife, and Casey’s local waterways, wetlands, estuaries and creek systems.

The direction for Council’s environmental stewardship responsibilities into the future is twofold: to restore and enhance the natural environment. Restoring biodiversity is recognised as a fundamental national and international planning agenda.

The challenge is to realise the goals of the restoration and ongoing enhancement of Casey’s environmental assets within the framework of the City’s continuing rapid development. Casey is in a position to dramatically alter the way things are done to the benefit of future generations, given improved environmental techniques, the community’s willingness to respond to environmental issues, and the incorporation of environmentally sustainable design into all subdivision and development planning.

Objective 1

To protect and significantly restore Casey’s biological diversity, recognising its fundamental importance in achieving a healthy environment and way of life for current and future generations.

Strategies

Biodiversity

Strategy 1.1 Realise a net gain in the extent and quality of native vegetation.
Strategy 1.2 Identify, protect and preserve sites of significant vegetation and habitat for native flora and fauna, including remnant local indigenous vegetation.
Strategy 1.3 Minimise the loss of remnant vegetation that has intrinsic habitat value.
Strategy 1.4 Restore bushland and habitat back into the suburban and rural areas of Casey by providing for significant new planting and facilitating the natural regeneration and retention of existing vegetation, as far as practicable.
Strategy 1.5 Create and maintain strategic habitat links.
Strategy 1.6 Maintain and enhance roadside vegetation.
Strategy 1.7 Identify and protect identified significant landscapes, including the Casey Foothills, Western Port coast, Cardinia Creek environs and Berwick Village environs.
Strategy 1.8 Protect sites of geological and geomorphological significance, including those based on soil types, or coastal or waterway features, having regard to those identified in the study, Sites of Geological and Geomorphological Significance in the Westernport Bay Catchment.
Strategy 1.9 Recognise, protect and enhance the areas of biodiversity significance within the following areas of Casey, as identified in the City of Casey Biodiversity Enhancement Strategy:
  - Harkaway and Cardinia Creek Valley.
  - Churchill National Park and surrounds.
  - Cranbourne Gardens and immediate surrounds.
  - Cranbourne South and Pearcedale.
  - Cannons Creek, Warneet, Blind Bight and Tooradin and their environs.
Strategy 1.10 Where creek corridors and biolinks exist, extend and improve these environmental habitats through encouraging regeneration and revegetation using indigenous vegetation.

Western Port coast

Strategy 1.11 Protect and preserve the Western Port coast from the impacts of climate change.
Strategy 1.12 Identify, protect and preserve sites of significant vegetation and habitat (including riparian and inter-tidal environments) for native flora and fauna.
Strategy 1.13 Provide strong regulatory protection for Western Port’s natural places to minimise further loss of natural values.
Cardinia Creek Valley

Strategy 1.14 Provide strong regulatory protection for Cardinia Creek Valley’s natural places to minimise further loss of natural values.
Strategy 1.15 Encourage the development of the Cardinia Creek Parklands as a major inter-suburban break and passive parkland.
Strategy 1.16 Create and maintain habitat links through the Cardinia Creek Valley, having regard to those identified in the Casey Revegetation Strategy.

Objective 2

To progressively improve the health of Casey’s built and natural environments through ecologically sustainable land use and development practices.

Strategies

Catchment management

Strategy 2.1 Provide a strategic approach to catchment management through sustainable water and land management practices and by ensuring beneficial uses are protected and managed.
Strategy 2.2 Maximise opportunities for wastewater re-use and recycling.
Strategy 2.3 Minimise the risk to life and property from flood waters, having regard to the impacts of climate change in coastal areas.
Strategy 2.4 Retain waterway capacity to enable them to perform their natural functions.
Strategy 2.5 Protect riparian zones along waterways from degradation.
Strategy 2.6 Ensure land use changes do not contribute to increased salinity of land or water.
Strategy 2.7 Ensure water-sensitive urban design initiatives are incorporated into the design and construction of all subdivision and development in Casey.
Strategy 2.8 Enhance local open space, waterways and environmental outcomes by adopting ‘best practice’ stormwater management practices.

Air and noise

Strategy 2.9 Contribute to better air quality in Casey through integrated transport and land use planning.
Strategy 2.10 Manage land use zoning and development to minimise the potential for land use conflicts.

Sustainable development

Strategy 2.11 Provide for effective and coordinated waste management that accords with the Metropolitan Waste and Resource Recovery Implementation Plan.
Strategy 2.12 Reduce the reliance on non-renewable resources and reduce the production of green house gases for all new development through:
   - Energy-efficient building siting, design and lighting.
   - The use of recycled and/or environmentally-friendly materials in the building process.
   - The incorporation of on-site water collection and water re-use/recycling initiatives within all developments.
   - Waste minimisation, including reduction of waste produced, encouraging waste re-use/recycling initiatives, and improved waste disposal methods.
   - The incorporation of best practice environmentally sustainable design principles and techniques into the design, construction and operation stages of all developments.
Strategy 2.13 Manage Casey’s suburban structure to create a more efficient suburban form, with improved accessibility, greater reliance on public transport and pedestrian/cycling networks, and energy-efficient subdivision design.
Strategy 2.14 Embrace new green technologies which lead to improved energy efficiency and environmentally sustainable outcomes.

Implementation

These strategies will be implemented by the following measures:
Policy guidelines

- Protecting and restoring Casey’s native vegetation cover by assessing applications for the removal of native vegetation in accordance with the Port Phillip and Western Port Native Vegetation Plan.

- Ensuring offset planting is of the same or similar vegetation type and is provided in Casey in close proximity to the site of vegetation loss, as far as practicable.

Application of zones and overlays

- Applying the Rural Conservation Zone to protect and conserve the sensitive coastal areas under private ownership.

- Applying the Public Conservation and Resource Zone to protect and conserve the natural environment of areas under public ownership.

- Applying the Urban Floodway Zone to protect identified waterways and drainage courses from inappropriate development that may be detrimental to water quality and impede overland flow paths.

- Applying the Environmental Significance Overlay to areas of identified environmental significance, including significant trees, the coastal environs and sites of geological and geomorphological significance.

- Applying the Vegetation Protection Overlay to protect areas of significant vegetation.

- Applying the Significant Landscape Overlay to conserve and enhance areas of identified landscape character and value in the Casey Foothills, Western Port coast, Cardinia Creek and Berwick Village areas.

- Applying the Land Subject to Inundation Overlay to land affected by flooding along open watercourses, by tidal inundation and storm surge, and by flooding as a result of poor surface drainage.

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

- Applying the Environmental Audit Overlay to ensure that sensitive uses are not significantly adversely affected by potentially contaminated land.

Reference documents


Casey C21: Building a Great City, City of Casey, 2011.


Casey Significant Tree Strategy (incorporating the Significant Tree Register), City of Casey, 2014.


Port Phillip and Western Port Native Vegetation Plan, Port Phillip and Westernport Catchment Management Authority, 2006.


ECONOMIC DEVELOPMENT

Overview

The prosperity of a community is directly linked to the health of its existing enterprises. Casey has significant regional competitive advantages, which, if properly managed and sustained, will provide positive social, economic and environmental outcomes for the City. These advantages include significant population and housing growth, a regional CBD at Fountain Gate-Narre Warren, tertiary education facilities, potential for the development of a strong commercial sector, tourism and eco-tourism opportunities, a productive and diverse rural sector, a strong equine sector, extractive industrial resources, and locational advantages as a gateway to Gippsland and to the Melbourne metropolitan area.

As we move into the 21st century, one vision is gaining increasing support: jobs of the future will be based around knowledge. Knowledge-based jobs are linked to areas of high liveability. Knowledge-based business and industry require universities and other technology-related infrastructure at their core, which provides Casey with opportunities for securing knowledge-based jobs in “technology precincts” based around its tertiary education and related facilities.

There is an opportunity to create at least 10,000 such jobs alone in a high-density technology precinct based around the Federation University, TAFE College and Casey Hospital in Berwick.

The benefits of the creation of new knowledge-based job opportunities within Casey will have broader flow-on effects throughout the whole community, by diversifying and improving local employment opportunities, encouraging a more skilled and flexible workforce, and securing a strong and diverse economic base for the City of Casey well into the future.

Objective 1

To facilitate the creation of knowledge-based jobs in Casey.

Strategies

1. Foster employment and investment opportunities to create knowledge-based jobs.
2. Support the development of a broad range of learning centres to address emerging skills’ needs, with a focus on knowledge-based sectors.
3. Facilitate the development of the Berwick Health and Education Precinct as a high-density, technology precinct based around the Federation University, Chisholm Institute of TAFE and Casey Hospital campuses in Berwick.
4. Facilitate the development of ‘Minta Farm’ in Berwick as a high-amenity, integrated employment precinct that incorporates office, research, manufacturing, learning and living components.
5. Facilitate the development of new industry and business parks in Cranbourne West to provide a diverse range of employment opportunities, including large-lot traditional and “advanced” manufacturing to take advantage of access to Western Port Highway.
6. Facilitate the development of the Fountain Gate-Narre Warren CBD Metropolitan Activity Centre as a premier, large, diverse, densely developed CBD to provide a focus for the Casey and wider regional community.
7. Encourage a diverse, densely developed business and employment corridor along the road and rail corridor from Dandenong to Pakenham.

Objective 2

To take advantage of Casey’s competitive edges to create local employment opportunities across a diverse economic base to secure a sustainable and prosperous future.

Strategies

Economic opportunities

1. Enhance economic prosperity through the development of a broad, diverse and sustainable business and industrial base to increase business investment and employment opportunities.
2. Manage development of Casey’s undeveloped urban areas to maximise their development potential.
2.3 Encourage the sustainable growth of home-based businesses.

Activity centres

2.4 Realise the significant potential of the Fountain Gate-Narre Warren CBD Metropolitan Activity Centre and Cranbourne Town Centre Principal Activity Centre as centres of metropolitan and regional significance, providing a broad range and high intensity of activities that maximise their future capacity.

2.5 Promote leading practice activity centre development that provides for economically robust centres with a vibrant community focus, and which can evolve to accommodate changing needs.

Rural activities

2.6 Support the consolidation and expansion of horse-related activities in Casey.
2.7 Encourage the growth of sustainable land and resource industries and markets.
2.8 Protect productive farming by ensuring that high quality agricultural land is retained for agricultural purposes, and is not eroded or prejudiced by inappropriate urban land uses and development.
2.9 Support farming and rural-based businesses to ensure their ongoing viability is maintained and to encourage environmentally sustainable land management practices.

Tourism

2.10 Harness and sensitively manage the eco-tourism potential of Tooradin Village.
2.11 Support the ongoing eco-tourism opportunities of the Cranbourne Gardens.
2.12 Develop Wilson Botanic Park as a significant tourist attraction.
2.13 Recognise and promote emerging tourism and eco-tourism opportunities within Casey, ensuring that the design and development of tourist-related facilities reflects the farming and environmental attributes of the locality.

Sand and stone resources

2.14 Protect future options to extract sand and stone resources in Extractive Industry Interest Areas.
2.15 Manage existing sites shown on the Local Area Maps for both their extractive/filling potential as well as for their potential parkland use.
2.16 Maintain appropriate separation distances between extractive industries and any sensitive uses to protect residential amenity and ensure valuable resources are not sterilised.

Implementation

These strategies will be implemented by the following measures:

Policy guidelines

- Using the Retail Policy at Clause 22.01 to consolidate the role of the Fountain Gate-Narre Warren CBD as a Metropolitan Activity Centre, and the Cranbourne Town Centre as Principal Activity Centres and the hierarchical development of all other designated activity centres.
- Using the Industrial Development Policy at Clause 22.03 to provide for the development of local employment centres and to ensure new industrial development achieves a high standard of visual amenity.

Application of zones and overlays

- Applying the Industrial 1 Zone to preserve industrial land for industrial uses and to protect against inappropriate commercial development.
- Applying the Industrial 3 Zone to industrial land adjacent to residential areas to protect these areas from inappropriate industrial uses, where appropriate.
- Applying the Commercial 1 Zone to activity centres with a primary retail function, or with an office and commercial function.
- Applying the Commercial 2 Zone to activity centres with an office and manufacturing function, or with a restricted retail, manufacturing and service business function.
- Applying the Mixed Use Zone to activity centres with a mixed use function, including employment centres and community activity clusters.
Applying the Green Wedge Zone and Green Wedge A Zone to the rural areas of Casey outside the Urban Growth Boundary to recognise local agricultural and environmental attributes, maintain the viability of rural industry and facilitate sustainable land management practices.

Applying the Activity Centre Zone to activity centres of metropolitan and regional significance to ensure the use and development of the centres are consistent with adopted structure plans.

Further strategic work and other actions

Reviewing the City of Casey Activity Centres Strategy and Retail Policy at Clause 22.01, along with associated references in the Municipal Strategic Statement, to reflect the activity centre network set out in Plan Melbourne.

Reference documents

Casey C21: A vision for our future (City of Casey, 2002).

Casey C21: Building a Great City (City of Casey, 2011).

City of Casey Activity Centres Strategy (City of Casey, in association with Ratio Consultants Pty Ltd, 2006).

Council Plan 2009-2013 (City of Casey, 2009).


South East Growth Corridor Plan (Growth Areas Authority, 2012).

Fountain Gate-Narre Warren CBD Structure Plan (City of Casey, 2018).
Overview

Accessibility to goods, services, jobs and facilities is a fundamental right of people in a community. It is a social objective not an infrastructure goal. With the continuation of Casey’s rapid growth, and its location on Melbourne’s fringe, it will require innovative planning in order to meet the accessibility and mobility needs of the community.

Objective

To develop a highly accessible city structure that ensures people and businesses have easy access to goods, services, jobs and facilities.

Strategies

Transport systems

1. Develop a transport system that addresses Casey’s community accessibility needs, provides for increased modal-share for public transport, and integrates transport and land use planning.
2. Ensure that permeable neighbourhood design is incorporated into the planning of new residential areas to facilitate pedestrian and public transport movement and to improve urban amenity.
3. Maximise vehicle accessibility throughout Casey by facilitating the development of a “mile-grid” main road network that minimises the need for six-lane divided arterial roads that can act as barriers between communities.
4. Facilitate the development of a “half-mile-grid” road network in Casey’s growth areas to support the “mile-grid” and maximise the potential to improve road-based (i.e. buses) public transport accessibility.
5. Ensure that permeable neighbourhood design is incorporated into the planning of new residential areas to facilitate pedestrian and public transport movement and to improve urban amenity.
6. Maximize connectivity and accessibility of arterial road networks to the regional road network.
7. Facilitate the development of a “half-mile-grid” road network in Casey’s growth areas to support the “mile-grid” and maximise the potential to improve road-based (i.e. buses) public transport accessibility.
8. Plan networks to provide priority to specific transport modes on arterial roads in accordance with VicRoads’ SmartRoads Network Operating Plans.
9. Develop capacity of key arterial roads in growing suburbs and identify and secure reservations for future transport corridors aligned with land use plans.
10. Undertake local area traffic management programs and road safety improvements to the local road network.
11. Facilitate safe and efficient movement of people and goods with integrated solutions spanning the various transport nodes:
   - Plan networks to provide priority to specific transport modes on arterial roads in accordance with VicRoads’ SmartRoads Network Operating Plans.
   - Develop capacity of key arterial roads in growing suburbs and identify and secure reservations for future transport corridors aligned with land use plans.
   - Maintain the safe and efficient operation of arterial roads by ensuring that access to these roads is planned in accordance with VicRoads Access Management Policies.

Regional accessibility

1. Plan for the development of an east-west arterial road network that provides links through Casey from Clyde Road to Western Port Highway and further west to Dandenong-Frankston Road and EastLink.
2. Support the completion of the Dingley Freeway to the west of Casey, in particular the connections from South Gippsland Freeway to South Gippsland Highway in Dandenong South, and from Perry Road to Springvale Road in Keysborough, in order to improve access for Casey’s residents to the major employment precincts to the west.
3. Preserve the opportunity for potential upgrades of Western Port Highway to a freeway standard and possible new rail connections between the Port of Hastings and Dandenong.

Trails network

1. Develop an extensive network of multi-use, off-roads trails linking communities, activity centres, learning centres, parkland, community places and other key destinations.
2. Ensure new suburban areas accommodate easy and safe pedestrian movement routes as a fundamental part of the design.
3. Consider the needs of equestrian users, both recreational and professional.

Implementation

These strategies will be implemented by the following measures:
Application of zones and overlays

- Applying the Road Zone to declared roads and land acquired for a proposed road.
- Applying the Public Acquisition Overlay to all land required for the future provision of new roads, roads upgrades and provision of public transport,

Reference documents

Casey C21: A vision for our future (City of Casey, 2002).

Casey C21: Building a Great City (City of Casey, 2011).

Casey Housing Strategy (City of Casey, 2019).

City of Casey Activity Centres Strategy (City of Casey, in association with Ratio Consultants Pty Ltd, 2006).

Council Plan 2009-2013 (City of Casey, 2009).

South East Growth Corridor Plan (Growth Areas Authority, 2012).
Overview
Perception is reality, and how a city is perceived is fundamental to its social and economic well-being and the opportunities it can create.

Good design is an essential contributor to a place’s perception, and it follows that good design in both the public and private realm fosters community pride, quality of life and the perception of Casey as a great place to live. Different local communities have different values and neighbourhood characteristics, and it is important that planning and design outcomes recognise and value the intrinsic characteristics of these local areas.

As Casey evolves, it is recognised that the City’s form will be that of a generally suburban environment, punctuated by dynamic “urban” activity centres. It is framed with a non-urban area that consists of landscapes of agricultural, natural, cultural and heritage significance, that combine with the suburban areas to form the overall image of Casey as having a “country feel, city living” character.

In this context, it is recognised that trees can have the greatest positive impact in enhancing the image and identity of Casey. Trees and landscaping can define the character of suburban areas, townships and non-urban areas, and provide links between all these areas.

Objective 1
To create both an image that reflects Casey as a whole and images that reflect Casey’s diverse range of communities and places.

Strategies
Natural, cultural and built heritage
1.1 Protect significant natural, cultural and built heritage places from adverse impacts resulting from deterioration and inappropriate use and development.
1.2 Encourage the retention and maintenance of heritage places for the benefit of present and future generations.
1.3 Require an assessment of the impact of new development proposals in ‘greenfield’ areas on any Aboriginal cultural heritage values.
1.4 Promote an awareness of State and Commonwealth Government legislation and protocols for the protection of Aboriginal cultural heritage.
1.5 Ensure that the values of Casey’s Green Wedges are protected from inappropriate development.

Neighbourhood character
1.6 Undertake neighbourhood character studies to recognise and value the intrinsic characteristics of different areas within Casey.
1.7 Encourage and deliver trees as the dominant suburban streetscape element.
1.8 Manage design and built form outcomes having regard to the strong suburban sense of place, which recognises green space and landscaped setbacks.
1.9 Recognise and value the intrinsic characteristics of Casey’s diverse local areas.
1.10 Manage the special and unique character qualities of Casey’s townships and villages.
1.11 Ensure development within Casey adds to the preferred character of an area, where this has been identified.
1.12 Ensure that non-residential uses do not detract from the amenity, character and function of existing residential areas.
1.13 Manage design and built form outcomes to ensure that existing neighbourhood character is not eroded by ad hoc, insensitive and poorly designed development.
1.14 Create and maintain green breaks between suburban areas.
1.15 Maintain and enhance the treed landscape setting of Casey’s suburban areas and its non-suburban townships and villages through extensive tree planting and maintaining views and links through to open space and non-urban areas.
1.16 Provide extensive boulevard planting along Casey’s main road network.
1.17 Protect the landscape qualities of Casey’s non-suburban areas, including Casey Foothills and coastal environs.
1.18 Strengthen the ‘country feel’ in Casey’s suburban and non-suburban communities.
1.19 Ensure residential development in sensitive areas (coastal areas and areas of identified landscape significance) is low-key in terms of roof treatment and the height, massing and finish of buildings, using natural and muted colours and non-reflective materials.

**Urban environment**

1.20 Facilitate the development of Casey’s activity centres in a manner which:
   - Reflects a human scale and creates street-based activity.
   - Reflects local community values and aspirations.
   - Improves the safety and amenity of private and public spaces.
   - Balances commercial viability and community design imperatives.
   - Promotes a dense urban form.
   - Creates local community landmarks and reinforces community identity and a sense of place.

1.21 Encourage the integration of community art and urban design projects in new development.

1.22 Enhance the visual quality of industrial areas.

1.23 Maintain attractive views of Casey from the main road network to enhance the overall image and perception of the City.

1.24 Protect Casey’s freeways, main roads and collector roads from obtrusive promotional advertising signs.

1.25 Manage advertising signs along the main road network to allow opportunities for business identification, but in a way that adds value to Casey’s image, rather than detracting from it.

1.26 Manage development along Casey’s main road network to achieve a high quality built form in a landscaped setting.

**21.07-3**

**Objective 2**

To manage Casey’s physical and community development to improve safety, acknowledging the strong community desire to feel safe and secure.

**Strategies**

2.1 Plan for the appropriate design and provision of road and community infrastructure to ensure safe and liveable neighbourhoods.

2.2 Ensure new development has regard to the crucial impact that design and layout has on safety and the opportunity to prevent crime in an area.

2.3 Maximise opportunities for natural surveillance of public spaces in the design and layout of suburban environments.

**21.07-4**

**Implementation**

These strategies will be implemented by the following measures:

**Policy guidelines**

- Using the Retail Policy at Clause 22.01 to facilitate the hierarchical development of a robust, high-amenity activity centre system that serves community needs.

- Using the Advertising Signs Policy at Clause 22.04 to ensure that the display of advertising signs does not detract from the visual amenity of Casey.

**Application of zones and overlays**

- Applying the Heritage Overlay to heritage places of national, State and local significance, as identified in Council’s relevant heritage studies and strategic work.

- Applying the Design and Development Overlay to areas requiring specific development controls to achieve a preferred built form outcome.

**Further strategic work and other actions**

- Undertake neighbourhood character studies to recognise and value the intrinsic characteristics of different areas within Casey.
Reference documents

Casey C21: A vision for our future (City of Casey, 2002).
Casey C21: Building a Great City (City of Casey, 2011).
Casey Heritage Study (Post European Contact) (City of Casey, in association with Context Pty Ltd, 2004).
Casey Housing Strategy (City of Casey, 2019)
Casey Image Strategy (City of Casey, 2005).
Casey Revegetation Strategy (City of Casey, 2009).
City of Berwick Heritage Conservation Study (City of Berwick, in association with Context Pty Ltd, 1993).
City of Casey Activity Centres Strategy (City of Casey, in association with Ratio Consultants Pty Ltd, 2006).
City of Casey Arterial Roads Tree Strategy (City of Casey, 2003).
City of Casey Conservation Strategy (City of Casey, in association with Environment Link Pty Ltd, 2002).
City of Casey (Cranbourne, Knox) Heritage Study (City of Casey, 1998).
Heritage of the City of Casey – Historic Sites in the former Cranbourne Shire (City of Casey, in association with Graeme Butler & Associates, 1996).
Heritage Strategy (City of Casey, 2001).
LOCAL AREA APPROACH

Casey's local areas

There are 17 local areas in Casey that have been derived from the community areas identified in the Casey C21 Strategy, being:

- Berwick Northern Area (including part of Beaconsfield).
- Berwick Southern Area (including part of Clyde North).
- Botanic Ridge/Junction Village.
- Casey Coast (including Blind Bight, Cannons Creek, Tooradin, Warneet and part of southern Pearcedale).
- Casey Farm (including Clyde, part of Clyde North, Devon Meadows, Pearcedale and Cranbourne South).
- Casey Foothills (including Harkaway, Lysterfield South, Narre Warren North and part of Endeavour Hills and the northern area of Berwick).
- Cranbourne.
- Cranbourne East.
- Cranbourne North.
- Cranbourne West.
- Doveton/Eumemmerring.
- Endeavour Hills (Urban area).
- Hallam.
- Hampton Park.
- Lynbrook/Lyndhurst.
- Narre Warren.
- Narre Warren South.

The boundary of each local area is shown on the Local Areas Plan at Clause 21.08-2.

Clauses 21.09 to 21.25 address location-specific issues, and outline the relevant objectives, strategies and implementation measures for each local area.

The strategic directions for each local area are articulated on associated Local Area Maps.
BERWICK NORTHERN AREA

Profile

The northern area of Berwick, north of the Princes Freeway, is an attractive, established community focused on Berwick Village that retains a township feel in its central area and will continue to strengthen its mature, green-treed image over the long-term. This older part of residential Berwick has a special character and quality that is clearly recognised and valued by the community.

Objectives

- To maintain and enhance the character of Berwick as an established area with a green-treed country feel and character.
- To provide quality and diverse housing opportunities that add value to the residential character of the area.
- To protect key neighbourhood attributes and elements and create a special township housing character, including maintaining and enhancing the distinctive canopy tree character of the Berwick Village and its immediate environs.
- To reinforce the role of Berwick Village as a diversified major activity centre with good public transport connectivity in a way that strengthens its heritage main street character.
- To create an integrated technology, research, learning, commercial, medical and living precinct that creates a job-rich urban environment.
- To develop, expand and refurbish Berwick’s spaces, places and programs to reflect population growth.
- To upgrade main roads/intersections and provide safer local streets, convenient bus services and a safe trail network.
- To protect and restore the natural and environmental qualities of the Cardinia Creek Valley.

Strategies

- Reinforce the identity, character and sense of place of the older parts of residential Berwick and ensure new housing is complementary to these elements.
- Strengthen the established garden suburb environment, characterised by canopy trees, generous setbacks, a sense of openness and the dominance of the landscape setting.
- Protect the Berwick township and its immediate environs from development that threatens its distinctive canopy tree character.
- Facilitate the development of Berwick Village as the major activity centre serving the Berwick and Beaconsfield communities, ensuring that development is sympathetic to the “English village” style and character. Key urban design principles include:
  - Street-oriented development with active street frontages.
  - Use of landscaping and streetscape improvements to create attractive viewlines and vistas.
  - Appropriate design and location of advertising signs that protect and enhance the unique style and character of Berwick Village.
  - A diverse range of activities.
  - Provision of pedestrian access to and circulation within and to the Village.
  - A permeable network of streets, laneways and walk-throughs.
  - Public transport-oriented development.
Facilitate the development of the ‘Berwick Health and Education Precinct’ as a major provider of knowledge-based jobs for Casey’s future. Key outcomes include:

- Development of the land between the Princes Freeway and the railway line in Berwick as an integrated medical, technology, research, learning, commercial and living precinct.
- Creation of a dense job-rich urban environment.
- Creation of an attractive and exciting Berwick Health and Education Precinct image and urban form.
- Maintenance of large lots in strategic locations to allow for land use and development evolution over time.
- Development of efficient and integrated transport systems for vehicles, buses, pedestrians and cyclists.

- Reinforce the role of Parkhill Plaza Neighbourhood Activity Centre as an important local community focal point.
- Maintain the Enterprise Avenue industrial estate as a high-amenity service industrial precinct for the local area.
- Develop Wilson Botanic Park as a major tourist destination for the eastern and south-eastern suburbs of Melbourne.
- Provide for the ongoing use of Akoonah Park as an important local and regional community events space.
- Provide extensive boulevard planting along the main road network.
- Facilitate walking and cycling, with a particular focus on access to Berwick Village, Parkhill Plaza, major open spaces, and the future ‘Berwick Health and Education Precinct’.
- Facilitate improvements to public transport, with a particular focus on access to Berwick Village and the future ‘Berwick Health and Education Precinct’.
- Create and maintain habitat links through the Cardinia Creek Valley.
- Provide strong regulatory protection for Cardinia Creek Valley’s natural places to minimise further loss of natural values.
- Encourage the development of open space areas along Cardinia Creek as a major inter-suburban break and passive parkland areas.

**Implementation**

These strategies will be implemented by the following measures:

**Use of policy and the exercise of discretion**

- Ensuring that the future use and development of land is generally in accordance with the Berwick Northern Area Local Area Map.

- Using the Retail Policy at Clause 22.01 to provide for the orderly development and expansion of activity and employment centres, including the Berwick Village Major Activity Centre, the Parkhill Plaza Neighbourhood Activity Centre and the future ‘Berwick Health and Education Precinct’.

- Using the Industrial Policy at Clause 22.03 to create an attractive and well maintained industrial area.

- Using the Advertising Signs Policy at Clause 22.04 to protect the “English village” style and character of Berwick Village from obtrusive advertising signs.
Application of zones and overlays

- Applying the Commercial 1 Zone to activity centres with a primary retail function, including the Berwick Village Major Activity Centre and Parkhill Plaza Neighbourhood Activity Centre.
- Applying the Commercial 1 Zone to activity areas with an office and commercial function including land on the periphery of Berwick Village.
- Applying the Commercial 2 Zone to land with a restricted retail, car sales and service business function, including land generally located on the south-western corner of Clyde Road and Princes Highway.
- Applying the Mixed Use Zone to land with mixed use functions, including part of the land within the future ‘Casey Technology Park’.
- Applying the Special Use Zone and Public Use Zone to provide for the use and development of part of the land in the future ‘Berwick Health and Education Precinct’ for educational and institutional purposes, respectively.
- Applying the Significant Landscape Overlay to conserve and enhance areas of identified landscape character and value in the Berwick township area, including significant trees.
- Applying the Heritage Overlay to heritage places of national, State and local significance, as identified in Council’s relevant heritage studies and strategic work.
- Applying the Development Plan Overlay to provide for the integrated and orderly planning of developing residential areas, mixed use areas and activity centres, as appropriate.
- Applying the Parking Overlay to the Berwick Village Commercial Centre to ensure that a lack of car parking does not constrain future development opportunities in the centre.

Further strategic work

- Preparing urban design guidelines for residential development to ensure new development adds value to the character of the area.
- Reviewing the Berwick Village Structure Plan, including associated urban design guidelines.
- Preparing a structure plan for the future ‘Berwick Health and Education Precinct’.
BERWICK SOUTHERN AREA

Profile

The southern area of Berwick, south of the Princes Freeway, is a quality, treed suburban living environment, close to the countryside but with easy access to a full range of employment, learning, shopping and community services. The area of Clyde North within the urban growth boundary will become a well planned, integrated suburban area that will also benefit from its “country” living environment and primarily rely on the services and facilities provided within the southern area of Berwick.

Objectives

- To maintain and extend Berwick’s established, green-treed country feel and character.
- To create quality and diverse housing opportunities.
- To create a community focus for Berwick’s southern area.
- To create a new key employment precinct that creates a job-rich urban environment.
- To develop, expand and refurbish Berwick Southern Area’s spaces, places and programs to reflect population growth.
- To upgrade main roads/intersections and provide safer local streets, convenient bus services and a safe trail network.
- To protect and restore the natural and environmental qualities of the Cardinia Creek Valley.
- To create a new integrated residential precinct in Clyde North, within the urban growth boundary.

Strategies

- Extend and strengthen Berwick’s established, green-treed country feel and character throughout its growing suburban areas to the south by encouraging extensive tree planting within streets, parks, public spaces and on private land, and by maintaining views and links through to open space and non-urban areas.
- Maintain and enhance the residential streetscapes as a garden suburb environment, characterised by a quality and diverse built form in a landscaped setting.
- Provide for a full range of suburban housing opportunities throughout the residential areas, including well designed and integrated medium-density housing around activity centres and major open space.
- Develop a strong neighbourhood activity centre (Eden Rise) based around the intersection of Greaves Road/O’Shea Road and Clyde Road in Berwick.
- Develop ‘Minta Farm’ as an integrated and diverse employment precinct for the Berwick region, incorporating office, research, manufacturing, learning, and living components.
- Provide extensive boulevard planting along the main road network.
- Develop Sweeney Reserve as an important regional-level active parkland.
- Enhance the Old Cheese Factory as an arts icon in Melbourne.
- Upgrade Greaves Road/O’Shea Road to an arterial road standard to cater for an extension of O’Shea Road to connect with the Princes Freeway/Pakenham Bypass interchange.
- Provide strong regulatory protection for Cardinia Creek Valley’s natural places to minimise further loss of natural values.
- Encourage the development of open space areas along Cardinia Creek as a major inter-suburban break and passive parkland area.
Create and maintain habitat links through the Cardinia Creek Valley.

Provide for the orderly expansion of the suburban area of Clyde North, south of Grices Road, east of Pound Road, west of Cardinia Creek and north of Thompsons Road, within the Urban Growth Boundary.

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Implementation
These strategies will be implemented by the following measures:

Use of policy and the exercise of discretion
- Ensuring that the future use and development of land is generally in accordance with the Berwick Southern Area Local Area Map.
- Ensuring that the future use and development of land is generally in accordance with the Clyde North Precinct Structure Plan, the Berwick Waterways Precinct Structure Plan and the Minta Farm Precinct Structure Plan.
- Using the Retail Policy at Clause 22.01 to provide for the orderly development and expansion of activity centres, including the Eden Rise Neighbourhood Activity Centre, Grices Road (West) and Soldiers Road future Neighbourhood Activity Centres, Bemersyde Drive Convenience Activity Centre and Grices Road (East) and Thompsons Road future Convenience Activity Centres.

Application of zones and overlays
- Applying the Commercial 1 Zone to activity centres with a primary retail function, including the Eden Rise Neighbourhood Activity Centre and Bemersyde Drive Convenience Activity Centre.
- Applying the Rural Conservation Zone to protect and conserve the environmental values of Cardinia Creek and adjoining land.
- Applying the Special Use Zone to provide for the use and development of land in Soldiers Road, Clyde North for an Education Centre (Hillcrest Christian College).
- Applying the Urban Growth Zone to undeveloped land designated for future urban use and development, to manage the transition from non-urban to urban in accordance with a precinct structure plan.
- Applying the Heritage Overlay to heritage places of national, State and local significance, as identified in Council’s relevant heritage studies and strategic work.
- Applying the Incorporated Plan Overlay to land within the Cardinia Creek corridor to give effect to the Minta Farm Precinct Structure Plan.
- Applying the Development Plan Overlay to provide for the integrated and orderly planning of developing residential areas, mixed use areas and activity centres, as appropriate.
- Applying the Development Contributions Plan Overlay or Infrastructure Contributions Overlay to future and developing residential and employment areas to facilitate the timely delivery of transport, physical and community infrastructure.

Further strategic work
- Undertaking a heritage study to provide for the protection of all sites of State, regional and local significance in the planning scheme.
- Preparing urban design guidelines to ensure new residential and commercial development adds value to the character of the area.
BOTANIC RIDGE/JUNCTION VILLAGE

Profile
Botanic Ridge/Junction Village is a new suburban area forming part of a diverse Cranbourne community that is based on an innovative model for how to create an ecological, landscaped and environmentally sustainable residential area.

Objectives
- To protect and enhance the ecological integrity and significance of the Cranbourne Gardens.
- To establish an ecologically viable suburb in a truly green, sustainable living environment that complements the ecology of the Cranbourne Gardens.
- To develop a unique network of waterways, habitats, parkland and trails weaving throughout the area.
- To improve the quality and choice of housing opportunities available within the wider Cranbourne region.
- To develop, expand and refurbish Botanic Ridge/Junction Village’s spaces, places and programs to reflect population growth.
- To strengthen physical links to Cranbourne.
- To upgrade the transport network.

Strategies
- Recognise, protect and enhance the areas of biodiversity significance within the Cranbourne Gardens and surrounds.
- Encourage the development of the Cranbourne Gardens as a major eco-tourism destination of national significance.
- Extend the ecological influence of the Cranbourne Gardens into the surrounding areas, including the Botanic Ridge housing areas.
- Protect and enhance the habitat of the Southern Brown Bandicoot, which is listed as nationally endangered under the Environment Protection and Biodiversity Conservation Act 1999, within and beyond the Cranbourne Gardens, including providing habitat linkages with the surrounding area where practicable.
- Link the chain of disjointed remnant vegetation that starts in Frankston North and includes the Cranbourne Gardens and other remnants in the area.
- Develop a quality, landscape-responsive and sustainable suburban residential precinct that complements the Cranbourne Gardens and enhances the remnant vegetation and watercourses within the area.
- Minimise the visual impact of the built form throughout the new residential areas by:
  - Environmentally sensitive siting, design and landscape solutions.
  - Maintaining green ridgelines and ensuring the dominance of the landscape setting.
- Maintain the attractive lifestyle qualities of the residential areas within the Botanic Ridge/Junction Village area, and recognise the role that this area plays in improving the quality and choice of housing opportunities available within the wider Cranbourne region.
- Encourage larger lots along the main roads to retain the semi-rural landscape outlook.
- Reinforce the identity, character, and sense of place of the existing Junction Village residential area.
Recognise uses with adverse amenity potential and prevent the encroachment of sensitive uses until such time as any adverse off-site amenity impacts have been appropriately addressed, or the activities creating the need for the buffers cease to operate.

- Provide extensive boulevard planting along the main road network to achieve an integrated landscape outcome.

- Encourage water-sensitive urban design and innovative drainage solutions for the new housing precinct to manage stormwater quality.

- Upgrade the standard of Browns Road and Pearcedale Road to that of secondary arterial roads.

- Provide for the duplication of Craig Road (north of Browns Road) to an arterial road standard, and for the deviation of Craig Road to South Gippsland Highway south of Junction Village to provide a direct vehicular link to the proposed Casey Fields Boulevard extending north from South Gippsland Highway to Glasscocks Road.

- Facilitate the establishment of a new primary school to service the Botanic Ridge and wider areas.

### Implementation

These strategies will be implemented by the following measures:

#### Use of policy and the exercise of discretion

- Ensuring that the future use and development of land is generally in accordance with the Botanic Ridge/Junction Village Local Area Map.

- Using the Retail Policy at Clause 22.01 to provide for the orderly development and expansion of activity centres, including The Arcade Convenience Activity Centre.

#### Application of zones and overlays

- Applying the Township Zone to activity centres with a primary retail function, including The Arcade Convenience Activity Centre.

- Applying the Urban Growth Zone to undeveloped land designated for future urban purposes to manage the transition from non-urban to urban in accordance with a precinct structure plan.

- Applying the Public Conservation and Resource Zone to protect and conserve the natural environment of areas under public ownership, including the Cranbourne Gardens.

- Applying the Environmental Significance Overlay to protect areas of identified environmental significance within and surrounding the Cranbourne Gardens.

- Applying the Heritage Overlay to heritage places of national, State and local significance, as identified in Council’s relevant heritage studies and strategic work.

- Applying the Development Contributions Plan Overlay to future and developing residential areas to facilitate the timely delivery of appropriate transport, physical and community infrastructure.

- Applying the Development Plan Overlay to provide for the integrated and orderly planning of developing residential areas.

#### Further strategic work

- Undertaking a detailed strategic review of the triangular area of land south of Ballarto Road and west of the Cranbourne Gardens to identify future land use opportunities following the expiration of the existing quarrying operation at 950 Ballarto Road, or once appropriate buffers to the quarry have been established.
CASEY COAST

Profile

Casey Coast, on the shores of Western Port, is an internationally significant area that has long been noted for its environmental attributes, particularly its biodiversity and wide range of habitats for coastal plants and animals. These habitats feature in salt marshes, mangroves, inter-tidal mudflats and seagrass beds commonly found in Western Port.

The area is also characterised by sustainable farming and four coastal villages. Tooradin will be a busy recreation and eco-tourism centre servicing the Casey coastal communities and its visitors, in contrast to the smaller, serene villages of Warneet, Blind Bight and Cannons Creek. The vision for the Casey coastal villages is one of sustainable, safe, peaceful, well-connected communities living in harmony with the environment.

Objectives

- To protect the identity, character and sense of place of the coastal villages.
- To coordinate facility and service provision across the four coastal villages, taking full advantage of existing assets.
- To identify and manage processes that threaten the Western Port coast, including the impacts of climate change.
- To establish an environmental framework for Casey’s coast that focuses on the long-term environmental restoration of the area.
- To recognise the international significance of the coastal flora, fauna and the marine environment.
- To improve the quality of waterways as a natural resource and habitat area.
- To develop a network of coastal trails linking people and places along Western Port.
- To protect the “village” quality of Tooradin from insensitive development.

Strategies

General

- Reinforce the identity, character, and sense of place of all the coastal villages by defining and maintaining clear village boundaries and compact village centres, and managing the character and extent of new development.

- Ensure residential development is:
  - In keeping with the preferred neighbourhood character of low-scale built form on large blocks, dominated by the landscape.
  - Low-key in terms of roof treatment and the height, massing and finish of buildings, using natural and muted colours and non-reflective materials.

- Encourage development that is visually integrated with the surrounding area, designed to minimise visual bulk, and is sympathetic to the environmental and scenic qualities of the Western Port coastal areas.

- Ensure that the location and design of new development has regard for a projected sea-level rise of 0.8 metres by 2100, and the combined effects of tidal inundation, storm surge and coastal erosion.

- Facilitate the extension of sewer services to all coastal villages, including rural-residential housing in the longer term.
Ensure that best practice stormwater management is used to limit the damaging effects of sedimentation and polluted run-off.

Identify, protect and preserve sites of significant vegetation and habitat (including riparian and inter-tidal environments) for native flora and fauna.

Provide strong regulatory protection for Western Port’s natural places to minimise further loss of natural values.

Encourage sensitively sited and designed coastal infrastructure that avoids the fragmentation of Ramsar-listed coastal environments.

Recognise, protect and enhance the identified areas of biodiversity significance within Cannons Creek, Warneet, Blind Bight and Tooradin.

Improve the environmental qualities of the farmland surrounding the villages, particularly the condition of watercourses and roadsides.

Enhance the special, open coastal, rural landscape character of the land south of Baxter-Tooradin Road.

Extend the ‘Casey Trail Network’ along the Western Port coast that provide opportunities to link the coastal villages with surrounding areas.

**Tooradin**

- Facilitate the growth of the Tooradin Neighbourhood Activity Centre on land zoned for that purpose to service the surrounding township, rural areas and visitors, ensuring that the centre incorporates a high standard of urban design and functionality.

- Manage new development to retain and enhance the village’s unique and natural qualities, with particular regard to the potential adverse impact of medium-density development on such qualities.

- Manage Tooradin as an “eco-tourism” precinct and centre for boating.

- Encourage and facilitate the development of a regional environmental learning, information and interpretative centre based on nature, history and agriculture.

- Provide for a high amenity service industrial precinct west of Tooradin Station Road that minimises off-site amenity impacts.

- Facilitate improved productivity on Tooradin’s farms by protecting the high quality agricultural land located east of Sawtells Inlet and north of South Gippsland Highway.

- Upgrade the standard of Tooradin Station Road to that of a secondary arterial road.

- Maintain South Gippsland Highway’s valued landscape character free of commercial development.

**Implementation**

These strategies will be implemented by the following measures:

**Use of policy and the exercise of discretion**

- Ensuring that the future use and development of land is generally in accordance with the Casey Coast Local Area Map.

- Ensuring that the new subdivision of land is connected to reticulated sewerage, where available.
Using the Non-Agricultural Uses in Green Wedge Areas Policy at Clause 22.08 to ensure that productive agricultural land in the Green Wedge Zone, Green Wedge A Zone and Rural Conservation Zone is not adversely affected by the establishment of inappropriate non-agricultural uses.

Using the Retail Policy at Clause 22.01 to provide for the orderly development and expansion of the Tooradin Neighbourhood Activity Centre.

**Application of zones and overlays**

- Applying the Township Zone to the coastal settlements of Blind Bight, Cannons Creek, and Warneet to provide for a range of appropriate uses in a township setting.

- Applying the Green Wedge Zone and Green Wedge A Zone to rural areas outside the Urban Growth Boundary to recognise local agricultural and environmental attributes, maintain the viability of rural industry and facilitate sustainable land management practices.

- Applying the Commercial 1 Zone to activity centres with a primary retail function, including the Tooradin Neighbourhood Activity Centre.

- Applying the Rural Conservation Zone to protect and conserve the sensitive coastal areas under private ownership.

- Applying the Public Conservation and Resource Zone to protect and conserve the natural environment of areas under public ownership.

- Applying the Environmental Significance Overlay to areas of identified environmental significance, including the coastal enviros.

- Applying the Significant Landscape Overlay to conserve and enhance areas of identified landscape character and value.

- Applying the Heritage Overlay to heritage places of national, State and local significance, as identified in Council’s relevant heritage studies and strategic work.

- Applying the Land Subject to Inundation Overlay to land affected by flooding along open watercourses, by tidal inundation and storm surge, and by flooding as a result of poor surface drainage.

**Further strategic work**

- Preparing township strategies for each of the coastal villages, including preferred neighbourhood character guidelines.

- Preparing a Western Port Green Wedge Management Plan for all land in a Green Wedge Zone and Green Wedge A Zone.

- Reviewing the existing Significant Landscape Overlay and Environmental Significance Overlay provisions that apply within the Casey Coast area.

- Reviewing the Land Subject to Inundation Overlay and other relevant planning provisions to reflect the vulnerability of coastal areas to the impacts of climate change.
CASEY FARM

Profile
Casey Farm is a unique, diverse mix of quality farmland with intensive agricultural activity, large-lot rural-residential and village living, with mixed rural pursuits, as well as genuine rural activities and businesses. Much of the intensive agricultural area in the Farm has been earmarked for urban development by the State Government and this will present challenges into the future to manage the transition of this land from farms to urban uses.

Objectives
- To manage Casey’s existing agricultural areas designated for future urban development so that the “right to farm” is protected in the medium term whilst the area transitions to urban land.
- To manage Casey’s remaining rural areas so that the “right to farm” is protected as the primary long-term planning objective.
- To establish an understanding within the community of rural land use and business management issues to facilitate the long-term economic, social and environmental sustainability of the Casey Farm area.
- To allow for equine- and dog-related activities to flourish in appropriate areas by providing planning certainty and protection from conflicting activities.
- To protect and enhance the qualities, and sense of place of the townships, villages and rural lifestyle communities of Pearcedale, Cranbourne South and Devon Meadows.
- To improve waterway and environmental management so as to improve the quality of water entering Western Port.
- To provide an extensive and safe trail network.

Strategies
General
- Assist productive farming by ensuring non-compatible land uses (such as rural-residential housing and urban-type uses) do not establish.
- Protect existing poultry farms from the potential encroachment of incompatible uses, also preserving the amenity of nearby residential properties.
- Encourage the siting of buildings and the carrying out of works associated with intensive animal husbandry and stabling to minimise detriment to adjoining residents.
- Ensure the design and location of advertising signs are in character with the existing and likely future amenity of the rural area, and are limited to advertising property/business names and tourism-oriented businesses with limited directionalsigns.
- Provide extensive boulevard planting along the main road network.
- Ensure that best practice stormwater management is used to limit the damaging effects of sedimentation and polluted run-off.
- Identify and manage processes that threaten the Western Port coast.
- Improve the environmental qualities of rural areas, particularly the condition of watercourses and roadsides.
- Upgrade Pearcedale Road and North Road to that of secondary arterial roads.
- Upgrade Browns Road, Craig Road, North Road, Pearcedale Road, Soldiers Road and Thompsons Road to a secondary arterial road standards, in accordance with approved precinct structure plans.

**Clyde and Clyde North (outside Urban Growth Boundary)**

- Protect the long-term productive potential of the high quality market gardening land south of the Urban Growth Boundary.
- Reinforce the identity, character, and sense of place of Clyde township by defining and maintaining a clear township boundary and compact centre, and by ensuring new housing is complementary to the character of the township.
- Provide strong regulatory protection for Cardinia Creek Valley’s natural places to minimise further loss of natural values.
- Create and maintain habitat links through the Cardinia Creek Valley.
- Develop Casey Fields as a regional outdoor sports and recreation facility.

**Cranbourne South**

- Provide for the development of the existing Cranbourne South General Store as a new convenience activity centre (Pearcedale Road), combined with the Cranbourne South Primary School to form a community place.
- Enhance the vegetated landscape character of the area’s undulating woodlands.
- Recognise, protect and enhance the identified areas of biodiversity significance within Cranbourne South.

**Devon Meadows**

- Discourage any further rural-residential development in Devon Meadows, recognising that local infrastructure (roads and drains) cannot cope with additional development.
- Undertake improvement works to reduce flooding problems in the area, including upgrading key local drains.
- Facilitate the extension of sewer services to the residential areas of Devon Meadows.
- Encourage dog breeding and training activities to locate in the precinct identified on the Casey Farm Local Area Map, and protect this area from encroaching rural residential development.

**Pearcedale**

- Support the ongoing viability of the Pearcedale Neighbourhood Activity Centre.
- Enhance the vegetated landscape character of northern Pearcedale’s undulating woodlands and the more open landscape qualities of southern Pearcedale.
- Encourage dog breeding and training activities to locate in the precinct identified on the Casey Farm Local Area Map, and protect this area from encroaching rural-residential development.
- Reinforce the identity, character and sense of place of Pearcedale by defining and maintaining a clear village boundary and compact centre, and by ensuring new housing is complementary to the character of the village.
- Recognise, protect and enhance the identified areas of biodiversity significance within Pearcedale.

**Implementation**

These strategies will be implemented by the following measures:
Use of policy and the exercise of discretion

- Ensuring that the future use and development of land is generally in accordance with the Casey Farm Local Area Map.
- Ensuring the future use and development of land is generally in accordance with approved Precinct Structure Plans.
- Using the relevant Code of Practice/Guideline document in the assessment of intensive animal husbandry proposals.
- Using the Retail Policy at Clause 22.01 to provide for the orderly development and expansion of activity centres, including the Pearcedale Neighbourhood Activity Centre and the Cranbourne South Convenience Activity Centre.
- Using the Advertising Signs Policy at Clause 22.04 to ensure advertising signs are complementary to the rural setting.
- Using the Non-Agricultural Uses in Green Wedge Areas Policy at Clause 22.08 to ensure that productive agricultural land in the Green Wedge Zone or Green Wedge A Zone is not adversely affected by the establishment of inappropriate non-agricultural uses.
- Ensuring that the new subdivision of land is connected to reticulated sewerage, where available.

Application of zones and overlays

- Applying the Green Wedge Zone and Green Wedge A Zone to rural areas outside the urban growth boundary to recognise local agricultural and environmental attributes, maintain the viability of rural industry and facilitate sustainable land management practices.
- Applying the Commercial 1 Zone to activity centres with a primary retail function, including the Pearcedale Neighbourhood Activity Centre and the Cranbourne South Convenience Activity Centre.
- Applying the Urban Growth Zone to undeveloped land designated for future urban purposes to manage the transition from non-urban to urban in accordance with a precinct structure plan.
- Applying the Environmental Significance Overlay to areas of identified environmental significance in Cranbourne South and Clyde North.
- Applying the Heritage Overlay to heritage places of national, State and local significance, as identified in Council’s relevant heritage studies and strategic work.

Further strategic work

- Investigating measures to add further statutory protection to identified areas of biodiversity significance within Cranbourne South and Pearcedale.
- Preparing a Western Port Green Wedge Management Plan for all land in a Green Wedge Zone and Green Wedge A Zone.
- Preparing a township strategy for Pearcedale.
- Investigate opportunities for rural residential development in areas with identified marginal agricultural viability, or in areas with limited potential to be used for sustainable agricultural purposes.
Reinforce the identity and character of Pearcedale by maintaining a clearly defined township boundary and ensuring new development is complementary to the local character.

Support the ongoing viability of the Pearcedale Neighbourhood Activity Centre.

Upgrade Thompsons Road to an arterial road standard.

Enhance the natural environmental values of the Casuarina Creek.

Develop Casey Fields as a regional outdoor sports and recreation facility.

Provide for the development of the existing Cranbourne South General Store as a new convenience activity centre.

Recognise, protect and enhance the identified areas of biodiversity significance within Cranbourne South and Pearcedale.

Reinforce the identity and character of Clyde Township by maintaining a clearly defined boundary and ensuring new housing development is complementary to the local character.

Protect the long-term productive potential of the high quality market gardening land south of the Urban Growth Boundary.

Assist productive farming by ensuring non-compatible land uses (such as rural-residential housing and urban types uses) do not establish.

Discourage any further rural-residential development in Devon Meadows to limit impacts on existing local infrastructure (roads and drains).

Encourage dog breeding and training activities to locate in specified preclude in Pearcedale and Devon Meadows.

Enhance the vegetated landscape character of Cranbourne South and northern Pearcedale’s undulating woodlands and the more open landscape qualities of southern Pearcedale.

Improve the environmental qualities of rural areas, particularly the condition of watercourses and roadsides.

**LEGEND**

- Local Area Boundary
- Urban Growth Boundary
- Transport Networks: Freeway/Highway
- Primary/Secondary Arterial Road
- Proposed Primary/Secondary
- Arterial Road
- Collector Road
- Railway Line
- Buffer to Sensitive Uses
CASEY FOOTHILLS

Profile

The Casey Foothills area is important because its hilly terrain offers topographical and scenic relief to the otherwise low-lying built-up areas of Casey. Its visual qualities contribute to a positive image of the municipality as a desirable place to live, being complemented by a unique township-living environment in Narre Warren North and a village atmosphere in Harkaway. The area is protected for its long-term environmental and landscape qualities that ensure the special rural character is not compromised. The older parts of Narre Warren North township have a character and quality that is clearly recognised and valued by the community.

Objectives

- To ensure the long-term protection and enhancement of the Casey Foothills for its:
  - Valued rural landscape and character.
  - Significantly exposed hilltops and ridge lines.
  - Vegetation that forms the “green backdrop” for Casey.

- To protect and restore the area’s natural qualities, especially along ridgelines and in the Cardinia Creek Valley.

- To protect the open rural landscape character of the area so that it remains largely free of development.

- To provide expansive parkland to service the region.

- To reinforce Narre Warren North's unique rural township sense of place that provides easy access to the full range of suburban services.

- To protect the small, green rural village qualities of Harkaway bounded by rural land.

- To upgrade public spaces and community facilities to meet changing needs and, where possible, link them with a network of trails reflecting the strong equestrian heritage of the area.

Strategies

General

- Extend and improve the environmental qualities of the Casey Foothills through:
  - Improving the environmental quality and condition of watercourses and roadsides.
  - Ensuring that best practice stormwater management is used to limit the damaging effects of sedimentation and polluted run-off.
  - The application of environmentally sustainable design principles for all development (including the design and maintenance of septic systems).
  - Encouraging re-generation and re-vegetation using indigenous vegetation.
  - Encouraging the preparation and implementation of property management plans to ensure that development of land occurs in an environmentally sustainable and landscape sensitive manner.

- Ensure that development is sympathetic to the landscape and scenic qualities of the Casey Foothills, protecting the visually exposed areas such as hilltops and ridgelines.

- Maintain the attractive lifestyle qualities of the low-density and rural residential areas of the Casey Foothills.
Encourage tourism activities, particularly those which support and enhance local agriculture, outdoor recreation facilities or rural industry.

Facilitate, where possible, the creation of publicly accessible links along waterway reserves and trails that link public land and form part of a wider trail network.

**Harkaway (including the Cardinia Creek Valley)**

- Reinforce the identity, character, and sense of place of Harkaway Village by:
  - Defining and maintaining a clear village boundary.
  - Retaining the perception of a non-suburban area completely around the village.
  - Ensuring new housing is complementary to the existing character of the village.
  - Maintaining the established streetscape qualities, including the wide road reserves and non-piped drainage.

- Recognise the key role of equestrian links in the area, including on-road links and along waterways where possible, as part of the ‘Casey Trail Network’.

- Recognise, protect and enhance the identified areas of biodiversity significance within Harkaway and the Cardinia Creek Valley.

- Provide strong regulatory protection for Cardinia Creek Valley’s natural places to minimise further loss of natural values.

- Create and maintain habitat links through the Cardinia Creek Valley.

- Encourage the development of the Cardinia Creek Parklands as a major inter-suburban break and passive parkland.

- Investigate future residential development opportunities on the eastern side of Manuka Road, between Inglis Road and Allan Street, taking into account the heritage, landscape and environmental features of the land.

**Lysterfield South (including non-urban area of Endeavour Hills)**

- Retain and enhance the bushland qualities of the major inter-suburban break between Endeavour Hills, Dandenong and Lysterfield.

- Enhance Churchill National Park as a major regional bushland park serving the Casey community.

- Enhance Lysterfield Park as an important regional passive parkland for Casey’s north.

- Facilitate the development of Dandenong Police Paddocks Reserve as a regional conservation and parkland reserve.

- Recognise, protect and enhance the identified areas of biodiversity significance within the Churchill National Park, Lysterfield Park and surrounds.

- Facilitate the extension of sewer services to the unserviced residential areas of Lysterfield South.

**Narre Warren North**

- Reinforce the identity, character, and sense of place of Narre Warren North township by:
  - Defining and maintaining a clear township boundary.
  - Ensuring new housing is complementary to the existing character of the township.
  - Enhancing landscaping quality, including strengthening the established “oak tree” theme.
  - Maintaining the established streetscape qualities, including the wide road reserves and non-piped drainage.
- Provide for the development of a new convenience activity centre (Main Street) combined with the existing Narre Warren North General Store.
- Provide extensive boulevard planting along the main road network.
- Facilitate the extension of sewer services to properties in the Narre Warren North township.
- Provide for a future collector road linking Tinks Road and the Monash Freeway with Heatherton Road, via Glenwood Road and Jacques Road.
- Maintain the inter-suburban break formed by the future Narre Warren Terminal Station site on Heatherton Road and the land west of Jacques Road, in particular the land between Eumemmerring Creek and the existing transmission line.
- Develop Kurll Park (including the former landfill site) as a sub-regional passive open space area.

**Implementation**

These strategies will be implemented by the following measures:

**Use of policy and the exercise of discretion**

- Ensuring that the future use and development of land is generally in accordance with the Casey Foothills Local Area Map.
- Ensuring that the new subdivision of land is connected to reticulated sewerage, where available.
- Using the Advertising Signs Policy at Clause 22.04 to ensure that the display of advertising signs in the Casey Foothills Green Wedge areas is complementary to the existing character of the rural locality, being low-key in appearance and primarily relating to the advertising of tourism-oriented businesses.
- Using the Non Agricultural Uses in Green Wedge Areas Policy at Clause 22.08 to protect the Casey Foothills Green Wedge areas from ad hoc and inappropriate development.
- Using the Retail Policy at Clause 22.01 to provide for the orderly development and expansion of activity centres, including the Main Street, Narre Warren North future Convenience Activity Centre.

**Application of zones and overlays**

- Applying the Township Zone to the rural settlements of Harkaway and Narre Warren North to provide for a range of appropriate residential and commercial uses.
- Applying the Green Wedge Zone and Green Wedge A Zone to the non-urban areas of the Casey Foothills outside the Urban Growth Boundary to recognise local agricultural and environmental attributes, maintain the viability of rural industry and facilitate sustainable land management practices.
- Applying the Public Conservation and Resource Zone to protect and conserve the natural environment of Churchill National Park, Dandenong Police Paddocks Reserve, Lysterfield Park and surrounding areas under public ownership.
- Applying the Vegetation Protection Overlay to protect the area of significant vegetation to the east of Manuka Road in Berwick.
- Applying the Significant Landscape Overlay to conserve and enhance areas of identified landscape character and value.
- Applying the Heritage Overlay to heritage places of national, State and local significance, as identified in Council’s relevant heritage studies and strategic work.
- Applying the Development Plan Overlay to future and developing low density residential areas and to the Narre Warren North Township area, to provide for the integrated and orderly planning of future and developing residential areas, and for the Narre Warren North Township area.

- Applying the Development Contributions Plan Overlay to developing residential areas to facilitate the timely delivery of appropriate transport, physical and community infrastructure.

**Further strategic work**

- Preparing and implementing township strategies for Harkaway and Narre Warren North.

- Preparing a Southern Ranges Green Wedge Management Plan for all land in a Green Wedge Zone and Green Wedge A Zone.

- Finalising a Casey Foothills Strategy in conjunction with the preparation of the Harkaway and Narre Warren North Township Strategies and the Southern Ranges Green Wedge Management Plan.
- Reviewing the existing Significant Landscape Overlay provisions that apply to the Casey Foothills.

- Preparing a development framework that investigates and, where appropriate, provides for future residential development opportunities on the eastern side of Manuka Road, between Inglis Road and Allan Street, as identified on the Casey Foothills Local Area Map.
**CRANBOURNE**

**Profile**
The older parts of residential Cranbourne have a character and quality that is clearly recognised and valued by the community. The Cranbourne Town Centre manages to keep its country town atmosphere while serving as a regional hub for a diverse community that has a growing sense of pride.

**Objectives**
- To retain Cranbourne’s clear sense of identity, self-reliance and township character.
- To maintain and strengthen the distinctive landscape character of the Cranbourne Township and the surrounding residential areas.
- To provide diversity in housing choice in the historic core of Cranbourne, which has a unique amenity of wide tree-lined streets.
- To encourage higher density housing close to the Cranbourne Town Centre.
- To create quality and diverse housing and lifestyle opportunities.
- To ensure that the Cranbourne Town Centre can maintain its present role and serve the additional significant residential growth forecast for the area.
- To use the attraction of the Cranbourne Racecourse and Training Complex and Cranbourne Gardens to create a distinctive sense of place.
- To refurbish, expand and develop Cranbourne’s spaces, places and programs to reflect population growth.
- To upgrade main roads/intersections and provide safer local streets, convenient bus services and a safe trail network.
- To provide for the diversion of regional and through traffic out of Cranbourne.
- To create strong links to Cranbourne from surrounding areas.

**Strategies**
- Reinforce the identity, character, and sense of place of the older parts of residential Cranbourne and ensure new housing is complementary to these elements.
- Strengthen the established garden suburb environment, characterised by canopy trees, generous setbacks, a sense of openness and the dominance of the landscape setting.
- Encourage higher density residential development (i.e. 3-4 storeys) on well located sites within easy walking distance of the Cranbourne Town Centre and public transport that respects the neighbourhood character, responds to the local landscape context, and minimises off-site amenity impacts.
- Provide for a full range of suburban housing opportunities throughout Cranbourne’s residential areas, including well designed medium-density housing around lower order activity centres and major open space.
- Expand and strengthen the Cranbourne Town Centre to reflect its traditional role as a major service centre for the South Gippsland region and also its role as a Principal Activity Centre servicing the southern part of Melbourne’s South East Growth Corridor. Key strategies include:
  - Provide for a major expansion of the Town Centre retail core that allows for a new discount department store and speciality shops.
  - Encourage the growth and development of the High Street retail core.
. Provide for the improved integration of Cranbourne Park Shopping Centre with High Street.

. Encourage the consolidation and growth of the northern and southern approaches to the Cranbourne Town Centre along the South Gippsland Highway, as a major commercial and business corridor.

. Facilitate the development of the proposed Cranbourne Bypass Road (Linsell Boulevard) to reduce through traffic in the Cranbourne Town Centre.

. Revitalise the Cranbourne Town Centre to improve its image, built form and landscape character to create an active, attractive and accessible town centre that serves its increasing catchment area without detracting from its country town character.

. Encourage the consolidation of lots to achieve good design outcomes.

. Provide for “youth-friendly” spaces in the future planning of the Cranbourne Town Centre.

. Encourage the expansion of the Cranbourne Homemaker Centre south to the proposed Cranbourne Bypass Road (Linsell Boulevard).

. Encourage the upgrading of the significant racing and associated tourism facilities at the Cranbourne Racecourse and Training Complex.

. Encourage the ongoing development of the Australian Garden and the associated tourism facilities at the Cranbourne Gardens.

. Discourage the establishment of uses that are incompatible with horse stabling activities within the designated horse stabling area identified on the Cranbourne Local Area Map.

. Ensure new horse stabling facilities, including the upgrade or expansion of existing facilities, do not adversely affect adjoining residential areas.

. Ensure any application relating to land that has been filled within the Horse Stabling precinct identified on the Cranbourne Local Area Map be referred to the referral authority specified in Clause 66.04 or a schedule to that clause.

. Recognise, protect and enhance any areas of biodiversity significance within the surrounds of the Cranbourne Gardens.

. Encourage the sensitive siting and design of buildings in proximity to the Cranbourne Gardens to respond to its biological values, landscape quality and amenity.

. Create a suburban bushland and open space area under the major electricity transmission lines between Cranbourne-Frankston Road and Ballarto Road to act as an inter-suburban break between Cranbourne and Cranbourne West.

. Provide extensive boulevard planting along the main road network.

. Recognise uses with adverse amenity potential and prevent the encroachment of sensitive uses, until such time as any adverse off-site amenity impacts have been appropriately addressed or the activities creating the need for the buffers cease to operate.

. Seek to extend the electrification of the Cranbourne Railway line to Clyde.

. Upgrade Cemetery Road in the long-term to a collector road linking Ballarto Road with Sladen Street.

. Upgrade the standard of Ballarto Road between Cranbourne-Frankston Road and the entrance to the Cranbourne Gardens.

. Facilitate the redevelopment of existing residential areas in the Cranbourne Town Centre having regard to the objectives of the Cranbourne Town Centre Plan (City of Casey, 2017).

**Implementation**

These strategies will be implemented by the following measures:
Use of policy and the exercise of discretion

- Ensuring that the future use and development of land is generally in accordance with the Cranbourne Local Area Map.

- Using the Retail Policy at Clause 22.01 to consolidate the role of the Cranbourne Town Centre as a Principal Activity Centre and to provide for the orderly development and expansion of the Camms Road, Cranbourne Place, Hotham Street, Lurline Street and Springhill Convenience Activity Centres.

- Using the Industrial Development Policy at Clause 22.03 to create an attractive and well maintained industrial area.

Application of zones and overlays

- Applying the Activity Centre Zone to land in the Cranbourne Town Centre to implement the objectives and preferred use and development contained in the Cranbourne Town Centre Plan.

- Applying the Activity Centre Zone to existing residential land in the Cranbourne Town Centre to identify areas for increase residential density and diversity of housing choice.

- Applying the Activity Centre Zone, where appropriate, to land within the Cranbourne Town Centre to provide for the use and development of the land in recognition of the centre’s role as an activity centre under State Government Policy.

- Using the Activity Centre Zone in the Cranbourne Town Centre to promote the development of signature and landmark buildings in strategic locations and gateways to create a positive image of the centre and the municipality.

- Applying the Commercial 1 Zone to activity centres with a primary retail function, including the Camms Road, Cranbourne Place, Hotham Street, Lurline Street and Springhill Convenience Activity Centres.

- Applying the Environmental Significance Overlay to identified buffer areas in the vicinity of the Cranbourne Gardens, to protect the ecological integrity, landscape values and amenity of the Gardens.

- Applying the Vegetation Protection Overlay to protect areas of significant remnant vegetation in the Brookland Greens estate.

- Applying the Heritage Overlay to heritage places of national, State and local significance, as identified in Council’s relevant heritage studies and strategic work.

- Applying the Development Plan Overlay to provide for the integrated and orderly planning of future and developing residential areas, activity centres and other mixed use/commercial areas, as appropriate.

- Applying the Development Contributions Plan Overlay to future and developing residential areas to facilitate the timely delivery of appropriate transport, physical and community infrastructure.

Further strategic work

- Preparing urban design guidelines to ensure that new development adds value to the preferred future character of the area.

- Reviewing access to the Cranbourne Town Centre.

- Preparing specific advertising sign guidelines for the Cranbourne Town Centre to improve visual amenity.

- Undertaking a strategic review of future land use and development within the Cyril Beechey Lane precinct, as identified on the Cranbourne Local Area Map.
Other actions

- Implementing the Cranbourne Town Centre Plan (City of Casey, 2017).

Background documents

Cranbourne Town Centre Plan (City of Casey, 2017)
CASEY PLANNING SCHEME

Cranbourne Local Area Map

- Encourage the development of integrated medium-density housing adjacent to the Springhill Convenience Activity Centre.
- Facilitate the development of the Cranbourne bypass to reduce through traffic in the Cranbourne Town Centre.
- Encourage high-density residential development.
- Seek to extend the Cranbourne Railway Line to Clyde.
- Expand and strengthen the Cranbourne Town Centre as a major service centre for the South Gippsland region and as a Principal Activity Centre within the South East Growth Corridor.
- Encourage high-density residential development.
- Maximize the potential of the racing and training complexes through improved infrastructure for polo, harness and greyhound and associated facilities.
- Encourage the sensitive siting and design of buildings in proximity to the Royal Botanic Gardens Cranbourne to respond to biological values, landscape quality and amenity.

LEGEND

Land Use:
- Residential (Existing/Future)
- Lifestyle Living (Existing/Future)
- Preferred Higher Density Housing
- Conservation
- Open Space
- Future Open Space
- Rural
- Horse Stabling
- Learning Centre - Secondary (S)
- Primary (P)
- Future Learning Centre
- Public Utility/Facility
- Principal Activity Centre
- Peripheral Sales Precinct
- Convenience Activity Centre
- Future Convenience Activity Centre
- Industry
- Community Place
- Area Subject to Strategic Review
- Buffer to Sensitive Uses

- Open Space Link (Indicative)
- Local Area Boundary
- Urban Growth Boundary
- Transport Networks
- Freeway/Highway
- Primary/Secondary Arterial Road
- Future Primary/Secondary Arterial Road
- Collector Road
- Future Collector Road
- Railway Line
- Station
CRANBOURNE EAST

Profile
Cranbourne East is a quality, treeed suburban environment with a country feel and benefiting from unique access to extensive parkland areas. It has strong links to Cranbourne, and easy access to a full range of employment, learning, shopping and community services.

Objectives
- To extend Cranbourne’s treeed image into Cranbourne East and establish links in the suburban area to the surrounding parkland and countryside.
- To provide strong links to Cranbourne with a focus on the Cranbourne Town Centre for sub-regional and regional services and facilities.
- To create quality and diverse housing and lifestyle opportunities.
- To develop, expand and refurbish Cranbourne East’s spaces, places and programs to reflect population growth.
- To upgrade main roads/intersections and provide safer local streets, convenient bus services and a safe trail network.
- To provide expansive parkland to service the region.

Strategies
- Extend Cranbourne’s green-tree country feel and character into the newer residential areas of Cranbourne East by encouraging extensive tree planting within streets, parks, public spaces and on private land, and by maintaining views and links through to open space and non-urban areas.
- Provide for the development of a new Neighbourhood Activity Centre (Hunt Club Village) on the south-eastern corner of the intersection of Narre Warren-Cranbourne Road and Linsell Boulevard that includes:
  - A diverse range of goods and services.
  - A town square/plaza which provides a formal urban open space area and community focal point.
  - A street-based, compact and pedestrian-friendly centre environment with open and active frontages.
  - A network of pedestrian links throughout the centre.
  - A community place, incorporating a range of community facilities, including complementary private community uses/services such as medical centres and child care centres.
  - Provision for youth-friendly spaces.
- Provide for a full range of suburban housing opportunities throughout the residential areas, including well designed and integrated medium density housing around activity centres and major open space, and larger lots where appropriate to improve diversity within the Cranbourne region.
- Maintain and enhance the residential streetscapes as a garden suburb environment, characterised by a quality and diverse built form in a landscaped setting.
- Encourage integrated medium-density housing opportunities adjacent to the future Cranbourne East Station.
- Maintain buffers and manage the interface of the residential areas with the existing abattoir and industrial activities along Thompsons Road, to protect the operation of existing uses and minimise loss of residential amenity.

- Encourage further development at the Casey Complex to reinforce its role as a major leisure, recreational, educational, community and mixed use cluster.

- Provide extensive boulevard planting along the main road network.

- Seek to extend the electrification of the Cranbourne Railway line to Clyde.

- Develop Linsell Boulevard as a new east-west arterial road linking Narre Warren-Cranbourne Road with Berwick-Cranbourne Road.

- Develop a new north-south arterial road (Casey Fields Boulevard) ultimately linking the proposed Glasscocks Road in the north with South Gippsland Highway and the Craig Road deviation in the south.

- Develop a new north-south collector road linking Linsell Boulevard, the Casey Complex, Berwick-Cranbourne Road and Ballarto Road.

- Upgrade Heather Grove to a collector road linking future suburban development east and west of the Collison Estate residential area.

- Facilitate the provision of appropriate primary and secondary school facilities, together with a number of local sports areas, to service the future community of Cranbourne East.

- Develop Casey Fields as a regional outdoor sports and recreation facility.

**Implementation**

These strategies will be implemented by the following measures:

**Use of policy and the exercise of discretion**

- Ensuring that the future use and development of land is generally in accordance with the Cranbourne East Local Area Map.

- Using the Retail Policy at Clause 22.01 to provide for the orderly development and expansion of activity centres, including the Hunt Club Village Neighbourhood Activity Centre.

**Application of zones and overlays**

- Applying the Activity Centre Zone to land within the Casey Complex to implement the objectives and preferred use and development contained in the Cranbourne Town Centre Plan (City of Casey, 2017).

- Applying the Commercial 1 Zone to activity centres with a primary retail function, including the Hunt Club Village Neighbourhood Activity Centre and future activity centres.

- Applying the Green Wedge Zone to land located outside the urban growth boundary to reflect its non-urban status.

- Applying the Farming Zone to protect land within the urban growth boundary from inappropriate subdivision and/or development.

- Applying the Urban Growth Zone to undeveloped land designated for future urban purposes to manage the transition from non-urban to urban in accordance with a precinct structure plan.

- Applying the Environmental Significance Overlay to areas of identified environmental significance.

- Applying the Heritage Overlay to heritage places of national, State and local significance, as identified in relevant Council’s heritage studies and strategic work.
- Applying the Development Plan Overlay to provide for the integrated and orderly planning of developing residential areas and activity centres, as appropriate.

- Applying the Development Contributions Plan Overlay to future and developing residential areas to facilitate the timely delivery of appropriate transport, physical and community infrastructure.

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**Background documents**

*Cranbourne Town Centre Plan* (City of Casey, 2017)
CASEY PLANNING SCHEME

Cranbourne East Local Area Map

- Maintain appropriate residential buffers to existing industrial and commercial activities.
- Develop Lesnau Boulevard as a new east-west arterial road.
- Provide for the development of the Hunt Club Village Neighbourhood Activity Centre.
- Encourage the development of an integrated medium-density housing adjacent to the future Cranbourne East Station.
- Develop a new north-south collector road linking Lesnau Boulevard with Bathurst Road.
- Seek to extend the Cranbourne railway line to Clyde including a station at Cranbourne East.
- Develop the Casey Complex as a key leisure, recreational, educational and community place.
- Extend Cranbourne’s green-treed country feel and character into the new residential areas of Cranbourne East.
- Prepare a growth area framework plan for the land located within the Urban Growth Boundary expansion area.

Legend:
- Residential (Existing/Future)
- Lifestyle Living (Existing/Future)
- Preferred Medium Density Housing
- Future Urban
- Open Space
- Future Open Space
- Learning Centre
  - Primary (P)
  - Secondary (S)
  - Early Childhood (EC)
- Neighbourhood Activity Centre
- Future Learning Centre
  - Primary (P)
  - Secondary (S)
  - Early Childhood (EC)
- Public Utility/Facility
- Future Public Utility/Facility
- Future Neighbourhood Activity Centre
- Future Conveniences Activity Centre
- Rural Industry
- Community Place
- Future Community Place
- Buffers to Sensitive Uses (indicative)
- Open Space Link

Transport Networks:
- Freeway/Highway
- Primary/Secondary Arterial Road
- Future Primary/Secondary Arterial Road
- Collector Road
- Future Collector Road
- Railway Line
- Future Station

Develop a new north-south arterial road (Casey Fields Boulevard) ultimately linking the proposed Glasscocks Road in the north with South Gippsland Highway and the Craig Road deviation in the south.
CRANBOURNE NORTH

Profile
Cranbourne North is a quality treed, suburban environment with a country feel on the South Gippsland Highway that has a small town centre and strong links to Cranbourne. Its newer residential areas to the east will be a well planned and sustainable suburban community, with strong links to a new town centre on Narre Warren-Cranbourne Road.

Objectives
- To extend Cranbourne’s treed image into Cranbourne North and establish links in the suburban area to the surrounding countryside.
- To provide strong links to Cranbourne with a focus on the Casey Central Town Centre and the Cranbourne Town Centre for sub-regional and regional services and facilities.
- To reinforce the activity and community focus of the western area of Cranbourne North, towards the activity centre located at the intersection of Thompsons Road and the South Gippsland Highway.
- To create quality and diverse housing opportunities.
- To develop, expand and refurbish Cranbourne North’s spaces, places and programs to reflect population growth.
- To develop a new positive image for Thompsons Road.
- To upgrade main roads/intersections and provide safer local streets, convenient bus services and a safe trail network.

Strategies
- Create a green-treed image and strengthen the landscape character of the area by encouraging extensive tree planting within streets, parks, public spaces and on private land, and by maintaining views and links through to open space and non-urban areas.
- Provide for the development of the southern portion of the Casey Central Town Centre as part of a major activity centre, including:
  - A realignment of the future Glasscocks Road extension to the south.
  - A range of mixed uses to include convenience retail, commercial, civic, educational, recreation, and other land uses that complement the primary retail core of the Casey Central Town Centre to the north of the future Glasscocks Road realignment.
  - A street-based, compact and pedestrian-friendly town centre environment that will create a unique sense of place for local residents.
  - A centrally located Town Park, which provides a formal urban open space area and community focal point.
  - Provision of active and attractive facades facing onto public spaces and all internal and external roads.
  - Provision of youth-friendly spaces.
- Provide for the development of four new activity centres at Glasscocks Road, William Thwaites Boulevard, ‘Tulliallan’ and South Gippsland Highway, as identified on the Cranbourne North Local Area Map, to include:
  - A clustering of convenience retail facilities to service local community needs.
  - A village green to provide a community focal point.
- Complementary private community uses/services, such as medical centres and child care centres.

- Strengthen the Thompson Parkway Neighbourhood Activity Centre by encouraging a variety of community activities to reinforce its role as a community focal point.

- Provide for a full range of suburban housing opportunities throughout the residential areas, including well-designed medium-density housing around activity centres (in particular, Casey Central Town Centre) and major open space.

- Maintain and enhance the residential streetscapes as a garden suburb environment, characterised by a quality and diverse built form in a landscaped setting.

- Explore, in consultation with relevant public land managers, opportunities to develop the Hallam Valley Floodplain (‘Casey Valley Parklands’) as passive parkland accessible by the public, while respecting its primary function as a floodplain.

- Provide for an expansion of the suburban area east of Narre Warren-Cranbourne Road as an integrated and well planned community, facilitating best practice in sustainable urban development.

- Create a new environmentally significant hilltop park and extensive linear open space bio-links as part of an integrated regional open space network.

- Develop a new service business/industrial precinct with high levels of amenity on the northern side of Thompsons Road to provide local business and employment opportunities.

- Maintain buffers and manage the interface of the residential areas with the existing abattoir and industrial activities south of Thompsons Road, to protect the operation of existing uses and minimise loss of residential amenity.

- Upgrade Thompsons Road to a true boulevard, with large mature trees, wide pathways and street furniture.

- Provide extensive boulevard planting along the main road network.

- Develop a new east-west arterial road (Glasscocks Road), ultimately linking Western Port Highway with Berwick-Cranbourne/Clyde Road, and including a realignment to the south in the vicinity of Narre Warren-Cranbourne Road to facilitate a future expansion of the Casey Central Town Centre.

- Develop a new north-south collector road (William Thwaites Boulevard), ultimately linking Glasscocks Road with South Gippsland Highway.

### Implementation

These strategies will be implemented by the following measures:

#### Use of policy and the exercise of discretion

- Ensuring that the future use and development of land is generally in accordance with the Cranbourne North Local Area Map.

- Ensuring that the future use and development of the relevant land is generally in accordance with the Cranbourne North Stage 2 Precinct Structure Plan.

- Using the Retail Policy at Clause 22.01 to provide for the orderly development and expansion of activity centres, including the Casey Central Town Centre, the Thompson Parkway and Avenue Village Neighbourhood Activity Centres, and the Eve, ‘Tulliallan’ and South Gippsland Highway Convenience Activity Centres.

- Using the Industrial Development Policy at Clause 22.03 to create attractive and well maintained industrial areas.
Application of zones and overlays

- Applying the Commercial 1 Zone to activity centres with a primary retail function outside of the Casey Central Town Centre, including the Thompson Parkway and Avenue Village Neighbourhood Activity Centres, and the Eve, ‘Tulliallan’ and South Gippsland Highway Convenience Activity Centres.

- Applying the Urban Growth Zone to undeveloped land designated for future urban purposes, including to manage the transition from non-urban to urban in accordance with a precinct structure plan.

- Applying the Mixed Use Zone to land with a mixed residential and commercial function to the east of the Casey Central Town Centre.

- Applying the Heritage Overlay to heritage places of national, State and local significance, as identified in Council’s relevant heritage studies and strategic work.

- Applying the Development Plan Overlay to provide for the integrated and orderly planning of developing residential and employment areas, activity centres and mixed use areas.

- Applying the Development Contributions Plan Overlay to future and developing residential areas, employment areas and activity centres to facilitate the timely delivery of appropriate transport, physical and community infrastructure.

Further strategic work

- Preparing master plans for the Avenue Village Neighbourhood Activity Centre and the Eve, ‘Tulliallan’ and South Gippsland Highway Convenience Activity Centres.
CRANBOURNE WEST

Profile
Cranbourne West is a quality, treed suburban environment that retains a country feel with strong links to Cranbourne. It offers diverse and sustainable housing opportunities, and has easy access to a range of employment, learning, shopping and community services.

Objectives
- To extend Cranbourne’s treed image into Cranbourne West and establish links in the suburban area to the surrounding countryside.
- To create quality and diverse housing opportunities.
- To provide strong links to Cranbourne with a focus on the Cranbourne Town Centre for sub-regional and regional services and facilities.
- To create a large new town centre for Cranbourne West.
- To develop a new industry and business park to improve economic development and employment opportunities within Cranbourne West and the wider Cranbourne region that is sustainable, well landscaped and has high levels of amenity and accessibility.
- To develop, expand and refurbish Cranbourne West’s spaces, places and programs to reflect population growth.
- To upgrade main roads/intersections and provide safer local streets, convenient bus services and a safe trail network.

Strategies
- Extend Cranbourne’s green-treed, country feel, and character into the newer residential areas of Cranbourne West by encouraging extensive tree planting within streets, parks, public spaces and on private land, and by maintaining views and links through to open space and non-urban areas.
- Provide for a full range of suburban housing opportunities throughout the residential areas, including well designed and integrated medium-density housing around activity centres and major open space to improve diversity within the Cranbourne region.
- Maintain and enhance the residential streetscapes as a garden suburb environment, characterised by a quality and diverse built form in a landscaped setting.
- Facilitate best practice in sustainable urban development.
- Provide for the development of a new Neighbourhood Activity Centre (Cranbourne West) on the north-western corner of the intersection of Cranbourne-Frankston Road, Evans Road and Hall Road that includes:
  - A diverse range of goods and services.
  - A community place, incorporating a multi-purpose community hall and other community facilities.
  - An integrated secondary school precinct.
  - Areas of new suburban bushland planting.
  - Extensive parkland for active and passive recreation.
  - Provision for youth-friendly spaces.
  - An integrated medium-density housing area within 400 metres of the retail core.
- An extension of the local road network adjacent to the site.
- Use of water features along natural drainage lines and patterns, if appropriate.

- Provide for the development of the western half of the land bounded by Thompsons Road, Evans Road, Hall Road and the Western Port Highway for the ‘Cranbourne Industry Park’.
- Provide for the development of land on the south-west corner of the intersection of Thompsons Road and Evans Road, and extending south to the Central Parkway extension for a business park, to boost economic diversity and widen employment opportunities within the Cranbourne region.
- Facilitate the development of integrated office, commercial and residential mixed use precincts in areas of high amenity and accessibility, as identified on the Cranbourne West Local Area Map.
- Provide sensitive and high amenity interface areas between industrial/business precincts and residential areas, which reduce off-site amenity impacts whilst maintaining accessibility.
- Create a suburban bushland and open space area under the major electricity transmission lines between Breens Road and Ballarto Road to act as an inter-suburban break between Cranbourne and Cranbourne West.
- Provide extensive boulevard planting along the main road network.
- Develop a new north-south collector road within the future ‘Cranbourne Industry Park’ linking Thompsons Road with Hall Road.
- Extend Central Parkway to the west as a new east-west collector road linking Evans Road with Western Port Highway.
- Upgrade Evans Road and Hall Road to an arterial road standard.
- Upgrade Breens Road to a collector road standard linking Evans Road with Monahans Road.

**Implementation**

These strategies will be implemented by the following measures:

**Use of policy and the exercise of discretion**

- Ensuring that the future use and development of land is generally in accordance with the Cranbourne West Local Area Map.
- Using the Retail Policy at Clause 22.01 to provide for the orderly development and expansion of activity centres, including the Sandhurst Centre Neighbourhood Activity Centre and the future Cranbourne West Neighbourhood Activity Centre.
- Using the Industrial Development Policy at Clause 22.03 to create attractive and well maintained industrial areas.

**Application of zones and overlays**

- Applying the Commercial 1 Zone to existing activity centres with a primary retail function, including the Sandhurst Centre/Neighbourhood Activity Centre.
- Applying the Mixed Use Zone to land identified as appropriate for commercial and residential mixed use precincts.
- Applying the Green Wedge Zone to land located outside the urban growth boundary to reflect its non-urban status.
- Applying the Urban Growth Zone to undeveloped land designated for future urban purposes to manage the transition from non-urban to urban in accordance with the Cranbourne West Precinct Structure Plan.
Applying the Heritage Overlay to heritage places of national, State and local significance, as identified in Council’s relevant heritage studies and strategic work.

Applying the Development Plan Overlay to provide for the integrated and orderly planning of developing residential areas and activity centres, as appropriate.

Applying the Development Contributions Plan Overlay to future and developing residential and employment areas to facilitate the timely delivery of appropriate transport, development and community infrastructure.

Further strategic work

Preparing design and development guidelines for the future industry and business parks to ensure high quality and environmentally sustainable development.
DOVETON/EUMEMMERRING

Profile
Doveton and Eumemmerring are established, diverse, areas with attractive, open, treed streetscapes and a strong, proud sense of place. There is a need, however, for modern facilities and services to be provided that are tailored to help the community establish firm links with newcomers and strengthen existing relationships.

Objectives
- To develop a positive image for the community.
- To develop, expand and refurbish Doveton’s and Eumemmerring’s spaces, places and programs to meet changing needs.
- To develop a strong local shopping and community centre.
- To create quality and diverse housing opportunities.
- To enhance the value of Eumemmerring Creek as the green spine of the community.
- To promote employment and learning.
- To encourage vibrant industry and business in the area.
- To promote better and safer transport options for the community.

Strategies
- Reinforce the identity, character, and sense of place of Doveton and Eumemmerring by encouraging development that improves the physical presentation of the local area and reflects local community values.
- Create a green-treed image and strengthen the landscape character of the area by encouraging extensive tree planting within streets, parks, public spaces and on private land.
- Provide extensive boulevard planting along the main road network.
- Improve the image and physical presentation of the area, including all gateways to the local area, together with the Autumn Place Neighbourhood Activity Centre and the Linden Place Convenience Activity Centres.
- Encourage the protection and management of heritage places.
- Encourage the physical renewal and development of new “places for people” to reflect changing demographic needs and to strengthen community pride.
- Improve local amenity and open space areas, including revitalising local infrastructure.
- Progressively strengthen the community education, recreation and leisure activities at Myuna Farm.
- Support the progressive upgrade of the Autumn Place Neighbourhood Activity Centre as an important retail, business and community place.
- Revitalise community facilities with a preference to consolidating these facilities in and around the Autumn Place Neighbourhood Activity Centre.
- Maintain and enhance the residential streetscapes as a garden suburb environment, characterised by a quality and diverse built form in a landscaped setting.
- Provide a diversity of housing opportunities to meet the future needs of the community, including family accommodation, and better manage the extent and design of medium-density development.
Facilitate the equitable and balanced provision and distribution of public housing opportunities, recognising high existing levels of public housing in the local area.

Encourage the upgrading of local housing stock and the development of unused sites.

Enhance, in consultation with relevant public land managers, the Eumemmerring Creek waterway to highlight its parkland attributes and to take full advantage of the environmental and recreational opportunities it offers.

Facilitate the creation of local employment opportunities.

Enhance the presentation of the industrial areas, including their image and character.

Monitor and manage traffic flows on key access roads within Doveton and Eumemmerring.

**Implementation**

These strategies will be implemented by the following measures:

**Use of policy and the exercise of discretion**

- Ensuring that the future use and development of land is generally in accordance with the Doveton/Eumemmerring Local Area Map.

- Using the Retail Policy at Clause 22.01 to provide for the orderly development and expansion of activity centres, including the Autumn Place Neighbourhood Activity Centre and the Box Street, Doveton Avenue, Freeway Sports, Linden Place and Llewellyn Place Convenience Activity Centres.

- Using the Industrial Policy at Clause 22.03 to create an attractive and well maintained industrial area.

**Application of zones and overlays**

- Applying the Commercial 1 Zone to activity centres with a primary retail function, being Autumn Place Neighbourhood Activity Centre and the Box Street, Doveton Avenue, Linden Place and Llewellyn Place Convenience Activity Centres.

- Applying the Mixed Use Zone to activity centres with a mixed use function, being the Freeway Sports Convenience Activity Centre.
- Applying the Heritage Overlay to heritage places of national, State and local significance, as identified in Council’s relevant heritage studies and strategic work.

- Applying the Development Plan Overlay to provide for the integrated and orderly planning of mixed use areas and activity centres, as appropriate.

**Doveton/Eumemmerring Local Area Map**
ENDEAVOUR HILLS (URBAN AREA)

Profile
Endeavour Hills is an established, diverse community focused on a vibrant, multi-faceted town centre that will continue to strengthen its mature, green-treed bushland image over the long-term.

Objectives
- To strengthen visual and trail links to nearby bushland.
- To consolidate the town centre, improve its human-scale and better link its different parts and activities.
- To create quality and diverse housing and lifestyle opportunities.
- To enhance the value of Eumemmerring Creek as the green spine of the community.
- To develop, expand and refurbish Endeavour Hills’s spaces, places and programs to meet changing needs.
- To upgrade main roads/intersections and provide safer local streets, convenient bus services and a safe trail network.

Strategies
- Extend the Lysterfield South bushland into Endeavour Hills through the use of indigenous planting and by retaining bushland views.
- Support the progressive upgrade of the Endeavour Hills Town Centre as an important integrated retail, business and community place.
- Provide for the development of a new convenience activity centre (Heatherton Road) on the north-western corner of the intersection of Heatherton Road and Hallam North Road.
- Maintain and enhance the residential streetscapes as a garden suburb environment, characterised by a quality and diverse built form in a landscaped setting.
- Improve the diversity of housing opportunities to meet the future needs of the community.
- Develop, in consultation with relevant public land managers, Eumemmerring Creek and environs as a community, environmental and recreation resource.
- Seek to improve the quality, surveillance and facilities of all open space areas.
- Provide extensive boulevard planting along the main road network.
- Upgrade Hallam North Road, between Heatherton Road and Churchill Park Drive, to a suburban standard.

Implementation
These strategies will be implemented by the following measures:

Use of policy and the exercise of discretion
- Ensuring that the future use and development of land is generally in accordance with the Endeavour Hills Local Area Map.
- Using the Retail Policy at Clause 22.01 to provide for the orderly development and expansion of activity centres, including the Endeavour Hills Town Centre and the Heatherton Road Convenience Activity Centre.
Application of zones and overlays

- Applying the Commercial 1 Zone to activity centres with a primary retail function, including the Endeavour Hills Town Centre and the Heatherton Road Convenience Activity Centre.

- Applying the Heritage Overlay to heritage places of national, State and local significance, as identified in Council’s relevant heritage studies and strategic work.

- Applying the Development Plan Overlay to provide for the integrated and orderly planning of developing residential areas (south of James Cook Drive), mixed use areas and activity centres, as appropriate.

Further strategic work

- Preparing urban design guidelines to ensure new development adds value to the preferred future character of the area.
Endeavour Hills (Urban Area) Local Area Map

- Extend the Lysterfield South bushland into Endeavour Hills through the use of indigenous planting.
- Improve the diversity of housing opportunities to meet the future needs of the community.
- Support the progressive upgrade of the Endeavour Hills Town Centre as an important retail, business and community place.
- Develop Sunnamarring Creek and environs as a major community environmental and recreational resource, whilst retaining its public utility function.
- Maintain and enhance the residential streetscapes as a garden suburb environment characterized by a quality and diverse built form in a landscaped setting.

LEGEND

- Mixed Use (Existing/Future)
- Community Place (Existing/Future)
- Open Space Link (Indicative)
- Local Area Boundary
- Urban Growth Boundary
- Transport Networks:
  - Freeway/Highway
  - Primary/Secondary Arterial Road
  - Collector Road
  - Preferred Higher Density Housing

Land Use:
- Residential (Existing/Future)
- Lifestyle Living (Existing/Future)
- Open Space
- Future Open Space
- Learning Centre
  - Primary (P)
  - Secondary (S)
- Public Utility/Facility
- Major Activity Centre
- Convenience Activity Centre
HALLAM

Profile
Hallam is an established and connected community that retains a township feel in its central area and will continue to strengthen its mature, green-treed image over the long-term.

Objectives
- To consolidate and extend the green suburban image of Hallam.
- To extend and modernise the employment and service business potential of Hallam industrial area.
- To ensure new housing adds value to the residential character of the area.
- To enhance the value of Eumemmerring Creek as the green spine of the community.
- To develop, expand and refurbish Hallam’s spaces, places and programs to meet changing needs.
- To provide safer local streets, convenient bus services and a safe trail network.

Strategies
- Extend the green-treed character of the older Hallam area into the newer streets in the east by encouraging extensive tree planting within streets, parks, public spaces and on private land.
- Provide extensive boulevard planting along the main road network.
- Support the progressive upgrade of the Spring Square Neighbourhood Activity Centre as a local retail, business and community place.
- Support the progressive development of the Hallam Industrial Estate, recognising it forms part of the Dandenong industrial area that is of national significance.
- Improve the presentation of the Hallam Industrial Estate to ensure its ongoing viability, particularly the Hallam South Road and Princes Highway commercial frontages.
- Maintain and enhance the residential streetscapes as a garden suburb environment, characterised by a quality and diverse built form in a landscaped setting.
- Enhance, in consultation with relevant public land managers, the Eumemmerring Creek waterway to highlight its parkland attributes and to take full advantage of the environmental and recreational opportunities it offers.
- Create a suburban bushland and open space area under the major electricity transmission lines adjacent to Trouts Creek West Branch to act as an inter-suburban break between Narre Warren and Hallam.
- Facilitate the development of the proposed Dingley Freeway to link Casey’s residents to employment destinations to the west.
- Extend Frawley Road east of Belgrave-Hallam Road to provide a local collector road link through to Young Road.
- Upgrade Centre Road to a collector road standard linking Hallam South Road with Narre Warren-Cranbourne Road.

Implementation
These strategies will be implemented by the following measures:
Use of policy and the exercise of discretion

- Ensuring that the future use and development of land is generally in accordance with the Hallam Local Area Map.

- Using the Retail Policy at Clause 22.01 to provide for the orderly development and expansion of activity centres, including the Spring Square Neighbourhood Activity Centre.

- Using the Industrial Policy at Clause 22.03 to create an attractive and well maintained industrial area.

Application of zones and overlays

- Applying the Commercial 1 Zone to activity centres with a primary retail function, including Spring Square Neighbourhood Activity Centre.
- Applying the Mixed Use Zone to land on the north-western corner of Saffron Drive and Emily Drive to provide for the use of the land as a pharmacy.

- Applying the Heritage Overlay to heritage places of national, State and local significance, as identified in Council’s relevant heritage studies and strategic work.

**Hallam Local Area Map**
HAMPTON PARK

Profile

Hampton Park is a close-knit, maturing, but still growing community focused on a significantly restructured town centre.

Objectives

- To strengthen and extend the green suburban image of Hampton Park.
- To improve the public amenity of the Hampton Park Town Centre.
- To ensure new housing adds value to the residential character of the area.
- To recognise amenity constraints associated with existing industrial land uses.
- To establish ‘Hampton Park Hill’ as a new large, passive parkland.
- To enhance the value of River Gum Creek as the green spine of the community.
- To develop, expand and refurbish Hampton Park’s spaces, places and programs to meet changing needs.
- To provide safer local streets, convenient bus services and a safe trail network.

Strategies

- Create a green-treed image and strengthen the landscape character of the area by encouraging extensive tree planting within streets, parks, public spaces and on private land.
- Provide for the upgrade of the Hampton Park Town Centre to a Major Activity Centre that includes:
  - Development of a central main street as a pedestrian-friendly focus of activity.
  - A new discount department store and associated retail/commercial services.
  - A new library and upgraded community facilities.
  - Improved coordination of activities throughout the centre.
  - Improved landscaping and public amenity with a distinctive local character.
  - Provision of active and attractive facades facing onto public spaces.
  - Promotion of legible and coordinated signage that does not contribute to visual clutter.
  - Provision for youth-friendly spaces.
- Maintain and enhance the residential streetscapes as a garden suburb environment, characterised by a quality and diverse built form in a landscaped setting.
- Provide for a full range of suburban housing and lifestyle opportunities throughout the residential areas, including well designed medium-density housing around activity centres and major open space.
- Provide for the orderly transition of the Pound/Shrives Road low density residential area to conventional density, while retaining housing diversity and without impacting on the environmental, aesthetic and functional values of the Hallam Valley Floodplain.
- Discourage the establishment of sensitive uses within 500 metres of the Hallam Road Landfill and within 100 metres of the adjoining concrete batching plant.
- Establish, in consultation with relevant public land managers, River Gum Creek as extensive passive parkland extending from Hallam Road to the future ‘Hampton Park Hill Parklands’ (currently the Hallam Road Landfill) and the Oakgrove Community Centre.
- Maintain and enhance, in consultation with relevant public land managers, the Hallam Valley Floodplain (‘Casey Valley Parklands’) as an inter-suburban break between Hampton Park and Hallam and progressively develop it as passive parkland accessible by the public, while respecting its primary function as a floodplain.

- Create a suburban bushland and open space area under the major electricity transmission lines between the eastern branch of River Gum Creek and the Hallam Valley Floodplain to act as an inter-suburban break between Hampton Park and Narre Warren South.

- Provide extensive boulevard planting along the main road network.

- Develop a new east-west arterial road (Glasscocks Road) ultimately linking Western Port Highway with Berwick-Cranbourne/Clyde Road.

- Upgrade Ormond Road to a secondary arterial road linking the South Gippsland Highway with Narre Warren-Cranbourne Road via Lynbrook Boulevard.

**Implementation**

These strategies will be implemented by the following measures:

**Use of policy and the exercise of discretion**

- Ensuring that the future use and development of land is generally in accordance with the Hampton Park Local Area Map.

- Using the Retail Policy at Clause 22.01 to provide for the orderly development and expansion of activity centres, including the Hampton Park Town Centre, the Kirkwood Crescent Neighbourhood Activity Centre and the Somerville Road Convenience Activity Centre.

- Using the Advertising Signs Policy at Clause 22.04 to promote legible and coordinated signage within the Hampton Park Town Centre that does not contribute to visual clutter.

**Application of zones and overlays**

- Applying the Commercial 1 Zone to activity centres with a primary retail function, including the Hampton Park Town Centre, Somerville Road Convenience Activity Centre and Kirkwood Crescent Neighbourhood Activity Centre.

- Applying the Heritage Overlay to heritage places of national, State and local significance within Hampton Park, as identified in Council’s relevant heritage studies and strategic work.

- Applying the Development Plan Overlay to future and developing residential and employment areas, activity centres and other mixed use areas to provide for the integrated and orderly development of the land.

- Applying the Development Contributions Plan Overlay to developing residential areas, employment areas and activity centres to ensure the funding and provision of an effective road network and delivery of other infrastructure and community facilities.

**Further strategic work**

- Undertaking a strategic review of future land use and development of the Hallam Road Landfill site, with a view to its redevelopment as major parkland in the longer term (‘Hampton Park Hill Parklands’), through the preparation of a precinct structure plan.
Hampton Park Local Area Map

- Maintain and enhance the Hallam Valley Floodplain as an inter-suburban break and progressively develop it as passive parkland, while respecting its primary function as a floodplain.
- Strengthen the role of Hampton Park Town Centre as a major activity centre with significant improvement in public amenity and the coordination of activities in the centre.
- Encourage well designed medium density development within walking distance of the Hampton Park Town Centre.
- Provide for the orderly transition of the Pound/Silvies Road low density residential area to conventional density while ensuring housing diversity and the values of the Hallam Valley Floodplain.
- Create a suburban bushland/open space area under the major electricity transmission lines acting as a suburban break between Hampton Park and Narre Warren South.

LEGEND
- Land Use:
  - Residential (Existing/Future)
  - Lifestyle Living (Existing/Future)
  - Preferred Higher Density Housing
  - Future Urban
  - Open Space
  - Future Open Space
  - Learning Centre
    - Primary (P)
    - Secondary (S)
  - Floodplain
  - Major Activity Centre
  - Neighbourhood Activity Centre
  - Convenience Activity Centre
  - Landfill
  - Industry
  - Buffer to Sensitive Uses
  - Community Place
  - Open Space Link (indicative)
  - Local Area Boundary
  - Area Subject to Strategic Review

Transport Networks:
- Freeway/Highway
- Primary/Secondary Arterial Road
- Collector Road
- Future Collector Road

- Upgrade Oram Road to a secondary arterial road linking South Gippsland Highway with Narre Warren-Cranbourne Road.
- Discourage the establishment of sensitive uses within 500 metres of the Hallam Road landfill and within 100 metres of the adjoining concrete batching plant.
- Develop a new east-west arterial road (Glasscocks Road) ultimately linking Western Port Highway with Berwick-Cranbourne-Cycle Road.
- Undertake a strategic review of future land use and development of the Halam Road landfill site, with a view to its redevelopment in the longer term as major parkland.
LYNBROOK/LYNDHURST

Profile

Lynbrook and Lyndhurst are attractive, green suburbs to live in with planned and integrated trails, parks, housing, and activity and learning centres, as well as community places with easy transport access to services and facilities in nearby suburbs.

Objectives

- To extend the influence of the surrounding countryside into new suburban areas.
- To ensure new suburban areas have a diversity of housing opportunities.
- To recognise amenity constraints associated with existing industrial land uses.
- To provide an accessible, diverse and integrated public open space system, including the protection and enhancement of areas of environmental significance.
- To develop, expand and refurbish Lynbrook/Lyndhurst’s spaces, places and programs to reflect population growth.
- To develop a new transport network that includes convenient bus services and a safe trail network.

Strategies

- Create a green-treed image through the establishment of parklands within the suburban area, and strengthen the landscape character of the area through extensive tree planting in local streets, parks, public spaces and on private land, and by maintaining views and links through to open space and non-urban areas.
- Provide extensive boulevard planting along the main road network.
- Maintain and enhance the residential streetscapes as a garden suburb environment, characterised by a quality and diverse built form in a landscaped setting.
- Provide for a full range of suburban housing opportunities throughout the residential areas, including well designed and integrated medium-density housing around activity centres and major open space.
- Discourage the establishment of sensitive uses within 500 metres of the Hallam Road Landfill and within 1 kilometre of the Taylors Road Landfill in Dandenong South.
- Integrate parkland environments that support a range of active and passive recreation opportunities into the residential area, including the use of linear parkland to connect communities.
- Conserve and protect the Cranbourne Wetlands (Barnbam Swamp) as an ecosystem of identified regional and State ecological significance.
- Facilitate the provision of appropriate primary school facilities, together with associated active sporting facilities co-located with the school site(s).
- Provide for the development of the Mariott Waters Neighbourhood Activity Centre on the northern side of Thompsons Road that includes:
  - A community place, incorporating a multi-purpose community hall.
  - Complementary private community uses/services such as medical centres, child care centres and places of assembly.
  - Open space linkages.
- Provide for the continued development of the Lyndhurst Business Park (Lynbrook) on the southern side of the intersection of South Gippsland Highway and Western Port Highway.

- Provide for the development of a mixed use precinct on the south-eastern corner of South Gippsland Highway and Evans Road, which may include non-residential uses that are permissible within a residential zone and which respect neighbouring uses, and which do not conflict with land uses within existing or proposed activity centres within the area.

- Recognise uses with adverse amenity potential south of Thompkins Road and prevent the encroachment of sensitive uses, until such time as any adverse off-site amenity impacts have been appropriately addressed or the activities creating the need for the buffers cease to operate.

- Preserve the opportunity for a new east-west arterial road (Glasscocks Road) ultimately linking Western Port Highway with Berwick-Cranbourne/Clyde Road, including a grade-separated railway crossing.

- Facilitate the construction of Lynbrook Railway Station, together with a railway crossing at Aylmer Road.

- Preserve the opportunity for a grade separated railway crossing at Evans Road.

- Upgrade Lynbrook Boulevard to a secondary arterial road linking the South Gippsland Highway with Narre Warren-Cranbourne Road via Ormond Road.

- Provide for the development of a mixed use precinct adjacent to the Merinda Park Railway Station, in accordance with the Cranbourne West Precinct Structure Plan.

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Implementation

These strategies will be implemented by the following measures:

Use of policy and the exercise of discretion

- Ensuring that the future use and development of land is generally in accordance with the Lynbrook/Lyndhurst Local Area Map.

- Using the Retail Policy at Clause 22.01 to provide for the orderly development and expansion of activity centres, including the Lynbrook and Marriott Waters Neighbourhood Activity Centres.

Application of zones and overlays

- Applying the Commercial 1 Zone to activity centres with a primary retail function, including the Lynbrook Neighbourhood Activity Centre.

- Applying the Commercial 2 Zone to land with an office, manufacturing and peripheral sales function, including land on the southern side of the intersection of South Gippsland Highway and Western Port Highway.

- Applying the Comprehensive Development Zone to mixed use areas that are subject to the preparation of a comprehensive development plan, including land in and around the Marriott Waters Neighbourhood Activity Centre.

- Applying the Heritage Overlay to heritage places of national, State and local significance, as identified in Council’s relevant heritage studies and strategic work.

- Applying the Development Plan Overlay to provide for the integrated and orderly planning of future and developing residential areas, mixed use areas and activity centres, as appropriate.

- Applying the Development Contributions Plan Overlay to future and developing residential areas, employment areas and activity centres to facilitate the timely delivery of appropriate transport, physical and community infrastructure.
Further strategic work

- Preparing urban design guidelines to ensure new development adds value to the preferred future character of the area.
Lynbrook/Lyndhurst Local Area Map

- Provide for the continued development of the Lynhurst Business Park
- Upgrade Lynbrook Boulevard to a secondary arterial road linking South Gippsland Highway with Naive Warren-Cranbourne Road via Ormond Road
- Encourage the development of medium-density housing adjacent to the Lynhurst Neighbourhood Activity Centre
- Discourage the establishment of sensitive uses within 300m of the Hallam Road landfill and within 1km of the Taylors Road Landfill
- Facilitate the development of a mixed use precinct within the residential zone that does not conflict with land uses in nearby activity centres and which respects neighbouring uses
- Preserve the opportunity for a new east-west arterial road (Glasscocks Road) linking the Western Port Highway with Cranbourne/Clyde Road including a grade-separated railway crossing
- Facilitate the provision of appropriate primary school facilities together with associated active sporting facilities, co-located with the school sites
- Preserve the opportunity for a grade separated railway crossing at Evans Road
- Provide for the development of a mixed use precinct adjacent to the Merinda Park Railway Station, in accordance with the Cranbourne West Precinct Structure Plan
- Recognise uses with adverse amenity potential south of Thompsons Road and prevent the encroachment of sensitive uses, until such time as any adverse, off-site amenity impacts have been appropriately addressed in the activities creating the need for the buffers cease to operate

**Legends:**
- Land Use:
  - Residential ( Existing/Future)
  - Preferential Higher Density Housing
  - Open Space
  - Future Open Space
  - Future Learning Centre
  - Primary (P)
  - Existing Learning Centre
  - Primary (P)
  - Neighbourhood Activity Centre

- Transport Networks:
  - Freeway/Highway
  - Primary/Secondary Arterial Road
  - Future Primary/Secondary Arterial Road
  - Collector Road
  - Future Collector Road
  - Rail Line
  - Station

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NARRE WARREN

Profile
Narre Warren is a maturing community focused on the Fountain Gate-Narre Warren CBD that will continue to strengthen its mature, green-treed image over the long-term, enjoying great freeway and rail access and a full range of services inside its boundaries.

Objectives

- To realise the maximum redevelopment potential of the Fountain Gate-Narre Warren CBD as a Metropolitan Activity Centre, providing a wide range of retail, commercial, community, civic, residential, and entertainment facilities, based on a walkable built form and character.

- To enhance the Fountain Gate-Narre Warren CBD’s role as a community hub.

- To maintain the ability to extend main road and intersection access without constraining the further growth of the Fountain Gate-Narre Warren CBD Metropolitan Activity Centre.

- To retain and enhance the retail and local convenience functions of the Narre Warren Village Neighbourhood Activity Centre, while supporting higher density residential development integrated with other land uses.

- To develop high quality pedestrian linkages within the Fountain Gate-Narre Warren CBD Metropolitan Activity Centre, including connections to the Narre Warren railway station.

- To consolidate and extend the green-treed suburban image of Narre Warren.

- To create quality and diverse housing opportunities.

- To enhance the Trouts Creek waterway and parkland attributes of the creek.

- To enhance the visual break qualities and the waterway and parkland attributes of the Hallam Valley Floodplain (‘Casey Valley Parklands’).

- To develop, expand and refurbish Narre Warren’s spaces, places and programs to reflect population growth.

Strategies

- Develop the Fountain Gate-Narre Warren CBD as the primary focus of the City, characterised by an integrated, attractive and exciting CBD image and urban form.

- Facilitate the development of the Fountain Gate Shopping Centre and its associated retail and business precincts into one of the premier shopping centres in Melbourne.

- Develop Bunjil Place within the Fountain Gate-Narre Warren CBD as the centre of municipal governance for the City, including associated community facilities and services.

- Accommodate all “one-off” higher order activities, such as a Court/legal complex, in the Fountain Gate-Narre Warren CBD.

- Ensure the design and built form outcomes within the Fountain Gate-Narre Warren CBD facilitate a sense of place and deliver active street frontages, high levels of pedestrian amenity and youth-friendly spaces.

- Develop the Fountain Gate Business Park as an employment location of metropolitan significance.

- Develop the Vesper Drive service industry/commercial area as a complementary precinct within the Fountain Gate-Narre Warren CBD.

- Improve the amenity and structure of the Narre Warren Village as a high amenity community shopping/convenience retail precinct that includes a transport interchange.
- Provide for the development of a new convenience activity centre (Ernst Wanke Road) on the south-western corner of Ernst Wanke Road and Narre Warren North Road that includes:
  - A range of specialised retail goods and services.
  - Functionally and visually linked built form elements.
  - Physically separated pedestrian and vehicular circulation routes.
  - Active and articulated building facades.

- Create a green-treed image and strengthen the landscape character of the area by encouraging extensive tree planting within streets, parks, public spaces and on private land.

- Provide for a full range of suburban housing opportunities throughout the residential areas, including well designed medium-density housing.

- Maintain and enhance the residential streetscapes as a garden suburb environment, characterised by a quality and diverse built form in a landscaped setting.

- Encourage quality medium to high-density residential development on well located sites within proximity of the Fountain Gate-Narre Warren CBD, that respects the existing neighbourhood character.

- Provide extensive boulevard planting along the main road network.

- Maintain and enhance, in consultation with relevant public land managers, the Hallam Valley Floodplain (‘Casey Valley Parklands’) as an inter-suburban break between Narre Warren and Narre Warren South, Narre Warren and Hampton Park, and Narre Warren and Berwick, and progressively develop it as passive parkland accessible by the public, while respecting its primary function as a floodplain.

- Create, in consultation with relevant public land managers, a suburban bushland and open space area adjacent to Troups Creek West Branch to act as an inter-suburban break between Narre Warren and Hallam.

- Develop Sweeney Reserve as an important regional-level active parkland.

- Retain the vehicular separation of the suburbs of Narre Warren and Berwick (Northern Area) between Narre Warren North Road and Ernst Wanke Road/Parkhill Drive.

- Upgrade Centre Road to a collector road standard linking Narre Warren-Cranbourne Road with Hallam South Road.

- Provide for a future collector road linking Tinks Road and the Monash Freeway with Heatherton Road, via Glenwood Road and Jacques Road.

### Implementation

These strategies will be implemented by the following measures:

#### Use of policy and the exercise of discretion

- Ensuring that the future use and development of land is generally in accordance with the Narre Warren Local Area Map.

- Using the Retail Policy at Clause 22.01 to consolidate the role of the Fountain Gate-Narre Warren CBD as a Metropolitan Activity Centre and to provide for the orderly development and expansion of the Narre Warren Village and the Ernst Wanke Road Convenience Activity Centre.

- Using the Industrial Development Policy at Clause 22.03 to create an attractive and well maintained industrial area.
Application of zones and overlays

- Applying the Activity Zone to the Fountain Gate-Narre Warren CBD Metropolitan Activity Centre (excluding Bunjil Place) to recognise the State significance of the centre and ensure that the use and development of land is consistent with the *Fountain Gate-Narre Warren CBD Structure Plan* (City of Casey, 2018).

- Applying the Commercial 1 Zone to other activity centres with a primary retail function, including the Ernst Wanke Road Convenience Activity Centre.

- Applying the Heritage Overlay to heritage places of national, State and local significance, as identified in Council’s relevant heritage studies and strategic work.

- Applying the Development Contributions Plan Overlay to the Fountain Gate-Narre Warren CBD to ensure the funding and provision of an effective road network, and the timely delivery of other physical and community infrastructure.
Applying the Development Plan Overlay to provide for the integrated and orderly planning of future and developing residential areas and activity centres, as appropriate.
NARRE WARREN SOUTH

Profile

Narre Warren South is a diverse, self-sustaining suburban community centrally located on Narre Warren-Cranbourne Road that benefits from easy transport access to Casey’s two principal activity centres, as well as from its own services and facilities.

Objectives

- To develop Casey’s strongest, largest and most diverse major activity centre with a full range of retailing, business and community services and facilities based on a human-scale main street layout.
- To create quality and diverse housing opportunities.
- To recognise amenity constraints associated with existing industrial land uses.
- To consolidate and extend the treeed character of Narre Warren South.
- To create a boulevard experience for users of Narre Warren-Cranbourne Road.
- To develop, expand and refurbish Narre Warren South’s spaces, places and programs to reflect population growth.
- To enhance the value of Ti-Tree Creek and River Gum Creek as the green spines of the community.
- To upgrade main roads/intersections and provide safer local streets, convenient bus services and a safe trail network.

Strategies

- Provide for the development of the Casey Central Town Centre as a Major Activity Centre that includes:
  - A realignment of the proposed Glasscocks Road to the south to allow for the future expansion of the retail core.
  - A diverse retail core comprising multiple supermarkets, discount department stores, specialty stores and associated retail goods and services tenancies on the north-eastern corner of the intersection of Narre Warren-Cranbourne Road and the realigned Glasscocks Road.
  - A cluster of major community facilities, including a pre-school, on the north-eastern corner of the intersection of Narre Warren-Cranbourne Road and the realigned Glasscocks Road.
  - A complementary commercial/restricted retail development on the north-eastern corner of the intersection of Narre Warren-Cranbourne Road and the realigned Glasscocks Road.
  - A formal, passive ‘Casey Central Park’ of approximately four hectares on the north-western corner of the intersection of Narre Warren-Cranbourne Road and the realigned Glasscocks Road.
  - Provision for youth-friendly spaces.
- Provide for a full range of suburban housing and lifestyle opportunities throughout the residential areas, including well designed and integrated medium-density housing around activity centres and major open space.
- Discourage the establishment of sensitive uses within 500 metres of the Hallam Road Landfill.
- Maintain and enhance the residential streetscapes as a garden suburb environment, characterised by a quality and diverse built form in a landscaped setting.
Maintain the attractive lifestyle qualities of the low-density residential areas of Narre Warren South.

Develop an attractive ‘Casey Boulevard’ (Narre Warren-Cranbourne Road) that creates a strong, positive image of the City and includes different experiences along its length.

Provide extensive boulevard planting along the main road network.

Create a green-treed image and strengthen the landscape character of the area by encouraging extensive tree planting within streets, parks, public spaces and on private land.

Maintain and enhance, in consultation with relevant public land managers, the Hallam Valley Floodplain (‘Casey Valley Parklands’) as an inter-suburban break between Narre Warren South and Narre Warren, and Narre Warren South and Berwick, and progressively develop it as passive parkland accessible by the public, while respecting its primary function as a floodplain.

Develop a large, passive parkland south of Greaves Road between Narre Warren South and Berwick to form part of the future ‘Casey Valley Parklands’.

Establish, in consultation with relevant public land managers, River Gum Creek as extensive passive parkland extending from Hallam Road to the future ‘Hampton Park Hill Parklands’ and the Oakgrove Community Centre.

Upgrade Glasscocks Road (with realignment), Greaves Road and Pound Road to an arterial road standard.

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Implementation

These strategies will be implemented by the following measures:

Use of policy and the exercise of discretion

- Ensuring that the future use and development of land is generally in accordance with the Narre Warren South Local Area Map.

- Using the Retail Policy at Clause 22.01 to provide for the orderly development and expansion of activity centres, including the Casey Central Town Centre, Amberly Park Neighbourhood Activity Centre and Greaves Road Convenience Activity Centre.

Application of zones and overlays

- Applying the Commercial 1 Zone to activity centres with a primary retail function, including the Casey Central Town Centre, Amberly Park Neighbourhood Activity Centre and the Greaves Road Convenience Activity Centre.

- Applying the Heritage Overlay to heritage places of national, State and local significance, as identified in Council’s relevant heritage studies and strategic work.

- Applying the Development Plan Overlay to provide for the integrated and orderly planning of developing residential areas, employment areas and activity centres, as appropriate.

- Applying the Development Contributions Overlay Plan to developing residential areas, to facilitate the timely delivery of appropriate transport, physical and community infrastructure.

Further strategic work

- Preparing urban design guidelines to ensure new residential development adds value to the preferred future character of the area.
RETAIL POLICY

Where the policy applies

This policy applies to all land.

Policy basis

The Municipal Strategic Statement (MSS) provides direction for the development of a diverse, robust activity centre system focused on viable retail goods and services’ cores that form vibrant foci for community life and which are capable of evolving to accommodate changing needs. There are a number of thematic and local area objectives and strategies to achieve this direction.

This policy complements the MSS by providing a comprehensive framework for retail activity and related land use and development proposals in the City of Casey. It is based on detailed supporting material and directions contained in the City of Casey Activity Centres Strategy.

Policy objectives

- To consolidate Casey’s retail and commercial development patterns into recognised and planned activity centres.
- To develop a clear activity centre hierarchy.
- To direct and facilitate a diversity of activity (retail, commercial, community, institutional, education, recreation and housing) in activity centres.
- To ensure land use and development proposals for retail and commercial activities produce a net community benefit when measured against clear assessment criteria.
- To manage floorspace allocations according to a management framework.
- To consolidate the development within the retail core of the Fountain Gate-Narre Warren CBD as the Metropolitan Activity Centre serving the northern part of the City.
- To consolidate the development within the retail core of the Cranbourne Town Centre as the Principal Activity Centre servicing the southern part of the City.
- To substantially strengthen the tier of major activity centres to provide high levels of service and competition, a basis for small business growth and to assist in the development of an effective public transport system.
- To develop robust Neighbourhood Activity Centres that are presently the weakest link in the retail hierarchy.
- To develop a greater role for planned Peripheral Sales Precincts.
- To resist pressure for isolated or ad-hoc (‘out-of-centre’) development outside of recognised activity centres.
- To provide car parking to satisfy the needs of users without detriment to local amenity.

Retail classifications

The following retail classifications apply to all activity centres in Casey that are identified on the plan that forms part of this policy:

Metropolitan and Principal Activity Centres

Metropolitan and Principal Activity Centres provide municipal-wide and regional level retailing, commercial, entertainment and community functions to residents, workers and visitors to the City and the wider region. They serve a catchment of approximately 100,000+ persons and generally include a department store(s), discount department stores and a very diverse range of goods and services.
The following activity centres are classified as Metropolitan or Principal Activity Centres for the purposes of this policy:

1. *Fountain Gate-Narre Warren CBD* (Metropolitan Activity Centre).
2. *Cranbourne Town Centre* (Principal Activity Centre).

**Major Activity Centres**

Major Activity Centres provide a wide range of shopping, commercial and community goods and services to cater for day-to-day and weekly shopping and a range of discretionary needs. They serve a catchment of approximately 50,000 to 75,000 persons and generally include a discount department store(s), supermarkets and a wide variety of goods and services.

The following activity centres are classified as Major Activity Centres for the purposes of this policy:

3. *Berwick Village* (includes the Berwick Health and Education Precinct).
4. *Casey Central Town Centre*.
5. *Endeavour Hills Town Centre*.
6. *Hampton Park Town Centre*.

**Neighbourhood Activity Centres**

Neighbourhood Activity Centres provide attractive locations to meet the day-to-day needs and most weekly shopping functions of households at locations that are convenient and provide easy access to the community. They serve a catchment of approximately 10,000 to 25,000 persons and generally include a supermarket(s), specialty shops and related goods and services.

The following activity centres (existing and proposed) are classified as Neighbourhood Activity Centres for the purposes of this policy:

7. *Adrian Street* (Cranbourne East).
9. *Autumn Place* (Doveton).
12. *Cranbourne West*.
13. *Sandhurst Centre* (Cranbourne West).
15. *Grices Road West* (Clyde North).
17. *Lynbrook*.
22. *Soldiers Road* (Clyde North).
23. *Spring Square* (Hallam).
24. Thompsons Parkway (Cranbourne North).
25. Tooradin.
26. Avenue Village (Cranbourne North).
27. Minta Farm (Berwick)

Convenience Activity Centres

Convenience Activity Centres provide for essential day-to-day purchases of retail goods and some selected services, fulfilling an important social and community role in the City. They serve a catchment of approximately 2,000 to 4,000 persons and generally include a cluster of goods and services that are not usually anchored by a supermarket.

The following activity centres (existing and proposed) are classified as Convenience Activity Centres for the purposes of this policy:
1. Bemersyde Drive (Berwick).
2. Box Street (Doveton).
3. Business Park Centre (Cranbourne West).
4. Camms Road (Cranbourne).
5. Cranbourne Place (Cranbourne).
6. Doveton Avenue (Eumemmerring).
7. Ernst Wanke Road (Narre Warren).
8. Freeway Sports (Eumemmerring).
9. Eve Central (Cranbourne North).
10. Greaves Road (Narre Warren South).
11. Grices Road East (Clyde North).
12. Heatherton Road (Endeavour Hills).
13. Hotham Street (Cranbourne).
14. Linden Place (Doveton).
15. Llewellyn Place (Eumemmerring).
16. Lurline Street (Cranbourne).
17. Main Street (Narre Warren North).
18. Pearcedale Road (Cranbourne South).
19. Somerville Road (Hampton Park).
20. South Gippsland Highway (Cranbourne North).
22. Thompsons Road (Clyde North).
23. Springhill (Cranbourne).
24. Western Area Local Centre (Cranbourne East).
25. ‘Tulliallan’ (Cranbourne North).

Peripheral Sales Precincts

Peripheral Sales Precincts provide attractive and competitive environments for the display, storage and sale of bulky goods and services (generally defined as ‘restricted retail’ in the planning scheme).

The following activity centres (existing and proposed) are classified as Peripheral Sales Precincts for the purposes of this policy:
1. Cranbourne Home (Cranbourne).
2. Lyndhurst Business Park (Lyndhurst).

**Policy**

**All activity centres**

It is policy that:

- New retail and commercial development is to occur in designated activity centres, unless otherwise provided for in this policy.
- A structure planning process is to be used as the mechanism to ensure that floorspace allocations achieve the best net community benefit outcomes.
- Structure plans are to be developed for all Metropolitan, Principal, Major and Neighbourhood Activity Centres and Peripheral Sales Precincts and will be required to be prepared in conjunction with any associated rezoning, greenfields planning or major redevelopment request.
- Sufficient floorspace is to be available over the long-term to ensure each of the designated Metropolitan, Principal, Major, Neighbourhood and Convenience Activity Centres and Peripheral Sales Precincts can grow to fulfil their intended role, taking into account the general opportunities and constraints of each centre across the municipality.
- Floorspace thresholds/limits for retail and commercial uses may be imposed on some centres/sites to ensure that the role of the centre is maintained and/or there is a balanced activity centre system for the City.
- The broad allocation of floorspace to activity centres is to be based on the intended role of the centres rather than the precise floorspace to be provided.
- The subdivision of activity centres is to be carefully managed to retain flexibility for redevelopment and evolution over time, resisting short-term pressures to subdivide centres into small units that can then be individually sold.
- The regulation of commercial competition between individual businesses and activity centres should only occur where there is a prospect of an overall adverse impact upon the extent and adequacy of facilities available to the local community.
- New retail and commercial development proposals are to make an appropriate contribution to infrastructure provision, including road and intersection works, streetscape upgrades, linking trails, community facilities, youth spaces, public art and other public spaces.

**Metropolitan and Principal Activity Centres**

It is policy that:

- Any large additions to retail goods and services floorspace for Metropolitan or Principal Activity Centres are not to constrain the ability of Major Activity Centres to expand to the levels provided for under this policy.

**Major Activity Centres**

It is policy that:

- A number of strategic outcomes proposed for the Major Activity Centres are to be delivered in part by the allocation of additional/retail floorspace to these centres, the outcomes including:
  - **Berwick Village** – the development of the **Berwick Health and Education Precinct**.
  - **Casey Central Town Centre** – the creation of a major employment and mixed use precinct anchored by retail activity that includes a discount department store(s) and significant levels of peripheral sales, providing approximately 50,000 square metres of shop floorspace of which approximately half would be restricted retail.
- Endeavour Hills Town Centre – the creation of a town centre through the integration of the existing shopping centre with the other activities in the precinct.
- Hampton Park Town Centre – the creation of an integrated town centre.

Neighbourhood and Convenience Activity Centres

It is policy that:

- The need for additional Neighbourhood and Convenience Activity Centres arising from the development of new suburban areas is to be identified through the preparation of development plans for these areas.

Peripheral Sales Precincts

It is policy that:

- Any further allocation of floorspace within a Peripheral Sales Precinct should demonstrate ‘best practice’ by meeting the performance criteria outlined below.

Performance standards

It is policy that proposals are assessed against the following performance standards, as appropriate:

- New retail and commercial development proposals (including rezonings) that are inconsistent with this policy, including ‘out-of-centre’ proposals and proposals that are contrary to the role of a centre, together with proposals that result in a floorspace threshold/limit for a centre/site being exceeded, must satisfactorily address the Development Assessment Criteria contained in the City of Casey Activity Centres Strategy, the criteria being:
  - Opportunity for choice.
  - Accessibility and convenience.
  - Amenity and safety.
  - Viability and efficiency.
  - Amenity and environment.
  - Net community benefit.

- The assessment of a proposal’s net community benefit, as required under this policy, must also take into consideration:
  - Activity diversity.
  - Public amenity.
  - Accessibility.
  - Social/cultural issues.
  - Environmentally sustainable development.
  - Any relevant guidelines/assessment criteria prepared by the Department of Environment, Land, Water and Planning.

Policy references

Casey C21: A vision for our future (City of Casey, 2002).
Casey C21: Building a Great City (City of Casey, 2011).
City of Casey Activity Centres Strategy (City of Casey, in association with Ratio Consultants Pty Ltd, 2006).
Cranbourne Town Centre Plan (City of Casey, 2011).

Fountain Gate-Narre Warren CBD Structure Plan (City of Casey, 2018)
22.01-7 Retail hierarchy map
NON-RESIDENTIAL USES IN RESIDENTIAL AND FUTURE RESIDENTIAL AREAS

POLICY

Where the policy applies
This policy applies to all land in a residential zone and to land that is designated for future residential development, including in the Activity Centre Zone, where a permit is required to establish a non-residential use.

Policy basis
Residential areas require complementary non-residential uses for the convenience of local residents. These uses include convenience shops, places of worship, schools, child care centres, medical centres and service stations. However, care must be taken in selecting and siting non-residential uses to avoid loss of privacy, amenity and convenience to residents living nearby.

Similarly, in areas located within the Urban Growth Boundary that are earmarked for future urban/residential development, care must be taken to ensure that non-residential uses, particularly industrial-type uses such as vehicle stores/depots, do not cause a nuisance to surrounding residents or prejudice the future use and development of these areas for residential purposes.

Both the Casey C21: A vision for our future strategy and the Municipal Strategic Statement state that new residential communities should be planned and developed around activity centres that comprise a cluster of local commercial, community, educational and recreational facilities. The clustering of such facilities benefits the local community by allowing multi-purpose trips to be made, reducing car dependency and providing a visible focal point that residents can identify with. Community activity clusters that do not comprise a core retail goods and services component have also been recognised in the City of Casey Activity Centres Strategy.

Policy objectives

- To facilitate, in appropriate locations, the establishment of non-residential uses that serve the needs of the local community.
- To reduce car dependency in Casey by encouraging non-residential uses to locate adjacent to an activity centre or commercial/industrial area, or within a recognised community activity cluster.
- To ensure the sensitive integration of complementary non-residential uses into residential areas.
- To ensure that non-residential uses in residential areas do not adversely affect residential amenity.
- To ensure non-residential development provides a positive contribution to the character and appearance of residential and future residential areas.
- To ensure that new buildings and alterations to existing buildings associated with a non-residential use complement the appearance of nearby dwellings.
- To ensure that non-residential uses do not prejudice the development of areas designated for future urban/residential purposes.
- To ensure that residential and future residential areas do not become a repository for non-residential uses that are more appropriately located in a commercial/industrial area.

Policy
It is policy that:
In established residential areas, non-residential uses be located adjacent to an activity centre or commercial/industrial area, or within a recognised community activity cluster, and, wherever possible, nearby similar non-residential uses to reduce car dependency and maximise accessibility to public transport.

In new and future residential areas, non-residential uses be clustered around planned activity centres.

Non-residential uses be required to result in a net benefit and convenience to the local community.

Non-residential uses be located along roads that are capable of carrying anticipated traffic volumes, such as arterial or collector roads, and on or close to a designated public transport route.

Non-residential uses not be located frontline service roads due to the impact on the residential character of the arterial road and the potential for “ribboning” along such roads.

Non-residential uses do not segregate a single dwelling or a collection of dwellings from the surrounding residential area.

The scale, design and appearance of any new buildings, works or landscaping associated with a non-residential use be complementary to the existing or preferred character of the surrounding area.

Non-residential uses/developments be designed, constructed and operated in a manner that causes minimal loss of amenity, privacy and convenience to people living in nearby dwellings, having regard to traffic, car parking, access, built form and overall site layout.

New stand-alone places of assembly/worship be discouraged from locating in established residential areas.

Industrial/warehouse-type uses, such as land used for the storage of goods, vehicles or machinery, not be supported if the use would have an adverse impact on residential amenity, particularly in terms of vehicle noise and visual impact.

A master plan defining the parameters of future development be required to be submitted with a planning application in circumstances where less than 50 per cent of a site is proposed to be developed for a non-residential use (inclusive of associated car parking), or the balance of the site is of an area that has the potential to accommodate a significant expansion of the use.

**Performance standards**

It is policy that proposals are assessed against the following performance standards, as appropriate:

**Child care centres**

- Larger child care centres that cater for in excess of 40 children should abut or have direct access to an arterial or collector road.

- Car parking should be provided at the rate of one space per staff member and one space per 20 children.

- A drive-through drop-off bay that caters for at least three vehicles, or three conveniently located short-term visitor spaces, should be provided.

- The scale and form of building design, including setbacks, façade treatment, building materials and colour scheme, should be consistent with the surrounding residential environment.

- A landscape strip of at least 2 metres in width should be provided along any street frontage.

- The site should be landscaped to enhance its appearance and to minimise the visual impact of the development on adjoining and nearby residential properties.
Display homes
- Display villages should be located at the entrance to residential estates or fronting major collector roads.
- Car parking should be provided in a highly visible location.
- Pedestrian access to the display homes should be through the car park.
- The hours of operation should be restricted to between 9.00 a.m. and 6.00 p.m. seven days-a-week.
- A landscape strip of at least 2 metres in width should be provided along any street frontage.
- The site should be landscaped to enhance its appearance and to minimise the visual impact of the development on adjoining and nearby residential properties.

Medical centres
- The site should be located on a through-road and adjacent to other community-based uses.
- The scale and form of building design, including setbacks, façade treatment, building materials and colour scheme, should be consistent with the surrounding residential environment.
- The hours of operation should be restricted to between 8.00 a.m. and 9.00 p.m. Monday to Saturday, and 9.00 a.m. and 1.00 p.m. Sunday.
- A landscape strip of at least 2 metres in width should be provided along any street frontage.
- The site should be landscaped to enhance its appearance and to minimise the visual impact of the development on adjoining and nearby residential properties.

Places of assembly/worship
- The building design should be consistent with the overall scale and character of the surrounding residential area, particularly in terms of style, height, massing and roof pitch.
- The site should abut or have direct access to an arterial road to minimise disruption to nearby residential streets.
- Entry and exit points should be located to avoid car-headlight glare affecting nearby residential properties.
- Buildings should be sited to minimise the effect of the activity generated on the site upon adjoining residential properties.
- A management plan should be submitted with a planning application to detail the practices to be employed, including hours of operation, to ensure that the proposed facility would not result in a loss of amenity to adjoining and nearby residential properties.
- The site should be landscaped to enhance its appearance and to minimise the visual impact of the development on adjoining and nearby residential properties.

Vehicle stores/depots
- The site should abut or have direct access to an arterial or major collector road to minimise disruption to nearby residential streets.
- Entry and exit points should be located to avoid vehicle-headlight glare affecting nearby residential properties.
- A maximum of two vehicles (including any commercial vehicle used in association with a dwelling on the same land) should be stored/parked on the site at any one time.
- All vehicles and associated equipment should be stored/parked within a building with no part of the use carried on outside the building.
- Buildings should be located toward the rear of a site, or in a location that is not visually obtrusive if the building(s) would be visible from outside of the site, and offset from habitable room windows of dwellings on adjoining land in order to mitigate any off-site impacts of the use.

- No repairs to vehicles being stored should be carried out on the site.

- Hours of operation should be restricted to maintain the residential amenity of the area.

- The site should be landscaped to minimise the visual impact of the development on adjoining and nearby residential properties.

### Decision guidelines

Before deciding on an application, it is policy that the responsible authority considers:

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

- The location of the site and its suitability for the proposed use, having regard to the proximity of neighbouring residential uses, the capacity of the road servicing the site and its proximity to a designated public transport route.

- Whether the proposal would form part of, and positively contribute to, a community activity cluster identified in the City of Casey Activity Centres Strategy.

- The impact of the proposal on the use and development of the land for future residential purposes.

### Policy references


*Display Homes Policy*, City of Casey, 1996.

*Medical Centres Policy*, City of Casey, 1996.

INDUSTRIAL DEVELOPMENT POLICY

Where the policy applies

This policy applies to all industrially zoned land, the Employment Area identified in the Cranbourne West Precinct Structure Plan and the land identified for industrial use and development in Schedule 1 to the Activity Centre Zone applying to the Cranbourne Town Centre.

Policy basis

Both the Casey C21: A vision for our future strategy and the Municipal Strategic Statement identify the need to provide more local employment opportunities in response to rapid growth and to reduce the need of Casey residents to seek work outside the municipality. Industrial zones are significant employment generators and maintaining an adequate supply of land for industrial purposes is essential for any community that strives to be more self-reliant.

Over time, extensive tracks of vacant industrial zoned land in Casey have been rezoned to allow for residential and other urban land uses. There is a need to halt, and if necessary, to reverse this process to ensure that there is sufficient industrial land in the right locations for continued business investment in the municipality. The inefficient use of industrial land will be to the detriment of Casey’s long term economic competitiveness.

Industrial areas in Casey are often located close to residential areas and sensitive uses such as schools. For this reason, industries with noxious off-site emissions or significant safety risks should not be sited in Casey unless planning requirements such as Environment Protection Authority buffer distances can be met.

Policy objectives

- To develop industrial areas as local employment centres.
- To ensure that there is an adequate supply of industrial zoned land in suitable locations throughout the municipality.
- To ensure that remaining stocks of industrial land are used primarily for industry and related uses.
- To ensure that land use conflict does not arise between industry and sensitive uses in surrounding areas.
- To encourage industrial development with high standards of visual amenity.

Policy

It is policy that:

- A supply of industrial-zoned land sufficient to meet the foreseeable needs of industry be provided in strategic locations throughout the municipality.
- A range of lot sizes be provided to meet the diverse needs of industry.
- Larger lots along main roads be provided or retained to meet the needs of major industrial firms that require good road access, a large site and prominent exposure.
- All lots be provided with services including reticulated underground electricity and roads that are suitable for use by industrial traffic.
- Commercial and other non-industrial uses be excluded from industrial zones except for those uses which:
  - Serve the convenience needs of industrial uses.
  - Are ancillary to industrial uses.
- Form part of an integrated development that is predominantly industrial in nature.
- Are unsuitable to be located in other zones by reason of the nature of the use, the intensity of activities associated with the use, or by the scale of the building(s) required to accommodate the use.

- Each development be landscaped to enhance the built environment and to screen unsightly areas from public view.
- Industrial buildings which are visible from main roads and railways lines incorporate good design principles which enhance the visual appeal of the surrounding area.
- Sufficient areas be provided on each lot for car parking, goods loading, vehicle manoeuvring and, in larger developments, staff amenity.

**Performance standards**

It is policy that proposals are assessed against the following performance standards, as appropriate:

**Subdivision**

- Lots should be rectilinear in shape with a depth-to-frontage ratio from 2:1 to 3:1.
- Lots that abut the following roads should have a minimum area as shown:
  - Princes Highway: 2 hectares.
  - Hallam South Road and Berwick-Cranbourne Road: 0.4 hectare.

- Unless otherwise provided for in an approved development plan for the area, lots should have a minimum area of 1,000 square metres, a minimum frontage of 20 metres and a minimum depth of 35 metres.
- Lots should be of a size that enables all articulated vehicles up to 19 metres long to enter and exit the site in a forward direction.
- Small factory or “factoryette-style” developments should not be located on larger sites abutting arterial roads so that opportunities for large industries are preserved.
- Road pavements and reservations should be designed and constructed having regard to the Casey Standard Drawings.
- In the absence of an approved development plan for the area, the applicant should demonstrate that the proposed road layout allows for the safe and orderly flow of traffic and the proper integration of the subdivision with surrounding land and roadways.
- Public open space or landscaped buffers should be provided along residential interfaces or where the land abuts other sensitive land uses.
- A landscaping theme should be applied to any new road reserves to enhance the appearance of the locality and the subdivision.

**Building and landscaping setbacks**

- Any reduced building setbacks from those specified in the planning scheme or approved development plan for the area should not unduly impact on the streetscape character of the area and/or create an undesirable precedent.
- Any reduced landscaping setbacks from those specified in the planning scheme or approved development plan for the area should comprise a higher-than-normal landscape quality and not unduly impact on the streetscape character of the area and/or create an undesirable precedent. Higher quality landscapes may include the provision of in-built sprinkler systems, mounding or more intense planting with satisfactory ongoing maintenance arrangements.
Building appearance

- New industrial buildings should make a positive contribution to the streetscape, particularly where the building is visible from an arterial road.

- Attention should be given to the visual form and compatibility of buildings, with innovative design being encouraged.

- The walls of any building facing a road should be of brick, masonry or coloured/painted concrete construction, unless it can be demonstrated that any alternative building materials would contribute to, or enhance, the visual amenity of the area.

- Blank walls with no visual relief should not be visible from any public areas.

- Lower-level components of a building, such as office/reception areas, should be set forward of any high-wall construction where adjacent to a road frontage as a means of mitigating any impacts of building bulk on the streetscape.

- Building height should be limited to 7 metres and two-storeys, unless it can be demonstrated that the development would not unduly impact on the visual amenity of the locality.

Car parking, access and loading/unloading facilities

- Car parking should be located where it can be most effectively used by employees and visitors, with no reliance on on-street parking.

- Any request to reduce or waive the standard car parking requirement specified in the table at Clause 52.06-5 of the planning scheme should be supported by an independent traffic and car parking assessment that adequately justifies the car parking level proposed.

- All car parking areas must be designed to:
  - Provide safe and convenient access to working areas and to discourage on-street car parking.
  - Cause minimal conflict with other vehicular or pedestrian traffic.
  - Preferably locate staff car parking to the rear of the site (on larger allotments) and visitor parking adjacent to office areas.

- The visual impact of parked vehicles should be minimised by the use of appropriate contouring and landscaping treatments.

- All vehicles should be able to enter and exit the site in a forward direction, including articulated vehicles up to 19 metres long.

- All parking areas and accessways must be constructed with an all-weather sealed surface (such as concrete or asphalt), clearly line-marked or otherwise defined on the ground, and drained to the satisfaction of the responsible authority.

- Access points should be limited to one per site in order to maximise landscape/nature strip areas and to minimise the number of ‘conflict’ points. A greater number of access points may be allowed provided they do not collectively comprise more than 40 per cent of the street frontage.

- Where loading/unloading facilities are required to be provided under Clause 52.07 of the planning scheme, they should, where possible:
  - Allow delivery vehicles to enter and leave the site in a forward direction, unless it can be demonstrated that no substantial traffic hazard is likely to occur.
  - Be located to the side or rear of the site.
  - Be located within a building.
Landscaping

- All industrial developments should be landscaped so as to enhance the development, reduce its visual impact, and create a pleasant and harmonious environment.

- A landscape plan submitted with any planning application for industrial development should:
  - Be based on a comprehensive design and planting analysis prepared by a suitably qualified landscape consultant.
  - Address matters such as the existing physical environment, the use of various landscape techniques (such as contouring, paving, rock beds and massed planting), amenity areas, lighting, cut and fill, and location of services.
  - Complement the landscape theme promoted in the adjoining road reserve, if applicable.

- Applicants should discuss specific landscaping requirements and species selection with the responsible authority prior to preparing detailed landscape plans.

Storage facilities

- Each industrial development should be provided with an area for the storage of an industrial waste container having minimum dimensions of 3 metres x 5 metres, or as otherwise considered satisfactory by the responsible authority, which is located so as to be readily accessible for servicing or removal.

- Any areas intended for the storage of industrial waste, goods or machinery should be located behind the front building line and be screened from any street or neighbouring property to the satisfaction of the responsible authority.

Security fencing

- Security fencing should be of a type and colour that will have minimal visual impact, be visually compatible with the development, and be set back from any road so that it is either within or behind landscape buffer areas.

Decision guidelines

Before deciding on an application, it is policy that the responsible authority considers:

- Whether the location and siting of the use is appropriate, having regard to surrounding land uses.

- Whether the use and development will contribute positively to the area, with respect to the design of the building, traffic, car parking, access and overall site layout.

- Whether the proposal is located on appropriately designed roads.

- Whether the development is designed and sited to complement the style and character of the overall streetscape.

- Whether the use or development is generally in accordance with the Cranbourne West Precinct Structure Plan, where relevant.

- Whether the use and development is consistent with the Cranbourne Town Centre Plan (City of Casey, 2017), where relevant.

Policy references

Casey C21: A vision for our future (City of Casey, 2002).
Casey C21: Building a Great City (City of Casey, 2011).
Casey Standard Drawings (City of Casey, 2012).
Cranbourne Town Centre Plan (City of Casey, 2017).
Cranbourne West Precinct Structure Plan (City of Casey, 2010).

Industrial Development Policy (City of Casey, 2003).
ADVERTISING SIGNS POLICY

Where the policy applies

This policy applies to all land.

Policy basis

Fostering a positive image of Casey as having a desirable living environment is a key strategic direction in the Casey C21: A vision for our future strategy and the Municipal Strategic Statement. Control over advertising signs is one means of ensuring high standards of visual amenity in Casey’s built environment. Local guidelines on advertising signs are needed to supplement the decision guidelines in Clause 52.05-3.

Policy objectives

- To ensure that businesses in Casey have adequate opportunities to identify their location, name and nature of business.
- To ensure that the display of advertising signs does not detract from the visual amenity of the surrounding area.
- To maintain a degree of uniformity and equity in the extent of advertising permitted.
- To ensure that signs are in keeping with the scale and character of the host building.
- To provide and maintain a degree of public safety for persons using any public way.

Policy

It is policy that:

- Signs be attractive, well presented and do not promote visual clutter, particularly along arterial roads or in activity centres.
- Fewer signs displaying simple, clear messages that are easy to read be encouraged.
- Signs be architecturally integrated with, and complement the style and character of the host building, abutting buildings and the overall landscape or streetscape.
- Multiple signs on a premises form an integrated and coordinated package in terms of colour, graphical content and placement.
- The size and type of signs clearly identifies the use without detracting from the amenity of the area or adjoining land uses.
- The use of creative signs that may also act as public art be encouraged in appropriate locations.
- High-wall signs, panel signs, promotion signs and sky signs be discouraged.
- Pole signs be limited to a maximum of one per site and of a height and area that is proportional to the scale of development on the site.
- Internally illuminated/floodlit signs be permitted only if light spillage does not detrimentally affect the character and amenity of the surrounding area.
- Animated signs be permitted only where the sign(s) forms part of an established entertainment area and does not create a traffic hazard or cause any loss of amenity to the surrounding area.
- A-frame signs and other temporary signs (including bunting) be discouraged.
- Signs in Berwick Village protect and enhance the visual amenity of the “English village” style and character of the streetscape.
• Signs associated with non-residential uses in residential areas have regard to the scale of the development to which they relate and the character of the development in the vicinity of the site.

• Signs in ‘green wedge’ areas be complementary to the character of the rural locality, being low-key in appearance and primarily relating to the advertising of tourism-oriented businesses.

• Advertising be designed and located in a manner that complements heritage places, protecting and enhancing what is valued about the building or place.

• The objectives and requirements of this policy apply to the display of all signs, regardless of whether they are associated with sites that are remote from general public access or vision.

**Performance standards**

It is policy that proposals are assessed against the following performance standards, as appropriate:

**All areas**

• Signs on a premises should be restricted to business identification only.

• Business identification signs should not exceed 7 metres in height.

• Business identification signs for individual occupancies in multi-occupancy premises should be integrated on a single sign less than 7 metres in height.

• Business identification signs for individual occupancies in joint occupancy buildings should be of a uniform size, shape and presentation.

• Signs should not obscure:
  - The view of signs on neighbouring premises, when viewed from a middle- to near-distance perspective.
  - Land forms, vegetation or buildings that make a significant contribution to the existing character of the area.

• Signs on or attached to a building should align with, and relate to, the architectural design lines on the building’s facade or, in the absence of architectural detail or decoration, the design lines on the facades of adjacent buildings.

• Signs should not project above parapet lines.

• Signs should not face adjoining residential development.

**Commercial and retail areas**

• Signs associated with a major freestanding commercial/retail centre should only promote the centre itself and/or identify the major occupancies.

• Business identification signs on each premises should include no more than one under-verandah sign, one verandah fascia sign and one parapet wall sign that primarily display the company name/logo and nature of business, provided the latter sign does not cover the entire parapet wall or any architectural features of the building.

• Business identification signs on the windows of premises should occupy no more than 25 per cent of the glazed area/panel and not detract from the use of the windows for the display of goods.

• Business identification signs on premises in Berwick Village should have a total area of no more than 8 square metres.
For freestanding commercial/retail premises, business identification signs may include one pole sign comprising a single flag displaying the company name/logo only that should be erected in the landscaped setback area.

In the Fountain Gate-Narre Warren CBD Metropolitan Activity Centre, where properties abut the Monash Freeway, Princes Highway or Narre Warren North Road and the main entrance or front of the building is directed away from these road frontages, signs should be limited to one business identification sign per business that is attached to or integrated into the building façade.

**Industrial areas**
- Entrance signs or directory boards should be used to identify the name of an industrial estate and individual occupancies.
- A maximum of two large business identification signs should be displayed on each premises to clearly identify the business without detracting from the visual amenity of the area.
- Business identification signs on each premises should include no more than one pole sign and one fascia/wall sign per road abuttal that primarily display the company name/logo and nature of the business.

**Residential areas**
- For large freestanding non-residential developments abutting arterial roads (e.g. convenience restaurants), business identification signs should include no more than one pole sign and one fascia/wall sign per elevation visible from the road that primarily display the company name/logo and nature of business.
- For small-scale non-residential developments (e.g. medical centres, child care centres), business identification signs should not exceed 1.8 metres in height and 2 square metres in total area.

**Green Wedge areas**
- Business identification signs for non-agricultural developments should be limited to two per site, which may include one double-sided freestanding sign and one sign located on an associated building.

**Heritage places**
- Signs should comprise finishes and colours that are consistent with the heritage significance and period of the place.
- Signs on a building should be located in areas traditionally used for advertising.

**Service stations**
- Business identification signs should include no more than one pole sign to display company name/logo, petrol prices and the name/logo of other tenants, one petrol price board per road abuttal, and canopy fascia signs displaying the company name only, where the fascia has a maximum width of 900 millimetres.
- Business identification signs relating to associated activities occupying a separate freestanding building on the same site (e.g. car wash, workshop) should be limited to one fascia/wall sign per building.

**Car sales**
- Business identification signs should include no more than one pole sign and one fascia/wall sign per elevation visible from the road that display the company name/logo and nature of business only.
- Business identification signs displayed as a backdrop on walls or fences at the rear of an open car yard should be in proportion to the size of the yard and adjoining buildings, and not exceed the height of adjoining fascia/wall signs.
Decision guidelines

Before deciding on an application, it is policy that the responsible authority considers:

- Whether the sign is proportional to the size and scale of the building/premises on which it is being displayed and complements the style and character of the building, abutting buildings and the overall streetscape.
- The colours, graphic content and placement of the sign.
- Whether architectural/design features of the host building are used to advantage, to enhance the impact of the sign.
- Whether the sign is part of an integrated and coordinated sign package.
- The amount and type of existing signs on premises and on adjoining premises.
- Whether the sign, or any supporting structure, contributes to visual clutter and a proliferation of signs that will have an adverse effect on the existing or preferred character of the surrounding area.

Policy references

Advertising Signs Policy, City of Casey, 1997.


Casey C21: Building a Great City, City of Casey, 2011.
NON-AGRICULTURAL USES IN GREEN WEDGE AREAS POLICY

Where the policy applies

This policy applies to all land in a Green Wedge, Green Wedge A and Rural Conservation Zone, where a permit is required to establish a non-agricultural use. A “non-agricultural use” is a use that does not fall within the definition of ‘Agriculture’ in Clause 74.

Policy basis

The Green Wedge areas of Casey comprise the rural areas outside the Urban Growth Boundary, which include most land in the Casey Farm, Casey Coast and Casey Foothills community areas set out in the Casey C21: A vision for our future strategy. These areas make a valuable contribution to the identity and prosperity of Casey. They provide important resources for agriculture, as well as for other non-urban purposes such as recreation and tourism. In these areas, care must be taken in selecting, siting and developing non-agricultural uses to avoid the loss of valuable agricultural land and any adverse impacts on landscape/environmental qualities.

These areas are also experiencing increased pressure to accommodate urban-type uses, for which suitable sites are becoming increasingly difficult to find within the Urban Growth Boundary due to their land requirements. Such uses include places of worship and the like, together with industrial-type uses such as transport terminals, vehicle stores/depots and the like.

The State Planning Policy Framework and Municipal Strategic Statement state that ‘green wedge’ areas should be protected and conserved, so that the land is not eroded or prejudiced by inappropriate uses and developments. Proper management is critical in order to ensure the continued sustainability of these areas.

Policy objectives

- To discourage the intrusion of urban-type uses into Green Wedge areas.
- To ensure that non-agricultural development provides a positive contribution to the character and appearance of Green Wedge areas.
- To ensure that new buildings and alterations to existing buildings do not detract from the landscape and scenic values of Green Wedge areas.
- To ensure that non-agricultural uses do not adversely affect or prejudice the operation of existing and/or future agricultural activities.
- To ensure that non-agricultural uses do not have an adverse impact on areas of high environmental or natural resource value.
- To avoid creating clusters of non-agricultural activity, unless such activity is located adjacent to, or on the periphery of, an urban or township area.
- To ensure that, where appropriate, non-agricultural uses are sensitively integrated into the surrounding area.
- To reduce car dependency in Casey by consolidating non-agricultural uses in urban and township areas.
- To encourage the retention of existing agricultural land uses within Green Wedge areas.

Policy

It is policy that:

- Non-agricultural uses not be supported if the use would result in the loss of agricultural land, be visually intrusive, or detrimentally affect the amenity of nearby residents or the environmental or natural resource values of the area.
Industrial/warehouse-type uses, except those defined as either ‘Rural industry’ or ‘Rural store’ in Clause 74 or where there is a clear link between the proposed industrial activity and agricultural production, not be located in Green Wedge areas.

Green Wedge areas be used predominantly for sustainable agricultural production and related purposes.

Non-agricultural uses, except those uses that operate in conjunction with related agricultural activities on the land, be located adjacent or close to urban or township areas to reduce car dependency and maximise accessibility to public transport.

Non-agricultural uses, except those uses that operate in conjunction with related agricultural activities on the land, be located along sealed roads that are capable of carrying anticipated traffic volumes and are designated public transport routes, such as arterial or collector roads.

Non-agricultural uses not adversely impact on productive agricultural land or on existing agricultural activities on nearby land.

Non-agricultural uses be required to result in a net benefit and convenience to the local community.

The scale, design and appearance of any new buildings associated with a non-agricultural use be complementary to the character and function of the surrounding area.

Non-agricultural uses/developments be designed, constructed and operated in a manner that causes minimal loss of amenity, privacy and convenience to people living in nearby dwellings, having regard to traffic, car parking, access, built form and overall site layout.

A master plan defining the parameters of future development be required to be submitted with a planning application in circumstances where less than 50 per cent of a site is proposed to be developed for a non-agricultural use (inclusive of associated car parking), or the balance of the site is of an area that has the potential to accommodate a significant expansion of the use.

A land management plan, prepared by a suitably qualified professional, be required to be submitted with a planning application in circumstances where a site that is currently used for, or has the capability of being used for, productive agricultural purposes is proposed to be developed in part for a non-agricultural use, to ensure that:

- The balance of the site can still be used in a productive and sustainable manner.
- Where relevant, the non-agricultural use will support the retention of existing and/or future agricultural activities on the land.

New development be required to connect to reticulated water, sewerage, power and stormwater, where available.

Performance standards

It is policy that proposals are assessed against the following performance standards, as appropriate:

- The design and appearance of all buildings and works should be low-impact, having regard to the surrounding rural environment.
- The site should be located adjacent to an urban or township area and on or close to a designated public transport route (except where the non-agricultural use would operate in conjunction with existing agricultural activities on the land).
- The site should abut or have direct access to an arterial road to minimise traffic impacts on the surrounding rural environment (except where the non-agricultural use would operate in conjunction with existing agricultural activities on the land).
- Hours of operation should be restricted to maintain the amenity of any nearby dwellings.
The site should be landscaped to minimise the visual impact of the development on the rural landscape.

The site should have convenient and practicable access to reticulated services (except where the non-agricultural use would operate in conjunction with existing agricultural activities on the land).

**Decision guidelines**

Before deciding on an application, it is policy that the responsible authority considers:

- Whether the proposal would compromise the existing or future use of the site for productive agricultural purposes.
- The impact of the proposal on the landscape and environmental values of the site and the surrounding area.
- The impact of the proposal on the amenity of nearby residential uses.
- The impact of the proposal on the continued operation of existing agricultural activities on nearby land.
- The proximity of the site to an urban or township area and a designated public transport route (except where the non-agricultural use would operate in conjunction with existing agricultural activities on the land).
- Whether the proposal could reasonably be located on a site within the Urban Growth Boundary (except where the non-agricultural use would operate in conjunction with existing agricultural activities on the land).
- Whether the proposal would support the retention of existing and/or future agricultural activities on the land.

**Policy reference**

RELATIONSHIP TO THE PLANNING POLICY FRAMEWORK

Clauses 21 and 22 of this planning scheme (the Local Planning Policy Framework) form part of the Planning Policy Framework. Where a provision of this planning scheme requires consideration of the Planning Policy Framework, that consideration must include Clauses 21 and 22.

A reference in this planning scheme, including any incorporated document, to the:

- State Planning Policy Framework or the Local Planning Policy Framework is to be taken to be a reference to the Planning Policy Framework.
- Planning Policy Framework is to be taken to include the Local Planning Policy Framework.
OPERATION OF THE MUNICIPAL STRATEGIC STATEMENT

The Municipal Strategic Statement (MSS) is a concise statement of the key strategic planning, land use and development objectives for the municipality and the strategies and actions for achieving the objectives. It furthers the objectives of planning in Victoria to the extent that the State Planning Policy Framework is applicable to the municipality and local issues. It provides the strategic basis for the application of the zones, overlays and particular provisions in the planning scheme and decision making by the responsible authority.

The MSS provides an opportunity for an integrated approach to planning across all areas of council and should clearly express links to the corporate plan. The MSS is dynamic and enables community involvement in its ongoing review. The MSS will be built upon as responsible authorities develop and refine their strategic directions in response to the changing needs of the community.

When preparing amendments to this planning scheme and before making decisions about permit applications, planning and responsible authorities must take the MSS into account.
OPERATION OF THE LOCAL PLANNING POLICIES

Local Planning Policies are tools used to implement the objectives and strategies of the Municipal Strategic Statement.

A Local Planning Policy is a policy statement of intent or expectation. It states what the responsible authority will do in specified circumstances or the responsible authority’s expectation of what should happen. A Local Planning Policy gives the responsible authority an opportunity to state its view of a planning issue and its intentions for an area. A Local Planning Policy provides guidance to decision making on a day to day basis. It can help the community to understand how the responsible authority will consider a proposal. The consistent application of policy over time should achieve a desired outcome.

When preparing amendments to this planning scheme and before making decisions about permit applications, planning and responsible authorities must take any relevant Local Planning Policy into account.
ZONES

This section sets out the zones which apply in this scheme.
LOW DENSITY RESIDENTIAL ZONE

Shown on the planning scheme map as LDRZ with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

**Table of uses**

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>Must be the only dependent person's unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person's unit and Dwelling)</td>
<td></td>
</tr>
</tbody>
</table>
### CASEY PLANNING SCHEME

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry and Racing dog husbandry)</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car park</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met</td>
<td>Must result in no more than two dwellings on the lot.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>• Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>• Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not exceed either:</td>
</tr>
<tr>
<td></td>
<td>• 3000 square metres.</td>
</tr>
<tr>
<td></td>
<td>• 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</td>
</tr>
</tbody>
</table>
### Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 – Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Extractive industry</td>
</tr>
<tr>
<td>Industry (other than Car wash)</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
</tr>
<tr>
<td>Retail premises (other than Convenience shop, Food and drink premises, Market and Plant nursery)</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Transport terminal</td>
</tr>
<tr>
<td>Warehouse (other than Store)</td>
</tr>
</tbody>
</table>

#### Use for one or two dwellings or a dependent person’s unit

A lot may be used for one or two dwellings provided the following requirements are met:

- Each dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

- Each dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity, to the satisfaction of the responsible authority.

- Each dwelling must be connected to a reticulated electricity supply or have an alternative energy supply to the satisfaction of the responsible authority.

These requirements also apply to a dependent person’s unit.

#### Subdivision

**Permit requirement**

A permit is required to subdivide land.
Each lot must be at least the area specified for the land in a schedule to this zone. Any area specified must be at least:

- 0.4 hectare for each lot where reticulated sewerage is not connected. If no area is specified each lot must be at least 0.4 hectare.
- 0.2 hectare for each lot with connected reticulated sewerage. If no area is specified each lot must be at least 0.2 hectare.

A permit may be granted to create lots smaller than 0.4 hectare if the subdivision:

- Excises land which is required for a road or a utility installation.
- Provides for the re-subdivision of existing lots and the number of lots is not increased.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>

**Buildings and works**

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 32.03-1.
- An outbuilding which has dimensions greater than those specified in a schedule to this zone.

This does not apply to structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
</tbody>
</table>
### 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 1 TO CLAUSE 32.03 LOW DENSITY RESIDENTIAL ZONE

Shown on the planning scheme map as LDRZ1.

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>All land</td>
</tr>
<tr>
<td></td>
<td>0.4 hectares</td>
</tr>
</tbody>
</table>

2.0

Outbuilding permit requirements

Dimensions above which a permit is required to construct an outbuilding (square metres)

None specified
SCHEDULE 2 TO CLAUSE 32.03 LOW DENSITY RESIDENTIAL ZONE

Shown on the planning scheme map as LDRZ2.

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>All land</td>
</tr>
<tr>
<td></td>
<td>• 0.4 hectares where reticulated sewerage is not connected to lots</td>
</tr>
<tr>
<td></td>
<td>• 0.2 hectares where reticulated sewerage is connected to lots</td>
</tr>
</tbody>
</table>

2.0 Outbuilding permit requirements

Dimensions above which a permit is required to construct an outbuilding (square metres)

120 square metres
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>
</tbody>
</table>
# CASEY PLANNING SCHEME

## Section 1 - Permitted

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>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,</td>
<td></td>
</tr>
<tr>
<td>Dependent person's unit, Dwelling, Residential aged care</td>
<td></td>
</tr>
<tr>
<td>facility and Rooming house)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Apiculture,</td>
<td></td>
</tr>
<tr>
<td>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</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>boarding) – 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</td>
<td></td>
</tr>
<tr>
<td>recreation)</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Art gallery, Carnival,</td>
<td></td>
</tr>
<tr>
<td>Circus, Museum and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Food and drink premises and</td>
<td></td>
</tr>
<tr>
<td>Shop)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility</td>
<td></td>
</tr>
<tr>
<td>installation and Telecommunications facility)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

## Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
</tbody>
</table>
### Use

**Extractive industry**

**Materials recycling**

**Transfer station**

### 32.04-3

#### 31/07/2018

VC148

#### Use for industry, service station and warehouse

#### Amenity of the neighbourhood

The use of land for an industry, service station or warehouse must not adversely affect the amenity of the neighbourhood, including through:

- The transport of materials or goods to or from the land.
- The appearance of any stored materials or goods.
- Traffic generated by the use.
- Emissions from the land.

### 32.04-4

#### 31/07/2018

VC148

#### Subdivision

#### Permit requirement

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

#### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>
Information requirements and decision guidelines

**Class of application**

<table>
<thead>
<tr>
<th>Subdivide land into lots each containing an existing building or car parking space where:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
</tr>
<tr>
<td>• An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
</tr>
</tbody>
</table>

Clause 59.02

**Subdivide land into 2 lots if:**

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

Clause 59.02

---

**Construction and extension of one dwelling on a lot**

**Permit requirement**

A permit is required to construct or extend one dwelling on a lot of less than 300 square metres. A development must meet the requirements of Clause 54.

**No permit required**

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

**Class of application**

<table>
<thead>
<tr>
<th>Construct an outbuilding or extend a dwelling if the development:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Does not exceed a building height of 5 metres.</td>
</tr>
<tr>
<td>• Is not visible from the street (other than a lane) or a public park.</td>
</tr>
</tbody>
</table>

Clause 59.14
Class of application

- Meets the requirements in the following standards of Clause 54:
  - A10 Side and rear setbacks.
  - A11 Walls on boundaries.
  - A12 Daylight to existing windows.
  - A13 North-facing windows.
  - A14 Overshadowing open space.
  - A15 Overlooking.

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

### Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

#### Permit requirement

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person’s unit on a lot.

#### Transitional provisions

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:
An application for a planning permit lodged before the approval date of Amendment VC136.

An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

Requirements of Clause 54 and Clause 55

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

32.04-8

Residential aged care facility

Permit requirements

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

32.04-9

Buildings and works associated with a Section 2 use

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.04-2.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
</tbody>
</table>
### Class of application

- A11 Walls on boundaries.
- A12 Daylight to existing windows.
- A13 North-facing windows.
- A14 Overshadowing open space.
- A15 Overlooking.

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

### Buildings on lots that abut another residential zone

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone, or Township Zone must meet the requirements of Clauses 55.03-5, 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

This does not apply to a building or works for a residential aged care facility.

### Maximum building height requirement

A building must not be constructed that exceeds the maximum building height specified in a schedule to this zone.

A building may exceed the maximum building height specified in a schedule to this zone if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.
- It is a residential aged care facility and the maximum building height in the schedule to the zone is less than 16 metres.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in this zone or a schedule to this zone applies whether or not a planning permit is required for the construction of a building.
Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

Application requirements

General

Any application requirements specified in a schedule to this zone.

Use for industry and warehouse

Unless the circumstances do not require, an application to use land for an industry or warehouse must be accompanied by the following information:

- The purpose of the use and the types of activities to be carried out.
- The type and quantity of materials and goods to be stored, processed or produced.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- How land not required for immediate use is to be maintained.
- The likely effects, if any, on the neighbourhood, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation (including the hours of delivery and dispatch of materials and goods).

Buildings and works associated with a Section 2 use

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A site analysis and descriptive statement explaining how the proposal responds to the site and its context.
- Plans drawn to scale and dimensioned which show:
  - The layout of proposed buildings and works.
  - An elevation of the building design and height.
  - Setbacks to property boundaries.
  - All proposed access and pedestrian areas.
  - All proposed driveway, car parking and loading areas.
  - Existing vegetation and proposed landscape areas.
  - The location of easements and services.

Exemption from notice and review

Subdivision

An application for subdivision is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.
Other applications

A schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

General

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a Mixed Use Zone or Residential Growth Zone.

Use for industry, service station and warehouse

- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The design of buildings, including provision for solar access.
- The availability and provision of utility services.
- The effect of traffic to be generated by the use.
- The interim use of those parts of the land not required for the proposed use.
- Whether the use is compatible with adjoining and nearby land uses.
- For non-residential uses, the proposed hours of operation, noise and any other likely off-site amenity impacts.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Construction and extension of one dwelling on a lot

- The objectives, standards and decision guidelines of Clause 54.

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

- For two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.
CASEY PLANNING SCHEME

SCHEDULE TO CLAUSE 32.04 MIXED USE ZONE

Shown on the planning scheme map as **MUZ**.

CASEY MIXED USE AREAS

1.0

Objectives

None specified.

2.0

Clause 54 and Clause 55 requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0

Maximum building height requirement

None specified.

4.0

Exemption from notice and review

None specified.

5.0

Application requirements

None specified.

6.0

Decision guidelines

None specified.
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>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>Dependent person’s unit - if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 32.05-3.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Transfer station and Refuse disposal)</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 and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Circus and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Adult sex product shop)</td>
<td></td>
</tr>
<tr>
<td>Transfer station</td>
<td>Must meet the threshold distance requirements in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Dwelling – if the Section 1 condition is not met</td>
</tr>
<tr>
<td>Extractive industry</td>
</tr>
</tbody>
</table>
### 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.

### 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.

### 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>
<tr>
<td>Class of subdivision</td>
<td>Objectives and standards to be met</td>
</tr>
<tr>
<td>----------------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5 and 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

Each lot must be provided with reticulated sewerage, if available. If reticulated sewerage is not available, the application must be accompanied by:

- A land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- A plan which shows a building envelope and effluent disposal area for each lot.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>

| Subdivide land into lots each containing an existing building or car parking space where: | Clause 59.02 |
| - The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. | |
| - An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision. | |

| Subdivide land into 2 lots if: | Clause 59.02 |
| - The construction of a building or the construction or carrying out of works on the land: | |
|   - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. | |
|   - Has started lawfully. | |
| - The subdivision does not create a vacant lot. | |

**Construction and extension of one dwelling on a lot**

**Permit requirement**

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
A lot of between 300 square metres and 500 square metres if specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
  - A lot of less than 300 square metres, or
  - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development:</td>
<td>Clause 59.14</td>
</tr>
<tr>
<td>- Does not exceed a building height of 5 metres.</td>
<td></td>
</tr>
<tr>
<td>- Is not visible from the street (other than a lane) or a public park.</td>
<td></td>
</tr>
<tr>
<td>- Meets the requirements in the following standards of Clause 54:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.
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 32.05-2.

### 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.

### Maximum building height requirement for a dwelling or residential building

A building must not be constructed for use as a dwelling or a residential building that exceeds the maximum building height specified in a schedule to this zone.

If no maximum building height is specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 and Clause 55 applies.

A building may exceed the maximum building height specified in a schedule to this zone if:
- It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.

- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.

- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.

- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in a schedule to this zone applies whether or not a planning permit is required for the construction of a building.

**Building height if land is subject to inundation**

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

**Application requirements**

**Use for industry and warehouse**

Unless the circumstances do not require, an application to use land for an industry or warehouse must be accompanied by the following information:

- The purpose of the use and the types of activities to be carried out.

- The type and quantity of materials and goods to be stored, processed or produced.

- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.

- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.

- How land not required for immediate use is to be maintained.

- The likely effects, if any, on the neighbourhood, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation (including the hours of delivery and despatch of materials and goods).

- Any other application requirements specified in a schedule to this zone.

**Decision guidelines**

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General**

- The objectives set out in a schedule to this zone.
- The protection and enhancement of the character of the town and surrounding area including the retention of vegetation.
- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.
- In the absence of reticulated sewerage, the capability of the lot to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The design, height, setback and appearance of the proposed buildings and works including provision for solar access.
- The need for a verandah along the front or side of commercial buildings to provide shelter for pedestrians.
- Provision of car and bicycle parking and loading bay facilities and landscaping.
- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The scale and intensity of the use and development.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.
- The impact of overshadowing on existing rooftop solar energy systems 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.

32.05-14  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.

CASEY TOWNSHIPS

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

No

1.0

Clause 54 and Clause 55 requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

2.0

Maximum building height requirement for a dwelling or residential building

None specified.

3.0

Application requirements

None specified.

4.0

Decision guidelines

None specified.
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></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Section 2 – Permit required</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>Accommodation (other than Community care accommodation,</td>
<td>Must be used in conjunction with another use in</td>
</tr>
<tr>
<td>Dependent person’s unit, Dwelling, Residential aged</td>
<td>Section 1 or 2.</td>
</tr>
<tr>
<td>care facility and Rooming house)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Animal</td>
<td></td>
</tr>
<tr>
<td>training, Apiculture, Domestic animal husbandry, Horse</td>
<td></td>
</tr>
<tr>
<td>husbandry and Racing dog husbandry)</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td>The site must adjoin, or have access to, a road in</td>
</tr>
<tr>
<td></td>
<td>a Road Zone.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>boarding) – if the Section 1 condition is not met</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience</td>
<td></td>
</tr>
<tr>
<td>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</td>
<td></td>
</tr>
<tr>
<td>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</td>
</tr>
<tr>
<td></td>
<td>commercial zone.</td>
</tr>
<tr>
<td></td>
<td>The land must have the same street frontage as the</td>
</tr>
<tr>
<td></td>
<td>land in the commercial zone.</td>
</tr>
<tr>
<td></td>
<td>The leasable floor area must not exceed 250 square</td>
</tr>
<tr>
<td></td>
<td>metres.</td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour,</td>
<td></td>
</tr>
<tr>
<td>Carnival, Cinema based entertainment facility, Circus,</td>
<td></td>
</tr>
<tr>
<td>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</td>
<td>The land must be located within 100 metres of a commercial zone or Mixed Use Zone.</td>
</tr>
<tr>
<td>and Convenience shop)</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</td>
<td></td>
</tr>
<tr>
<td>installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 – Prohibited

| Use                                                                 |                                                                                                                                 |
|******************************************************************|---------------------------------------------------------------------------------------------------------------------------------
| Adult sex product shop                                           |                                                                                                                                 |
| Amusement parlour                                                |                                                                                                                                 |
| Animal production (other than Grazing animal production)          |                                                                                                                                 |
| Animal training                                                  |                                                                                                                                 |
| Bottle shop                                                      |                                                                                                                                 |
| Brothel                                                           |                                                                                                                                 |
| Cinema based entertainment facility                              |                                                                                                                                 |
| Domestic animal boarding                                         |                                                                                                                                 |
| Extractive industry                                              |                                                                                                                                 |
| Horse husbandry                                                  |                                                                                                                                 |
| Industry (other than Car wash)                                    |                                                                                                                                 |
| Motor racing track                                               |                                                                                                                                 |
| Nightclub                                                        |                                                                                                                                 |
| Retail premises (other than Food and drink premises, Market,     |                                                                                                                                 |
| Plant nursery and Shop                                           |                                                                                                                                 |
| Saleyard                                                         |                                                                                                                                 |
Subdivision

Permit requirement

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
</tbody>
</table>
### Construction and extension of one dwelling on a lot

#### Permit requirement
A permit is required to construct or extend one dwelling on a lot less than 300 square metres. A development must meet the requirements of Clause 54.

#### No permit required
No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

#### VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provisions specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development:</td>
<td>Clause 59.14</td>
</tr>
<tr>
<td>- 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.

### Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

#### Permit requirement

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person’s unit on a lot.

#### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

#### Transitional provisions

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

### Requirements of Clause 54 and Clause 55

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

### Residential aged care facility

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

### Buildings and works associated with a Section 2 use

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.07-2.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column I is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.
Maximum building height requirement for a dwelling or residential building

A building must not be constructed for use as a dwelling or a residential building that exceeds the maximum building height specified in a schedule to this zone.

If no maximum building height is specified in a schedule to this zone, the building height should not exceed 13.5 metres.

This building height requirement replaces the maximum building height specified in Standard A4 in Clause 54 and Standard B7 in Clause 55.

A building may exceed the maximum building height specified in a schedule to this zone if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in this zone or a schedule to this zone applies whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

Buildings on lots that abut another residential zone

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, or Township Zone must meet the requirements of Clauses 55.03-5, 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

Application requirements

An application must be accompanied by the following information, as appropriate:

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.
- For an apartment development of five or more storeys, an urban context report and design response as required in Clause 58.01.
- For an application for subdivision, a site and context description and design response as required in Clause 56.
- Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
- The siting and use of existing and proposed buildings.
- Adjacent buildings and uses.
- The building form and scale.
- Setbacks to property boundaries.

- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.
- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

32.07-12

Exemption from notice and review

Subdivision

An application to subdivide land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

32.07-13

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a Mixed Use Zone or Residential Growth Zone.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Dwellings and residential buildings

- For the construction of one dwelling on a lot, whether the development is an under-utilisation of the lot.
- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.
Non-residential use and development
- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

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 ZONE

1.0

Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
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<td>None specified</td>
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<td>Side and rear setbacks</td>
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<tr>
<td>Walls on boundaries</td>
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</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

2.0

Maximum building height requirement for a dwelling or residential building

None specified

3.0

Application requirements

None specified

4.0

Decision guidelines

None specified
**SCHEDULE 2 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE**

Shown on the planning scheme map as **RGZ2**.

**AREAS ADJACENT TO ACTIVITY CENTRES, TRAIN STATIONS AND STRATEGIC BUS ROUTES**

1.0

**Design objectives**

To encourage contemporary, well-articulated and designed multi-dwelling and apartment developments with smaller, well-landscaped front setbacks.

To encourage consolidation of adjoining lots to facilitate contemporary dwelling design that makes efficient use of land.

To encourage a diversity of dwelling sizes and built form outcomes.

2.0

**Requirements of Clause 54 and Clause 55**

<table>
<thead>
<tr>
<th></th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Minimum street setback</strong></td>
<td>A3 and B6</td>
<td>Walls of buildings should be set back from streets at least 5 metres or in accordance with the table in Standard A3 or B6, whichever is the lesser.</td>
</tr>
<tr>
<td><strong>Site coverage</strong></td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td><strong>Permeability</strong></td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td><strong>Landscaping</strong></td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td><strong>Side and rear setbacks</strong></td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td><strong>Walls on boundaries</strong></td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td><strong>Private open space</strong></td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td><strong>Front fence height</strong></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**

The following decision guidelines apply to an application for a permit under Clause 32.07, in addition to those specified in Clause 32.07 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether there is an opportunity for the consolidation of lots to make effective and efficient use and development of the land.
- Whether the site layout and building massing provides for the equitable and efficient development of adjoining lots.
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>
### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential aged care facility</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Rooming house</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>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)</td>
<td>Must be no more than 5 animals.</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</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>• Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>• Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not exceed either:</td>
</tr>
</tbody>
</table>
Use | Condition
---|---
| 3000 square metres.
| 3600 square metres if it adjoins on two boundaries a road in a Road Zone.

**Store**

Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.

**Take away food premises**

The site must adjoin, or have access to, a road in a Road Zone.

**Utility installation (other than Minor utility installation and Telecommunications facility)**

**Any other use not in Section 1 or 3**

### Section 3 – Prohibited

**Use**

Amusement parlour
Animal production (other than Grazing animal production)
Animal training
Brothel
Cinema based entertainment facility
Domestic animal boarding
Extractive industry
Horse husbandry
Industry (other than Car wash)
Motor racing track
Nightclub
Office (other than Medical centre)
Retail premises (other than Convenience shop, Food and drink premises, Market, and Plant nursery)
Saleyard
Transport terminal
Warehouse (other than Store)

### Subdivision

**Permit requirement**

A permit is required to subdivide land.

An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:
An approved precinct structure plan or an equivalent strategic plan;
An incorporated plan or approved development plan; or
A permit for development.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>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.
32.08-4
15/05/2018
VC143

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.

32.08-5
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 of less than 300 square metres.
- A lot of between 300 square metres and 500 square metres if specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
  - A lot of less than 300 square metres, or
  - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.
VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development:</td>
<td>Clause 59.14</td>
</tr>
<tr>
<td>Meets the minimum garden area requirement of Clause 32.08-4.</td>
<td></td>
</tr>
<tr>
<td>▪ Does not exceed a building height of 5 metres.</td>
<td></td>
</tr>
<tr>
<td>▪ Is not visible from the street (other than a lane) or a public park.</td>
<td></td>
</tr>
<tr>
<td>▪ Meets the requirements in the following standards of Clause 54:</td>
<td></td>
</tr>
<tr>
<td>  A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>  A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>  A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>  A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>  A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>  A15 Overlooking.</td>
<td></td>
</tr>
<tr>
<td>For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.</td>
<td></td>
</tr>
<tr>
<td>If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.</td>
<td></td>
</tr>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

32.08-6
31/07/2018
VC148

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

Permit requirement

A permit is required to:

▪ Construct a dwelling if there is at least one dwelling existing on the lot.
▪ Construct two or more dwellings on a lot.
▪ Extend a dwelling if there are two or more dwellings on the lot.
▪ Construct or extend a dwelling if it is on common property.
▪ Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

▪ The fence is associated with 2 or more dwellings on a lot or a residential building, and
▪ The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.
An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person’s unit on a lot.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

**Transitional provisions**

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**Residential aged care facility**

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

**Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.
VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

Maximum building height requirement for a dwelling or residential building

A building must not be constructed for use as a dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 11 metres; and
- the building must contain no more than 3 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
• It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.

• It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

32.08-11 Application requirements

An application must be accompanied by the following information, as appropriate:

• For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.

• For an apartment development of five or more storeys, an urban context report and design response as required in Clause 58.01.

• For an application for subdivision, a site and context description and design response as required in Clause 56.

• Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
  - The siting and use of existing and proposed buildings.
  - Adjacent buildings and uses.
  - The building form and scale.
  - Setbacks to property boundaries.

• The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.

• Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.
32.08-12
26/10/2018
VC152

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.

32.08-13
24/01/2020
VC160

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Dwellings and residential buildings

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

Non-residential use and development

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

32.08-14
26/10/2018
VC152

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.
32.08-15

Transitional provisions

The minimum garden area requirements of Clause 32.08-4 and the maximum building height and number of storeys requirements of Clause 32.08-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.
- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
  - A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
  - A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
  - A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.08-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.
SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as GRZ1.

GENERAL RESIDENTIAL ZONE

1.0
01/08/2013
C200

Permit requirement for the construction or extension of one dwelling on a lot

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

None specified

2.0
01/08/2013
C200

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
01/08/2013
C200

Maximum building height requirement for a dwelling or residential building

None specified.

4.0
01/08/2013
C200

Application requirements

None specified.

5.0
01/08/2013
C200

Decision guidelines

None specified.
SCHEDULE 2 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as GRZ2.

AREAS CLOSE TO ACTIVITY CENTRES, TRAIN STATIONS AND STRATEGIC BUS ROUTES

Neighbourhood character objectives

To encourage a new neighbourhood character of contemporary, well-articulated and designed residential development, including units, townhouses and apartments with smaller, well landscaped front setbacks.

To ensure development is sympathetic and responsive to its surroundings and provides an appropriate transition to lower-scale residential areas.

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

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

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>Walls of buildings should be set back from streets at least 5 metres or in accordance with the table in Standard A3 and B6, whichever is the lesser.</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
29/11/2019
C198case

Maximum building height requirement for a dwelling or residential building
A building used as a dwelling or a residential building must not exceed a height of 11.5 metres and 3 storeys.

6.0
29/11/2019
C198case

Application requirements
None specified.

7.0
29/11/2019
C198case

Decision guidelines
The following decision guidelines apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the site layout and building massing ensures reasonable amenity for future residents in regards to privacy, solar access, noise, ventilation, secluded private open spaces and communal open spaces.
- Whether an appropriate transition to adjoining lower-scale residential areas is achieved.
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 listed in the table to Clause 53.10 with no threshold distance specified.</td>
</tr>
</tbody>
</table>

The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution:

- The threshold distance, for a purpose listed in the table to Clause 53.10.
- 30 metres, for a purpose not listed in the table to Clause 53.10.

Must not:

- Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012.
- Require a notification under the Occupational Health and Safety Regulations 2017.
- Require a licence under the Dangerous Goods (Explosives) Regulations 2011.
- Require a licence under the Dangerous Goods (HCDG) Regulations 2016.

Must not adversely affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

<table>
<thead>
<tr>
<th>Informal outdoor recreation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mail centre</td>
</tr>
<tr>
<td>Railway</td>
</tr>
<tr>
<td>Use</td>
</tr>
<tr>
<td>------------------------------------------</td>
</tr>
<tr>
<td>Service station</td>
</tr>
<tr>
<td>Shipping container storage</td>
</tr>
<tr>
<td>Take away food premises</td>
</tr>
<tr>
<td>Tramway</td>
</tr>
<tr>
<td>Warehouse (other than Mail centre and Shipping container storage)</td>
</tr>
</tbody>
</table>
The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution:

- The threshold distance, for a purpose listed in the table to Clause 53.10.
- 30 metres, for a purpose not listed in the table to Clause 53.10.

Must not:

- Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012.
- Require a notification under the Occupational Health and Safety Regulations 2017.
- Require a licence under the Dangerous Goods (Explosives) Regulations 2011.
- Require a licence under Dangerous Goods (HCDG) Regulations 2016.

Must not adversely affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

| Any use listed in Clause 62.01 | Must meet the requirements of Clause 62.01. |

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td>Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm)</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td>Must not be a primary or secondary school.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td>The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone or</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Condition Use</td>
<td>land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.</td>
</tr>
<tr>
<td>Office</td>
<td>The leasable floor area must not exceed the amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema based entertainment facility and Circus)</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Shop and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Transfer Station</td>
<td>The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone or land used for a hospital, an education centre a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td>Any gas holder, or sewerage or refuse treatment or disposal works, must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Caretaker’s house)</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Hospital</td>
<td></td>
</tr>
<tr>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td>Pig farm</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td></td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Convenience shop and Restricted retail premises)</td>
<td></td>
</tr>
</tbody>
</table>

**Use of land**

**Application requirements**

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

### Subdivision

**Permit requirement**

A permit is required to subdivide land.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>
Information requirements and decision guidelines

### Class of application

**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.

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.

### Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

### Buildings and works

#### Permit requirement

A permit is required to construct a building or construct or carry out works. This does not apply to:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising or informal outdoor recreation.
- A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
- The rainwater tank is not located within the building’s setback from a street (other than a lane).
- The rainwater tank is no higher than the existing building on the site.
- The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.

- A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<tr>
<td>- Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

**Application requirements**

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - Driveways and vehicle parking and loading areas.
  - Proposed landscape areas.
  - External storage and waste treatment areas.

- Elevation drawings to scale which show the colour and materials of all buildings and works.

- Construction details of all drainage works, driveways and vehicle parking and loading areas.

- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.
Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.

Maintenance

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 2.
SCHEDULE TO CLAUSE 33.01 INDUSTRIAL 1 ZONE

<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area (m²) for office</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
INDUSTRIAL 3 ZONE

Shown on the planning scheme map as IN3Z.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for industries and associated uses in specific areas where special consideration of the nature and impacts of industrial uses is required or to avoid inter-industry conflict.

To provide a buffer between the Industrial 1 Zone or Industrial 2 Zone and local communities, which allows for industries and associated uses compatible with the nearby community.

To allow limited retail opportunities including convenience shops, small scale supermarkets and associated shops in appropriate locations.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive land uses.

---

### Table of uses

#### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td>Grazing animal</td>
<td></td>
</tr>
<tr>
<td>production</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor</td>
<td></td>
</tr>
<tr>
<td>recreation</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Service industry</td>
<td>Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution:</td>
</tr>
<tr>
<td></td>
<td>- The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>- 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>Must not:</td>
</tr>
<tr>
<td></td>
<td>- Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012.</td>
</tr>
<tr>
<td></td>
<td>- Require a notification under the Occupational Health and Safety Regulations 2017.</td>
</tr>
<tr>
<td></td>
<td>- Require a licence under the Dangerous Goods (Explosives) Regulations 2011.</td>
</tr>
<tr>
<td></td>
<td>- Require a licence under Dangerous Goods (HCDG) Regulations 2016.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</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 an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Supermarket)</td>
<td>Must adjoin, or be on the same lot as, a supermarket when the use commences.</td>
</tr>
<tr>
<td></td>
<td>The combined leasable floor area for all shops adjoining or on the same lot as the supermarket must not exceed 500 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or be within 30 metres of, a road in a Road Zone.</td>
</tr>
<tr>
<td>Supermarket</td>
<td>The leasable floor area must not exceed 1800 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or be within 30 metres of, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Must be on land within an urban growth boundary and in metropolitan Melbourne.</td>
</tr>
<tr>
<td>Take away food premises</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Fuel depot, Mail centre or Shipping container storage)</td>
<td>Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution:</td>
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<tr>
<td></td>
<td>- The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>- 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>Must not:</td>
</tr>
<tr>
<td></td>
<td>- Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012.</td>
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<td></td>
<td>Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td></td>
<td>- Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td></td>
<td>- Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td></td>
<td>- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</td>
</tr>
</tbody>
</table>
### 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>Industry (other than Service industry)</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>The leasable floor area must not exceed the amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema based entertainment facility and Circus)</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Shop and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Caretaker's house)</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Hospital</td>
<td></td>
</tr>
<tr>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td>Motor racing track</td>
<td></td>
</tr>
</tbody>
</table>
Use

Pig farm

Poultry farm

Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Supermarket) – if the Section 1 conditions are not met

Supermarket – if the section 1 conditions are not met

Use of land

Amenity of the neighbourhood

A use must not adversely affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Application requirements

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
The availability of and connection to services.

- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- The effect on nearby industries.

**Subdivision**

**Permit requirement**

A permit is required to subdivide land.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>where:</td>
<td></td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the</td>
<td></td>
</tr>
<tr>
<td>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</td>
<td></td>
</tr>
<tr>
<td>Building Regulations in relation to the buildings within 5 years prior to the</td>
<td></td>
</tr>
<tr>
<td>application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the</td>
<td></td>
</tr>
<tr>
<td>land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and</td>
<td></td>
</tr>
<tr>
<td>the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

**Exemption from notice and review**

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.
Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

Buildings and works
Permit requirement
A permit is required to construct a building or construct or carry out works.
This does not apply to:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising or informal outdoor recreation.
- A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
  - The rainwater tank is not located within the building’s setback from a street (other than a lane).
  - The rainwater tank is no higher than the existing building on the site.
  - The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.
- A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.
Sign requirements are at Clause 52.05. This zone is in Category 2.
<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area (m²) for office</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
COMMERCIAL 1 ZONE

Shown on the planning scheme map as B1Z, B2Z, B5Z or C1Z.

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.

To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.

To provide for residential uses at densities complementary to the role and scale of the commercial centre.

Operation
A schedule may apply under this zone to a planning scheme outside of metropolitan Melbourne. That schedule may:

- specify the maximum leasable floor area for office
- specify the maximum leasable floor area for shop (other than restricted retail premises).

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Corrective institution and Rooming house)</td>
<td>Any frontage at ground floor level must not exceed 2 metres (other than a bed and breakfast and caretaker's house).</td>
</tr>
<tr>
<td>Art and craft centre</td>
<td>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>Child care centre</td>
<td>Any frontage at ground floor level must not exceed 2 metres. Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Cinema</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Community care accommodation</td>
<td></td>
</tr>
<tr>
<td>Education centre (other than Child care centre)</td>
<td></td>
</tr>
<tr>
<td>Exhibition centre</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>The leasable floor area for all offices must not exceed any amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Retail premises (other than Shop)</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Any frontage at ground floor level must not exceed 2 metres. Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop)</td>
<td>The leasable floor area for all shops must not exceed any amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td>Agriculture (other than Animal production and Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Industry</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Leisure and recreation facility (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema, Cinema based entertainment facility, Circus, Exhibition centre and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<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>
<tr>
<td>Major sports and recreation facility</td>
<td></td>
</tr>
</tbody>
</table>
Use

Motor racing track

34.01-2
31/07/2013
VC100

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.

34.01-3
31/07/2018
VC148

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>

34.01-4
31/07/2018
VC148

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.

34.01-6

Application requirements

Use

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.
- The means of maintaining land not required for immediate use.
- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced.
  - Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
  - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
  - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

Buildings and works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

**Exemption from notice and review**

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General**
- The interface with adjoining zones, especially the relationship with residential areas.

**Use**
- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

**Subdivision**
- Provision for vehicles providing for supplies, waste removal and emergency services and public transport.
- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.

**Building and works**
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.
- The availability of and connection to services.
- The design of buildings to provide for solar access.
- The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to an apartment development.
- For an apartment development, the objectives, standards and decision guidelines of Clause 58.

**Transitional provisions**

The objectives, standards and decision guidelines of Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 1.
## SCHEDULE TO CLAUSE 34.01 COMMERCIAL 1 ZONE

<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area (m²) for office</th>
<th>Maximum leasable floor area (m²) for shop (other than restricted retail premises)</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
COMMERCIAL 2 ZONE

Shown on the planning scheme map as B3Z, B4Z or C2Z.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

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 listed in the table to Clause 53.10 with no threshold specified.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution:</td>
</tr>
<tr>
<td></td>
<td>• The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>• 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>Must not:</td>
</tr>
<tr>
<td></td>
<td>• Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012.</td>
</tr>
<tr>
<td></td>
<td>• Require a notification under the Occupational Health and Safety Regulations 2017.</td>
</tr>
<tr>
<td></td>
<td>• Require a licence under the Dangerous Goods (Explosives) Regulations 2011.</td>
</tr>
<tr>
<td></td>
<td>• Require a licence under the Dangerous Goods (HCDG) Regulations 2016.</td>
</tr>
<tr>
<td>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>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Postal agency</td>
<td>Must adjoin, or be on the same land as, a supermarket when the use commences.</td>
</tr>
<tr>
<td>Railway</td>
<td>The combined leasable floor area for all shops adjoining or on the same land as the supermarket must not exceed 500 square metres.</td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Restricted retail premises and Supermarket)</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Supermarket</td>
<td>The leasable floor area must not exceed 1800 square metres.</td>
</tr>
<tr>
<td>Trade supplies</td>
<td>Must be on land within the City of Greater Geelong or within an urban growth boundary in metropolitan Melbourne.</td>
</tr>
<tr>
<td>Tramway</td>
<td>Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified.</td>
</tr>
<tr>
<td>Warehouse (other than Mail centre)</td>
<td>The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or corrective institution:</td>
</tr>
<tr>
<td></td>
<td>• The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>• 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>Must not:</td>
</tr>
<tr>
<td></td>
<td>• Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012.</td>
</tr>
<tr>
<td></td>
<td>• Require a notification under the Occupational Health and Safety Regulations 2017.</td>
</tr>
<tr>
<td></td>
<td>• Require a licence under the Dangerous Goods (Explosives) Regulations 2011.</td>
</tr>
<tr>
<td></td>
<td>• Require a licence under the Dangerous Goods (HCDG) Regulations 2016.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>
# Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td>Agriculture (other than Animal production and Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation,</td>
<td></td>
</tr>
<tr>
<td>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</td>
<td></td>
</tr>
<tr>
<td>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,</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises, Supermarket and Trade supplies)</td>
<td></td>
</tr>
<tr>
<td>Supermarket – if the Section 1 conditions are not met</td>
<td>The leasable floor area must not exceed 1800 square metres unless on land within the City of Greater Geelong or within an urban growth boundary in metropolitan Melbourne. The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Transfer station</td>
<td>The land must be at least 30 metres from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

# Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Caretaker’s house and Residential hotel)</td>
<td></td>
</tr>
</tbody>
</table>
Use

Animal production (other than Grazing animal production)
Hospital
Major sports and recreation facility
Motor racing track

Use of land
A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Subdivision
A permit is required to subdivide land.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>
Buildings and works

A permit is required to construct a building or construct or carry out works. This does not apply to:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 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 provisions specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- 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>

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>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>• Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>• Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not exceed either:</td>
</tr>
<tr>
<td></td>
<td>• 3000 square metres.</td>
</tr>
<tr>
<td></td>
<td>• 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td>Service station</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>Store</td>
<td>Must meet the requirements of Clause 53.11.</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>Any other use not in Section 1 or 3</td>
</tr>
<tr>
<td>Section 3 - Prohibited</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td></td>
</tr>
<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.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- Each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td></td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td>Clause 59.12</td>
</tr>
</tbody>
</table>

Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.03-1. This does not apply to:
- An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

- An out-building associated with an existing dwelling provided the floor area of the out-building is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

- An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is not more than the area specified in the schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres. The building must not be used to keep, board, breed or train animals.

- A rainwater tank.

- Earthworks specified in a schedule to this zone, if on land specified in a schedule.

- A building which is within any of the following setbacks:
  - The setback from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1 specified in the schedule to this zone or, if no setback is specified, 30 metres.
  - The setback from any other road or boundary specified in the schedule to this zone.
  - The distance from a dwelling not in the same ownership specified in the schedule to this zone.
  - 100 metres from a waterway, wetlands or designated flood plain.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $250,000 where the land is not:</td>
<td>Clause 59.13</td>
</tr>
</tbody>
</table>

- Used for Domestic animal husbandry, 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.

**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 2 TO THE RURAL LIVING ZONE

Shown on the planning scheme map as **RLZ2**

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land 2 hectares</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to use land for a dwelling (hectares).</td>
<td>All land 2 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 an existing dwelling (square metres)</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a road (metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a boundary (metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a dwelling not in the same ownership (metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

## Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
</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>
GREEN WEDGE ZONE

Shown on the planning scheme map as GWZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for the use of land for agriculture.
To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.
To encourage use and development that is consistent with sustainable land management practices.
To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.
To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.
To protect and conserve the biodiversity of the area.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Must be no more than 100 poultry (not including emus or ostriches).</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>Must not be within 100 metres of a dwelling in separate ownership.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>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><strong>Group accommodation</strong></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 dwellings must not exceed the number specified in a schedule to the zone or 40 dwellings, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td><strong>Hall</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Host farm</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Indoor recreation facility</strong></td>
<td>Must be for equestrian based leisure, recreation or sport.</td>
</tr>
<tr>
<td><strong>Leisure and recreation (other than Indoor recreation facility, Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Major sports and recreation facility</strong></td>
<td>Must be for outdoor leisure, recreation or sport.</td>
</tr>
<tr>
<td><strong>Manufacturing sales</strong></td>
<td>Must be an incidental part of Rural industry.</td>
</tr>
<tr>
<td><strong>Market</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Materials recycling</strong></td>
<td>Must be used in conjunction with Refuse disposal or Transfer station.</td>
</tr>
<tr>
<td></td>
<td>Must not include the collecting, dismantling, storing, recycling or selling of used or scrap construction and demolition materials.</td>
</tr>
<tr>
<td><strong>Milk depot</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Place of assembly (other than Carnival, Cinema based entertainment facility, Circus, Exhibition centre, Function centre, Hall, Nightclub and Place of worship)</strong></td>
<td>Must not be used for more than 10 days in a calendar year.</td>
</tr>
<tr>
<td><strong>Place of worship</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Plant nursery</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Primary school</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Racing dog husbandry – if the Section 1 condition is not met</strong></td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td><strong>Refuse disposal</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Research and development centre</strong></td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td><strong>Research centre</strong></td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Residential building (other than Residential hotel) | 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. |
| Residential hotel                        | 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. |
| Restaurant                                | 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. |
| Restricted place of assembly              | Must not be used for more than 30 days in a calendar year. |
| Rice growing                              |                                                                                                                                              |
| Rural industry                            |                                                                                                                                              |
| Secondary school                          |                                                                                                                                              |
| Solid fuel depot                          |                                                                                                                                              |
| Timber production                         | Must meet the requirements of Clause 53.11.                                                                                                                                                        |
| Transfer station                          | Must not include the collecting, storing or processing of used or scrap construction and demolition materials.                                                                                      |
| Utility installation (other than Minor utility installation and Telecommunications facility) |                                                                                                                                              |
| Vehicle store                             |                                                                                                                                              |
| 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 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>Cinema based entertainment facility</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 Materials recycling, Refuse disposal, Transfer station, Research and development centre and Rural industry)</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Office</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>Retail premises (other than Manufacturing sales, Market, Plant nursery, Primary produce sales and Restaurant)</td>
</tr>
<tr>
<td>Service station</td>
</tr>
<tr>
<td>Warehouse (other than Freezing and cool storage, Milk depot, Rural store, Solid fuel depot and Vehicle store)</td>
</tr>
</tbody>
</table>

#### 35.04-2

**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.

#### 35.04-3

**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: Each new lot is at least the area specified for the land in the zone or the schedule to the zone. The area of either lot is reduced by less than 15 percent. The general direction of the common boundary does not change.</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td>Clause 59.12</td>
</tr>
</tbody>
</table>

### 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**

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>
</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. |

**Decision guidelines**

Before deciding on an application to use or subdivide land, lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General issues**

- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development.
- How the use or development relates to rural land use, rural diversification, natural resource management, natural or cultural heritage management, recreation or tourism.
- Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.
- Whether the use or development is essential to the health, safety or well-being of the State or area but is not appropriate to locate in an urban area because of the effect it may have on existing or proposed urban areas or the effect that existing or proposed urban areas may have on the proposed use or development.
- The need to minimise adverse impacts on the character and appearance of the area or features of architectural, scientific or cultural heritage significance, or of natural scenic beauty.
Rural issues

- The maintenance of agricultural production and the impact on the rural economy.
- The environmental capacity of the site to sustain the rural enterprise.
- The need to prepare an integrated land management plan.
- The impact on the existing and proposed rural infrastructure.
- The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agriculture and other land uses.
- The protection and retention of land for future sustainable agricultural activities.

Environmental issues

- The impact of the use or development on the flora and fauna on the site and its surrounds.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- How the use or development relates to sustainable land management and the need to prepare an integrated land management plan.
- The location of on site effluent disposal areas to minimise impact of nutrient loads on waterways and native vegetation.

Design and siting issues

- The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.
- The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.
- The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.

Primary school or secondary school issues

- Access being provided via an all-weather road with dimensions adequate to accommodate emergency vehicles and not rely on local residential streets for access.
- Access by public transport, or if public transport is not available or adequate, transport may be provided by the school. Where transport is provided by the school the parking of buses should be accommodated on site.
- Connection to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- Connection to a reticulated potable water supply or an alternative potable water supply with adequate storage for school use as well as for fire fighting purposes.
- Connection to a reticulated electricity supply or an alternative energy source.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.
## SCHEDULE 1 TO THE GREEN WEDGE ZONE

Shown on the planning scheme map as **GWZ1**.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Function centre (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Group accommodation (number of dwellings).</td>
<td>None specified</td>
</tr>
<tr>
<td>Residential hotel (number of bedrooms).</td>
<td>None specified</td>
</tr>
<tr>
<td>Restaurant (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
</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 THE GREEN WEDGE ZONE

Shown on the planning scheme map as **GWZ2**.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Function centre (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Group accommodation (number of dwellings).</td>
<td>None specified</td>
</tr>
<tr>
<td>Residential hotel (number of bedrooms).</td>
<td>None specified</td>
</tr>
<tr>
<td>Restaurant (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

**Permit requirement for earthworks**

<table>
<thead>
<tr>
<th>Land</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
<td>All land</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>All land</td>
</tr>
</tbody>
</table>
**SCHEDULE 3 TO THE GREEN WEDGE ZONE**

Shown on the planning scheme map as **GWZ3**.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Function centre</td>
<td>None specified</td>
</tr>
<tr>
<td>(number of patrons).</td>
<td></td>
</tr>
<tr>
<td>Group accommodation</td>
<td>None specified</td>
</tr>
<tr>
<td>(number of dwellings).</td>
<td></td>
</tr>
<tr>
<td>Residential hotel</td>
<td>None specified</td>
</tr>
<tr>
<td>(number of bedrooms).</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td>None specified</td>
</tr>
<tr>
<td>(number of patrons).</td>
<td></td>
</tr>
<tr>
<td>Minimum area for which no 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>

<table>
<thead>
<tr>
<th>Permit requirement for earthworks</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>All land</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>All land</td>
</tr>
</tbody>
</table>
SCHEDULE 4 TO THE GREEN WEDGE ZONE

Shown on the planning scheme map as **GWZ4**.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Function centre (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Group accommodation (number of dwellings).</td>
<td>None specified</td>
</tr>
<tr>
<td>Residential hotel (number of bedrooms).</td>
<td>None specified</td>
</tr>
<tr>
<td>Restaurant (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Permit requirement for earthworks</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>All land</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>All land</td>
</tr>
</tbody>
</table>
**SCHEDULE 5 TO THE GREEN WEDGE ZONE**

Shown on the planning scheme map as **GWZ5**.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area</td>
<td>All land</td>
</tr>
<tr>
<td>Function centre</td>
<td>None specified</td>
</tr>
<tr>
<td>Group accommodation</td>
<td>None specified</td>
</tr>
<tr>
<td>Residential hotel</td>
<td>None specified</td>
</tr>
<tr>
<td>Restaurant</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for alteration</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for agriculture</td>
<td>None specified</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Permit requirement for earthworks</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>All land</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>All land</td>
</tr>
</tbody>
</table>
## SCHEDULE 6 TO THE GREEN WEDGE ZONE

Shown on the planning scheme map as **GWZ6**.

<table>
<thead>
<tr>
<th>Area/Dimensions/Number</th>
<th>Land</th>
<th>Minimum subdivision area (hectares)</th>
<th>Function centre (number of patrons)</th>
<th>Group accommodation (number of dwellings)</th>
<th>Residential hotel (number of bedrooms)</th>
<th>Restaurant (number of patrons)</th>
<th>Minimum area for which no permit is required to alter or extend an existing dwelling (square metres)</th>
<th>Minimum area for which no permit is required to alter or extend an existing building used for agriculture (square metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All land</td>
<td>40 hectares</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</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>
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>
</table>
| Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production) | 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. |
| Bed and breakfast                                                   |                                                                           |
| Domestic animal husbandry (other than Domestic animal boarding)    | Must be no more than 2 animals.                                            |
| Home based business                                                |                                                                           |
| Informal outdoor recreation                                        |                                                                           |
| Poultry farm                                                       | Must be no more than 100 poultry (not including emus or ostriches).        
Must be no more than 10 emus and ostriches.                          |
| Primary produce sales                                              | 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. |
<p>| Racing dog husbandry                                               | Must be no more than 2 animals.                                            |
| Railway                                                            |                                                                           |
| Rural store                                                        | Must be used in conjunction with Agriculture.                             |</p>
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal production (other than Broiler farm and Intensive animal 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>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>Section 2 - Permit required</td>
<td></td>
</tr>
<tr>
<td>Animal production (other than Broiler farm and Intensive animal 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. Must meet the requirements of Clause 35.05-2.</td>
</tr>
<tr>
<td>Domestic animal boarding</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>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>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>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>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>The lot on which the use is conducted</td>
<td>The lot on which the use is conducted must be at least the minimum</td>
</tr>
<tr>
<td>The lot on which the use is conducted</td>
<td>subdivision area specified in a schedule to this zone. If no area is</td>
</tr>
<tr>
<td>The lot on which the use is conducted</td>
<td>specified, the lot must be at least 8 hectares.</td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td>Must not be used for more than 30 days in a calendar year.</td>
</tr>
<tr>
<td>Rural industry (other than Abattoir</td>
<td>Must be in a building, not a dwelling, and used to store equipment,</td>
</tr>
<tr>
<td>and Sawmill)</td>
<td>goods, or motor vehicles used in conjunction with the occupation of</td>
</tr>
<tr>
<td>Rice growing</td>
<td>a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Rural store – if the Section 1 condition is not met</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Secondary school</td>
<td>Must meet the requirements of Clause 53.11.</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>Must be in a building, not a dwelling and used to store motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Vehicle store</td>
<td>Must be in a building, not a dwelling and used to store motor vehicles</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td>used in conjunction with the occupation of a resident of a dwelling on</td>
</tr>
<tr>
<td></td>
<td>the lot.</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**

- Sawmill
- Service station
- Transport terminal
- Warehouse (other than Freezing and cool storage, Rural store and Vehicle store)

### 35.05-2

**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.

### 35.05-3

**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>
Class of application | Information requirements and decision guidelines
--- | ---
Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone. | Clause 59.12

### 35.05-4

**Long term lease or licence for accommodation**

A permit is required to lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation.

Each portion of a lot leased or licensed for the purpose of Accommodation must be at least the minimum subdivision area specified for the land in a schedule to this zone. If no area is specified, each portion of a lot leased or licensed for the purpose of Accommodation must be at least 8 hectares.

### 35.05-5

**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.

<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>
</tbody>
</table>
  - Used for Domestic animal husbandry, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry. |
### Class of application

- 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.

### 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 1 TO CLAUSE 35.05 GREEN WEDGE A ZONE

Shown on the planning scheme map as GWAZ1.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Function centre (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Group accommodation (number of dwellings).</td>
<td>None specified</td>
</tr>
<tr>
<td>Residential building (number of bedrooms).</td>
<td>None specified</td>
</tr>
<tr>
<td>Restaurant (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Permit requirement for earthworks</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>All land</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>All land</td>
</tr>
</tbody>
</table>
### SCHEDULE 2 TO CLAUSE 35.05 GREEN WEDGE A ZONE

Shown on the planning scheme map as **GWAZ2**.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Function centre (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Group accommodation (number of dwellings).</td>
<td>None specified</td>
</tr>
<tr>
<td>Residential building (number of bedrooms).</td>
<td>None specified</td>
</tr>
<tr>
<td>Restaurant (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
<th>Permits required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
<td>All land</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>All land</td>
</tr>
</tbody>
</table>
**SCHEDULE 4 TO CLAUSE 35.05 GREEN WEDGE A ZONE**

Shown on the planning scheme map as **GWAZ4**.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Function centre</td>
<td>None specified</td>
</tr>
<tr>
<td>(number of patrons).</td>
<td></td>
</tr>
<tr>
<td>Group accommodation</td>
<td>None specified</td>
</tr>
<tr>
<td>(number of dwellings).</td>
<td></td>
</tr>
<tr>
<td>Residential building</td>
<td>None specified</td>
</tr>
<tr>
<td>(number of bedrooms).</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td>None specified</td>
</tr>
<tr>
<td>(number of patrons).</td>
<td></td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

**Permit requirement for earthworks**

<table>
<thead>
<tr>
<th>Land</th>
</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 5 TO CLAUSE 35.05 GREEN WEDGE A ZONE

Shown on the planning scheme map as GWAZ5.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area</td>
<td>All land</td>
</tr>
<tr>
<td>(hectares).</td>
<td>2.4 hectares</td>
</tr>
<tr>
<td>Function centre</td>
<td>None specified</td>
</tr>
<tr>
<td>(number of patrons).</td>
<td></td>
</tr>
<tr>
<td>Group accommodation</td>
<td>None specified</td>
</tr>
<tr>
<td>(number of dwellings).</td>
<td></td>
</tr>
<tr>
<td>Residential building</td>
<td>None specified</td>
</tr>
<tr>
<td>(number of bedrooms).</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td>None specified</td>
</tr>
<tr>
<td>(number of patrons).</td>
<td></td>
</tr>
<tr>
<td>Minimum area for which no</td>
<td>None specified</td>
</tr>
<tr>
<td>permit is required to alter</td>
<td></td>
</tr>
<tr>
<td>or extend an existing dwelling</td>
<td></td>
</tr>
<tr>
<td>(square metres).</td>
<td></td>
</tr>
</tbody>
</table>

**Permit requirement for earthworks**

<table>
<thead>
<tr>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earthworks which change the</td>
</tr>
<tr>
<td>rate of flow or the discharge</td>
</tr>
<tr>
<td>point of water across a</td>
</tr>
<tr>
<td>property boundary.</td>
</tr>
<tr>
<td>All land</td>
</tr>
<tr>
<td>Earthworks which increase the</td>
</tr>
<tr>
<td>discharge of saline</td>
</tr>
<tr>
<td>groundwater.</td>
</tr>
<tr>
<td>All land</td>
</tr>
</tbody>
</table>
SCHEDULE 6 TO CLAUSE 35.05 GREEN WEDGE A ZONE

Shown on the planning scheme map as **GWAZ6**.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Function centre (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Group accommodation (number of dwellings).</td>
<td>None specified</td>
</tr>
<tr>
<td>Residential building (number of bedrooms).</td>
<td>None specified</td>
</tr>
<tr>
<td>Restaurant (number of patrons).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Permit requirement for earthworks</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>All land</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>All land</td>
</tr>
</tbody>
</table>
RURAL CONSERVATION ZONE
Shown on the planning scheme map as RCZ with a number (if shown).

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To conserve the values specified in a schedule to this zone.
To protect and enhance the natural environment and natural processes for their historic, archaeological and scientific interest, landscape, faunal habitat and cultural values.
To protect and enhance natural resources and the biodiversity of the area.
To encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.
To provide for agricultural use consistent with the conservation of environmental and landscape values of the area.
To conserve and enhance the cultural significance and character of open rural and scenic non urban landscapes.

Table of uses
Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</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>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>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>
### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Apiculture, Broiler farm, Domestic animal husbandry, Intensive animal production, Racing dog husbandry, Rice growing and Timber production)</td>
<td></td>
</tr>
<tr>
<td>Broiler farm - if the Section 1 condition to Poultry farm is not met</td>
<td>Must be no more than 10,000 chickens.</td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Stand-alone</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>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-------------------------------------------------------------------</td>
<td>------------------------------------------------</td>
</tr>
<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>Any works must not be earthworks specified in the schedule to the zone.</td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application to use or subdivide land, lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General issues**


- Any Regional Catchment Strategy and associated plan applying to the land.

- The capability of the land to accommodate the proposed use or development.

- How the use or development conserves the values identified for the land in a schedule.
Whether use or development protects and enhances the environmental, agricultural and landscape qualities of the site and its surrounds.

Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.

**Rural issues**
- The environmental capacity of the site to sustain the rural enterprise.
- The need to prepare an integrated land management plan.
- The impact on the existing and proposed infrastructure.
- Whether the use or development will have an adverse impact on surrounding land uses.

**Environmental issues**
- An assessment of the likely environmental impact on the biodiversity and in particular the flora and fauna of the area.
- The protection and enhancement of the natural environment of the area, including the retention of vegetation and faunal habitats and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
- How the use and development relates to sustainable land management and the need to prepare an integrated land management plan which addresses the protection and enhancement of native vegetation and waterways, stabilisation of soil and pest plant and animal control.
- The location of on site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

**Dwelling issues**
- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.

**Design and siting issues**
- The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.
- The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.
- The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of roads and existing and proposed infrastructure services to minimise the visual impact on the landscape.

**Signs**
Sign requirements are at Clause 52.05. This zone is in Category 4.
SCHEDULE TO THE RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ**.

CONSERVATION VALUES

To maintain the biodiversity of these ecologically sensitive areas and conserve the valued environment, landscapes and landforms.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land 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 floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

**Permit requirement for earthworks**

- Earthworks which change the rate of flow or the discharge point of water across a property boundary. **All land**
- Earthworks which increase the discharge of saline groundwater. **All land**
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><strong>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)</strong></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><strong>Bed and breakfast</strong></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><strong>Cattle feedlot</strong></td>
<td>Must meet the requirements of Clause 53.08. The total number of cattle to be housed in the cattle feedlot must be 1000 or less. The site must be located outside a special water supply catchment under the <em>Catchment and Land Protection Act 1994</em>. The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.</td>
</tr>
<tr>
<td><strong>Dependent person’s unit</strong></td>
<td>Must be the only dependent person’s unit on the lot. Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td><strong>Domestic animal husbandry (other than Domestic animal boarding)</strong></td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td><strong>Dwelling (other than Bed and breakfast)</strong></td>
<td>Must be the only dwelling on the lot. The lot must be at least the area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Must be no more than 100 poultry (not including emus or ostriches). Must be no more than 10 emus and ostriches.</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>Must not be within 100 metres of a dwelling in separate ownership. The area used for the display and sale of primary produce must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
</tbody>
</table>
| Rural industry (other than Abattoir and Sawmill) | Must not have a gross floor area more than 200 square metres. Must not be within 100 metres of a dwelling in separate ownership. Must not be a purpose listed in the table to Clause 53.10 with no threshold distance specified. The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution:  
  - The threshold distance, for a purpose listed in the table to Clause 53.10.  
  - 30 metres, for a purpose not listed in the table to Clause 53.10. Must not:  
    - Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012.  
    - Require a notification under the Occupational Health and Safety Regulations 2017.  
    - Require a licence under the Dangerous Goods (Explosives) Regulations 2011.  
    - Require a licence under the Dangerous Goods (HCDG) Regulations 2016.  
| Rural store                | Must be used in conjunction with Agriculture. 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. |
| Timber production          | Must meet the requirements of Clause 53.11.                                                                                             |
### Condition Use

The plantation area must not exceed any area specified in a schedule to this zone. Any area specified must be at least 40 hectares.

The total plantation area (existing and proposed) on contiguous land which was in the same ownership on or after 28 October 1993 must not exceed any scheduled area.

The plantation must not be within 100 metres of:

- Any dwelling in separate ownership.
- Any land zoned for residential, commercial or industrial use.
- Any site specified on a permit which is in force which permits a dwelling to be constructed.

The plantation must not be within 20 metres of a powerline whether on private or public land, except with the consent of the relevant electricity supply or distribution authority.

### Tramway

**Any use listed in Clause 62.01**

Must meet requirements of Clause 62.01.

### Section 2 – Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Abattoir</strong></td>
<td></td>
</tr>
<tr>
<td>Animal production (other than Broiler farm, Cattle feedlot and Grazing animal production)</td>
<td></td>
</tr>
<tr>
<td><strong>Broiler farm - if the Section 1 condition to Poultry farm is not met</strong></td>
<td>Must meet the requirements of Clause 53.09.</td>
</tr>
<tr>
<td><strong>Camping and caravan park</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Car park</strong></td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td><strong>Cattle feedlot – if the Section 1 condition is not met</strong></td>
<td>Must meet the requirements of Clause 53.08.</td>
</tr>
<tr>
<td></td>
<td>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.</td>
</tr>
<tr>
<td><strong>Cemetery</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Crematorium</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Dependent person’s unit – if the Section 1 condition is not met</strong></td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td><strong>Domestic animal boarding</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met</strong></td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Emergency services facility</td>
<td>Must meet the requirements of Clause 53.05.</td>
</tr>
<tr>
<td>Freeway service centre</td>
<td></td>
</tr>
<tr>
<td>Group accommodation</td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Rural industry)</td>
<td></td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Primary school</td>
<td></td>
</tr>
<tr>
<td>Racing dog husbandry – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td>Renewable energy facility (other than Wind energy facility)</td>
<td>Must meet the requirements of Clause 53.13.</td>
</tr>
<tr>
<td>Residential hotel</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td></td>
</tr>
<tr>
<td>Rice growing</td>
<td></td>
</tr>
<tr>
<td>Sawmill</td>
<td></td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td>Timber production – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
<tr>
<td>Trade supplies</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Rural store)</td>
<td></td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Must meet the requirements of Clause 52.32.</td>
</tr>
<tr>
<td>Winery</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>
Section 3 – Prohibited

Use

Accommodation (other than Bed and breakfast, Camping and caravan park, Dependent person’s unit, Dwelling, Group accommodation, Host farm and Residential hotel)

Amusement parlour

Brothel

Cinema based entertainment facility

Education centre (other than Primary school and Secondary school)

Nightclub

Office

Retail premises (other than Market, Landscape gardening supplies, Manufacturing sales, Primary produce sales, Restaurant and Trade supplies)

35.07-2

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.

35.07-3

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.
Class of application | Information requirements and decision guidelines
--- | ---
Subdivide land to realign the common boundary between 2 lots where: Clause 59.01
- Each new lot is at least the area specified for the land in the zone or the schedule to the zone.
- The area of either lot is reduced by less than 15 percent.
- The general direction of the common boundary does not change.

Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone. Clause 59.12

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. Any works must not be earthworks specified in the schedule to the zone.</td>
<td>Clause 59.13</td>
</tr>
</tbody>
</table>
| 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:  
  - 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. | Clause 59.13 |

---

**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 THE FARMING ZONE**

Shown on the planning scheme map as FZ1

<table>
<thead>
<tr>
<th><strong>Land</strong></th>
<th><strong>Area/Dimensions/Distance</strong></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>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</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**

- Earthworks which change the rate of flow or the discharge point of water across a property boundary.
  - All land

- Earthworks which increase the discharge of saline groundwater.
  - All land
**CASEY PLANNING SCHEME**

**SCHEDULE 2 TO THE FARMING ZONE**

Shown on the planning scheme map as **FZ2**

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land 40 hectares</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to use land for a dwelling (hectares).</td>
<td>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</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 1 100 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**

- **Land**
  - Earthworks which change the rate of flow or the discharge point of water across a property boundary. All land
  - Earthworks which increase the discharge of saline groundwater. All land
### SCHEDULE 3 TO THE FARMING ZONE

Shown on the planning scheme map as **FZ3**.

<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>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</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>
<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>All land</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>All land</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</td>
</tr>
<tr>
<td></td>
<td>36.01-6 which corresponds to the notation on the planning scheme</td>
</tr>
<tr>
<td></td>
<td>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></th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
</tr>
</tbody>
</table>

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works for any use in Section 2 of Clause 36.01-1. This does not apply to navigational beacons and aids.
- Subdivide land.

Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
To the application for permit being made and to the proposed use or development.

Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The comments of any Minister or public land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

Permit not required

A permit is not required to use land, or to construct a building or construct or carry out works on land, listed in a schedule to this zone, provided any condition in the schedule is complied with.

Table of public land use

<table>
<thead>
<tr>
<th>Shown on the planning scheme map</th>
<th>Purpose of public land use</th>
</tr>
</thead>
<tbody>
<tr>
<td>PUZ1</td>
<td>Service &amp; Utility</td>
</tr>
<tr>
<td>PUZ2</td>
<td>Education</td>
</tr>
<tr>
<td>PUZ3</td>
<td>Health &amp; Community</td>
</tr>
<tr>
<td>PUZ4</td>
<td>Transport</td>
</tr>
<tr>
<td>PUZ5</td>
<td>Cemetery/Crematorium</td>
</tr>
<tr>
<td>PUZ6</td>
<td>Local Government</td>
</tr>
<tr>
<td>PUZ7</td>
<td>Other public use</td>
</tr>
</tbody>
</table>

Signs

Sign requirements are at Clause 52.05. This zone, except for the PUZ4 (Transport), is in Category 4 unless a different requirement is specified in the schedule to this zone.

For land within the PUZ4 (Transport), the sign category which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

Where the Road Zone is the nearest adjoining zone, a permit is required to display a sign.
### SCHEDULE TO THE PUBLIC USE ZONE

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Casey Hospital Lot 8 PS 439639X (Vol 10514, Fol 782)</td>
<td>Hospital, Residential building, Medical centre, Function centre, Food and drink premises, Shop</td>
<td>1. Use of the land must be carried out in association with the use of the site as a hospital. 2. On site car parking must be conveniently located and provided at a rate to meet the needs of the use to the satisfaction of the responsible authority.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Arcade</td>
<td>2</td>
</tr>
<tr>
<td>Pt CA 21A, 21C, 21D, The Arcade, Junction Village</td>
<td></td>
</tr>
<tr>
<td>Autumn Place</td>
<td>2</td>
</tr>
<tr>
<td>Lot 31 LP 54282 (No. 29), Autumn Place, Doveton</td>
<td></td>
</tr>
<tr>
<td>Spring Square</td>
<td>2</td>
</tr>
<tr>
<td>LP 54909 (No. 4), Princes Domain Drive, Hallam</td>
<td></td>
</tr>
<tr>
<td>The Complex</td>
<td>2</td>
</tr>
<tr>
<td>Pt. CP 152597 (No. 65), Berwick/Cranbourne Road, Cranbourne East</td>
<td></td>
</tr>
<tr>
<td>All other land zoned PUZ2</td>
<td>3</td>
</tr>
<tr>
<td>All other land zoned PUZ6</td>
<td>3</td>
</tr>
<tr>
<td>All other land zoned PUZ7</td>
<td>3</td>
</tr>
<tr>
<td>Casey Hospital</td>
<td>2</td>
</tr>
<tr>
<td>Lot 8 PS 439639X (Vol 10514, Fol 782)</td>
<td></td>
</tr>
<tr>
<td>Station Street, Cranbourne</td>
<td>2</td>
</tr>
<tr>
<td>Part of Lot 1 on Title Plan 562217Y (Vol 01732, Fol 204)</td>
<td></td>
</tr>
<tr>
<td>Patrick Northeast Reserve</td>
<td>2</td>
</tr>
<tr>
<td>Pt Lot 2, LP 113148 (No. 250-340), Princes Highway, Narre Warren</td>
<td></td>
</tr>
</tbody>
</table>
PUBLIC PARK AND RECREATION ZONE

Shown on the planning scheme map as PPRZ.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise areas for public recreation and open space.
To protect and conserve areas of significance where appropriate.
To provide for commercial uses where appropriate.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Open sports ground</td>
<td>Must be conducted by or on behalf of the public land manager.</td>
</tr>
<tr>
<td></td>
<td>Must not be on coastal Crown land under the <em>Coastal Management Act</em> 1995.</td>
</tr>
<tr>
<td></td>
<td>Must not be costeaning or bulk sampling.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Contractor's depot</td>
<td>Must be either of the following:</td>
</tr>
<tr>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Retail premises</td>
<td></td>
</tr>
<tr>
<td>Store</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 3</td>
<td></td>
</tr>
</tbody>
</table>

A use specified in an Incorporated plan in a schedule to this zone.

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractor's depot - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Heliport - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Office - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Retail premises - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Store - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
</tbody>
</table>
Section 3 - Prohibited

Use

- Brothel
- Cinema based entertainment facility
- Corrective institution
- Display home centre
- Funeral parlour
- Industry
- Saleyard
- Transport terminal (other than Heliport)
- Veterinary centre
- Warehouse (other than Store)

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply to:
  - Pathways, trails, seating, picnic tables, drinking taps, shelters, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure.
  - Playground equipment or sporting equipment, provided these facilities do not occupy more than 10 square metres of parkland.
  - Navigational beacons and aids.
  - Planting or landscaping.
  - Fencing that is 1 metre or less in height above ground level.
  - A building or works shown in an Incorporated plan which applies to the land.
  - A building or works carried out by or on behalf of a public land manager or Parks Victoria under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978.

- Subdivide land.

Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.
Exemption from notice and review
An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines
Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

Incorporated plan
An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of any proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses or a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.
- The location of existing native and other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.

Use and development of land identified in a schedule
Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

Signs
Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.
## SCHEDULE TO THE PUBLIC PARK AND RECREATION ZONE

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cranbourne Racecourse</td>
<td>2</td>
</tr>
<tr>
<td>Lot 1, CA 21B (No. 1410), South Gippsland Highway, Cranbourne</td>
<td>3</td>
</tr>
<tr>
<td>All other land</td>
<td>3</td>
</tr>
</tbody>
</table>
PUBLIC CONSERVATION AND RESOURCE ZONE

Shown on the planning scheme map as PCRZ.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To protect and conserve the natural environment and natural processes for their historic, scientific, landscape, habitat or cultural values.

To provide facilities which assist in public education and interpretation of the natural environment with minimal degradation of the natural environment or natural processes.

To provide for appropriate resource based uses.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apiculture</td>
<td>Must meet the requirements of the Apiary Code of Practice, May 2011.</td>
</tr>
<tr>
<td>Boat launching facility</td>
<td>Must be either of the following:</td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td>A use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forests Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978.</td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Interpretation centre</td>
<td></td>
</tr>
<tr>
<td>Jetty</td>
<td></td>
</tr>
<tr>
<td>Kiosk</td>
<td>Specified in an Incorporated plan in a schedule to this zone.</td>
</tr>
<tr>
<td>Marine dredging</td>
<td></td>
</tr>
<tr>
<td>Mooring pole</td>
<td></td>
</tr>
<tr>
<td>Open sports ground</td>
<td></td>
</tr>
<tr>
<td>Pier</td>
<td></td>
</tr>
<tr>
<td>Pontoon</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01 (other</td>
<td></td>
</tr>
<tr>
<td>than Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 2 or 3</td>
<td>Must be a use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forests Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978.</td>
</tr>
</tbody>
</table>
# Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency services facility</td>
<td>Must not be located on land reserved under the <em>National Parks Act 1975</em>.</td>
</tr>
<tr>
<td>Renewable energy facility (other than Wind energy facility)</td>
<td>Must meet the requirements of Clause 53.13.</td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Must not be located on land described in a schedule to the <em>National Parks Act 1975</em>. This does not apply where the Wind energy facility is principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land. Must meet the requirements of Clause 52.32.</td>
</tr>
</tbody>
</table>

# Section 3 - Prohibited

<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*.
- Subdivide land.

## Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.
Where there is no public land manager, an application for a permit must be accompanied by the written consent of the Secretary to the Department of Environment, Land, Water and Planning.

### Exemption from notice and review

An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of section 52(1) (a), (b), and (d), the decision requirements of sections 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

### Referral of applications

An application to use or develop land for the purpose of an emergency services facility must be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

### Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

### Incorporated plan

An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses and a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.
- The location of existing native or other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural, heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.
Use and development of land identified in a schedule

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.
## SCHEDULE TO THE PUBLIC CONSERVATION AND RESOURCE ZONE

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cranbourne Botanical Gardens</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Lot 3/1 LP 210254/ PS 302281, Lot A PS 346783</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>CA 22A, 22B, 23B, (No. 1000) Ballarto Road,</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cranbourne South</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dandenong Police Paddocks</td>
<td></td>
<td></td>
</tr>
<tr>
<td>100 Police Road, Endeavour Hills</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Churchill National Park</td>
<td></td>
<td></td>
</tr>
<tr>
<td>112 Churchill Park Drive, Lysterfield</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lysterfield Park</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pt Lots 6, 7, 8 &amp; 21, LP P9682, Lots 22, 17-20, Pt CA 17, 19, 2 (No. 15), Reservoir Road, Narre Warren North</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Churchill Park Golf Club</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pt. CA 9, 10, 11 &amp; 12, Sec D (No. 113), Churchill Park</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Drive, Endeavour Hills</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cardinia Creek Conservation Corridor</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Advertising Sign Category

- Cranbourne Botanical Gardens: 3
- Dandenong Police Paddocks: 3
- Churchill National Park: 3
- Lysterfield Park: 3
- Churchill Park Golf Club: 3
- Cardinia Creek Conservation Corridor: 3
ROAD ZONE

Shown on the planning scheme map as RDZ1 for a Category 1 road and RDZ2 for a Category 2 road.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify significant existing roads.
To identify land which has been acquired for a significant proposed road.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utility installation (other than Minor utility installation and</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
</tr>
</tbody>
</table>

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works for a use in Section 2 of Clause 36.04-1.
- Subdivide land.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The views of the relevant road authority.
- The effect of the proposal on the operation of the road and on public safety.
Signs

Sign requirements are at Clause 52.05. A permit is required to display a sign over the road formation or over land within 600 millimetres of the road formation. For other land in this zone, the category of advertising control which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

Where the Public Use Zone 4 is the nearest adjoining zone, a permit is required to display a sign.
SPECIAL USE ZONE

Shown on the planning scheme map as SUZ with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To recognise or provide for the use and development of land for specific purposes as identified in a schedule to this zone.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 1 of the schedule to this zone</td>
<td>Must comply with any condition in Section 1 of the schedule to this zone</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 2 of the schedule to this zone</td>
<td>Must comply with any condition in Section 2 of the schedule to this zone</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3 of the schedule to this zone</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 3 of the schedule to this zone</td>
</tr>
</tbody>
</table>

Use of land

Any requirement in the schedule to this zone must be met.

Application requirements

An application to use land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any guidelines in the schedule to this zone.
**Subdivision**

**Permit requirement**

A permit is required to subdivide land.

Any requirement in the schedule to this zone must be met.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>• The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>• The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>• The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>• An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>• The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>• Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>• Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>• The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

**Application requirements**

An application to subdivide land must be accompanied by any information specified in the schedule to this zone.

**Exemption from notice and review**

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any guidelines in the schedule to this zone.
Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.

An apartment development must meet the requirements of Clause 58.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 and the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>• Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>• Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
</tbody>
</table>

Transitional provisions

Clause 58 does not apply to:

• An application for a planning permit lodged before the approval date of Amendment VC136.

• An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

• The Municipal Planning Strategy and the Planning Policy Framework.

• For an apartment development, the objectives, standards and decision guidelines of Clause 58.

• Any guidelines in the schedule to this zone.
Signs

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.
SCHEDULE 1 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ1.

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.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extensive animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal keeping, Animal training, Apiculture, Extensive animal husbandry, Horse stables, and Intensive animal husbandry)</td>
<td>Must be no more than four animals.</td>
</tr>
<tr>
<td>Animal keeping (other than Animal boarding)</td>
<td>Must not be a purpose listed in the table to Clause 52.10.</td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Materials recycling, Refuse disposal, and Transfer station)</td>
<td></td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Refuse disposal</td>
<td></td>
</tr>
</tbody>
</table>
Use | Condition
--- | ---
Transfer station |  
Utility installation (other than Minor utility installation) |  
Warehouse | Must not be a purpose listed in the table to Clause 52.10.

**Section 3 - Prohibited**

**Use**

Accommodation (other than Caretaker’s house and Dependent person’s unit)
Amusement parlour
Animal boarding
Animal training
Brothel
Cinema based entertainment facility
Horse stables
Intensive animal husbandry
Nightclub
Office
Retail premises (other than Landscape gardening supplies and Manufacturing sales)
Saleyard
Service station
Transport terminal
Veterinary centre

**Buildings and works**

**Permit requirement**

The requirement for a permit does not apply to the construction of a building or the construction or carrying out of works which are a modification necessary to comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.
SCHEDULE 3 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ3.

HILLCREST CHRISTIAN COLLEGE

Purpose
To provide for land to be used and developed as an education centre.
To ensure that the development of an education centre takes place in an orderly and proper manner and does not cause a loss of amenity to 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>Agriculture (other than Animal keeping, Apiculture, Intensive animal husbandry, Rice growing and Timber production)</td>
<td>Must be no more than 5 animals</td>
</tr>
<tr>
<td>Animal keeping (other than Animal boarding)</td>
<td>Must meet the requirements of the Apiary Code of Practice, May 1997.</td>
</tr>
<tr>
<td>Apiculture</td>
<td>Must meet the requirements of the Apiary Code of Practice, May 1997.</td>
</tr>
<tr>
<td>Bed and Breakfast</td>
<td>No more than 6 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Cattle feedlot</td>
<td>Must meet the requirements of Clause 52.26.</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>Carnival</td>
<td>Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.</td>
</tr>
<tr>
<td>Circus</td>
<td>Must meet the requirements of A 'Good Neighbour' Code of Practice for a Circus or Carnival, October 1997.</td>
</tr>
</tbody>
</table>

Section 1 - Permit not required (continued)

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dependent person's unit</td>
<td>Must be the only dependent person's unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 2.0 in this schedule.</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 lots must be at least 40 hectares.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 2.0 in this schedule.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Geothermal energy extraction</td>
<td>Must meet the requirements of Clause 52.08-4.</td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mineral exploration</td>
<td></td>
</tr>
<tr>
<td>Mining</td>
<td>Must meet the requirements of Clause 52.08-2.</td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Natural systems</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Search for stone</td>
<td>Must not be costeaming or bulk sampling</td>
</tr>
<tr>
<td>Telecommunications facility</td>
<td>Buildings and works must meet the requirements of Clause 52.19.</td>
</tr>
<tr>
<td>Timber production</td>
<td>Must meet the requirements of Clause 52.18.</td>
</tr>
<tr>
<td></td>
<td>The plantation must not be within 100 metres of:</td>
</tr>
<tr>
<td></td>
<td>• Any dwelling in separate ownership.</td>
</tr>
<tr>
<td></td>
<td>• Any land zoned for residential, business or industrial use.</td>
</tr>
<tr>
<td></td>
<td>• Any site specified on a permit which is in force which permits</td>
</tr>
<tr>
<td></td>
<td>a dwelling to be constructed.</td>
</tr>
<tr>
<td></td>
<td>The plantation must not be within 20 metres of a powerline whether on</td>
</tr>
<tr>
<td></td>
<td>private or public land, except with the consent of the relevant</td>
</tr>
<tr>
<td></td>
<td>electricity supply or distribution authority.</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>Animal boarding</td>
<td></td>
</tr>
<tr>
<td>Broiler farm</td>
<td>Must meet the requirements of Clause 52.31.</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 52.26</td>
</tr>
<tr>
<td></td>
<td>The site must be located outside a catchment area listed in Appendix 2 of</td>
</tr>
<tr>
<td>Cemetery</td>
<td></td>
</tr>
<tr>
<td>Community market</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 2.0 in this schedule.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>------------------------------------------------</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 2.0 in this schedule.</td>
</tr>
<tr>
<td>Education centre</td>
<td>Must meet the requirements of Clause 52.30.</td>
</tr>
<tr>
<td>Emergency services facility</td>
<td></td>
</tr>
<tr>
<td>Freeway service centre</td>
<td>Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or Winery. Must be no more than 6 dwellings.</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>Intensive animal husbandry (other than Broiler farm and Cattle feedlot)</td>
<td></td>
</tr>
<tr>
<td>Interpretation centre</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td></td>
</tr>
<tr>
<td>Mineral, stone, or soil extraction (other than Mineral exploration, Mining, and Search for stone)</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Carnival and Circus)</td>
<td>Must not be used for more than 10 days in a calendar year.</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required (continued)**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Primary produce sales</td>
<td></td>
</tr>
<tr>
<td>Residential hotel</td>
<td>Must be used in conjunction with Agriculture, Outdoor recreation facility, Rural industry, or Winery.</td>
</tr>
<tr>
<td>Restaurant</td>
<td></td>
</tr>
<tr>
<td>Rice growing</td>
<td></td>
</tr>
<tr>
<td>Rural industry</td>
<td></td>
</tr>
<tr>
<td>Rural store</td>
<td></td>
</tr>
<tr>
<td>Saleyard</td>
<td></td>
</tr>
<tr>
<td>Store (other than Freezing and cool storage and Rural store)</td>
<td>Must be in a building, not a dwelling, and used to storey 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 - if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 52.18.</td>
</tr>
<tr>
<td>Condition</td>
<td>Use</td>
</tr>
<tr>
<td>-----------</td>
<td>-----</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Wind energy facility</td>
<td></td>
</tr>
<tr>
<td>Winery</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Dependent person’s unit, Dwelling, Group accommodation, Host farm and Residential hotel)</td>
</tr>
<tr>
<td>Industry (other than Rural industry)</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Retail premises (other than Community market, Manufacturing sales, Primary produce sales and Restaurant)</td>
</tr>
<tr>
<td>Warehouse (other than Store)</td>
</tr>
</tbody>
</table>

**2.0 Use of land**

A lot used for a dwelling or education centre must meet the following requirements:

- Access to the dwelling or education centre must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.

- The dwelling or education centre 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 or education centre 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 education centre must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

**Exemption from notice and review**

An application to use land for the purposes of an education centre is exempt from the notice and review requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

**3.0 Subdivision**

A permit is 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. An agreement under Section 173 of the Act must be entered into with the owner of each lot created which ensures that the land may not be further subdivided so as to create a smaller lot for an existing dwelling. The agreement must be registered on title.
The subdivision is the re-subdivision of existing lots and the number of lots is not increased. An agreement under Section 173 of the Act must be entered into with the owner of each lot created which ensures that the land may not be further subdivided so as to increase the number of lots. The agreement must be registered on title.

The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

The subdivision is for the purpose of creating a road.

A permit to subdivide land must be generally in accordance with the approved Hillcrest Christian College Master Plan and the incorporated Clyde North Precinct Structure Plan, August 2011.

4.0

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 1.0 of this schedule.

This does not apply to:

- An alteration or extension to an existing dwelling with a floor area of no more than 50 square metres.

- An alteration or extension to an existing building used for agriculture with a floor area of no more than 100 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 groundwater.

- A building which is within any of the following setbacks:
  - 100 metres from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1.
  - 40 metres from a Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2.
  - 20 metres from all other roads.
  - 100 metres from a dwelling not in the same ownership.
  - 100 metres from a waterway, wetlands or designated flood plain.

A permit to construct a building or construct or carry out works must be generally in accordance with the approved Hillcrest Christian College Master Plan and the incorporated Clyde North Precinct Structure Plan, August 2011.

The responsible authority may grant a permit to construct a building or construct or carry out works prior to the approval of a master plan provided that the responsible authority is satisfied that the proposed building or works are of a minor nature and the issue of a permit will not prejudice the preparation or approval of a master plan for the site or achievement of the objectives of the Clyde North Precinct Structure Plan, August 2011.

The Hillcrest Christian College Master Plan must include:

- A plan drawn to scale showing the extent of the site and the location of the proposed buildings and works.

- The proposed purpose of each building.

- The maximum number of full time students that will attend the education centre.

- The typical height of each building.
- A general description of the materials to be used in the construction of the buildings.
- A connector road generally in accordance with the incorporated Clyde North Precinct Structure Plan, August 2011.
- The location of vehicular access to and from the site.
- The location of on-site car parking and internal access roads.
- The location of major pedestrian paths on the site.
- A statement of any works required to ensure appropriate safe access to the site.
- The location of any proposed signage visible from the road frontage.
- The type of fencing around the perimeter of the site.
- A landscape concept plan indicating vegetation to be retained and the general theme for the overall landscaping of the site.
- A description of the physical services to be provided for the site.
- An indication of the likely staging and timing of development.

The Hillcrest Christian College Master Plan must be advertised and publicly displayed at the Municipal Offices for a minimum of 14 days.

The responsible authority may not approve the Hillcrest Christian College Master Plan until after the completion of public display of the Master Plan.

When considering the approval of the Hillcrest Christian College Master Plan, the responsible authority must have regard to:

- The effect of the proposed buildings and works on the amenity of the area.
- Long-term strategic planning policy that identifies the land and the surrounding land for future urban development.
- The safe and efficient movement of vehicular traffic to and from the site.
- The adequacy of on-site car parking areas for the convenient use of parents, staff and visitors to the school.
- The movement of pedestrians and cyclists.
- The provision of appropriate landscaping of the site.
- Comments received during the exhibition of the Master Plan.

The Hillcrest Christian College Master Plan may be amended to the satisfaction of the responsible authority. If, in the opinion of the responsible authority, the proposed amendment is significant in nature, then the amendment is subject to the advertising and public display requirements of this clause.

**Exemption from notice and appeal**

An application to construct a building or construct or carry out works that is generally in accordance with the approved Hillcrest Christian College Master Plan and the incorporated Clyde North Precinct Structure Plan, August 2011 is exempt from the notice and review 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.

**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.
6.0

**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**

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development related 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.

**Dwelling issues**

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling is reasonably required for the operation of the agricultural activity conducted on the 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 areas.
- 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 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.
- The integration of the development with the surrounding Clyde North precinct.

**Education centre issues**

- The approved Hillcrest Christian College Master Plan for the site.
SCHEDULE 4 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ4.

THOMPSONS ROAD 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.

Precinct structure plan provisions
A precinct structure plan applies to land when the precinct structure plan is incorporated in this scheme.

1.0 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>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td>Extensive animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</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>Shop (other than Adult sex bookshop, Convenience shop, Restricted retail premises and Supermarket)</td>
<td>Must adjoin, or be on the same lot as, a supermarket when the use commences. The combined leasable floor area for all shops adjoining or on the same lot as the supermarket must not exceed 500 square metres. The site must adjoin, or be within 30 metres of, a road in a Road Zone.</td>
</tr>
<tr>
<td>Supermarket</td>
<td>The leasable floor area must not exceed 1800 square metres.</td>
</tr>
</tbody>
</table>
**Use** | **Condition**
--- | ---
Tramway | Any use listed in Clause 62.01 Must meet the requirements of Clause 62.01.

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex bookshop</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>Education centre</td>
<td>Must not be a primary or secondary school.</td>
</tr>
<tr>
<td>Industry</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td></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>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Mail 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>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Caretaker's house)</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Hospital</td>
<td></td>
</tr>
<tr>
<td>Intensive animal husbandry</td>
<td></td>
</tr>
</tbody>
</table>
## Use

**Major sports and recreation facility**

**Motor racing track**

**Shop (other than Adult sex bookshop, Convenience shop, Restricted retail premises and Supermarket) – if the Section 1 conditions are not met**

**Supermarket – if the Section 1 conditions are not met**

### Subdivision

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.

### 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 precinct structure plan applying to the land.
- Include any conditions or requirements specified in the precinct structure plan.

### 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.

### Advertising signs

Advertising sign requirements are at Clause 52.05. This zone is in Category 3.
SCHEDULE 5 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ5.

CONSERVATION AREAS FOR MELBOURNE’S GROWTH CORRIDORS

To give effect to the Biodiversity Conservation Strategy for Melbourne’s Growth Corridors (Department of Environment and Primary Industries, June 2013) and any approved Precinct Structure Plan that applies to the land that is incorporated in this planning scheme.

To protect land important for the conservation of populations of Growling Grass Frog including land that may be required for:

- Habitat construction or enhancement and associated buffers.
- Works to provide appropriate hydrological regimes and water quality for the Growling Grass Frog.
- Habitat connectivity between populations of Growling Grass Frog.
- The improvement of water condition or ecological function for the Growling Grass Frog.
- Effective implementation of conservation management, weed control, restoration or access for management or maintenance.

To encourage and provide for works and the management of land to protect and enhance the biodiversity values of the land, including restoration, regeneration and revegetation with indigenous species, conserve populations of Growling Grass Frog and provide scientific opportunities.

To provide for use, development and management of land that:

- Is compatible with the long-term maintenance and conservation of the land.
- Is compatible with the conservation outcomes identified in the Biodiversity Conservation Strategy for Melbourne’s Growth Corridors (Department of Environment and Primary Industries, June 2013).
- Will not have a detrimental impact on the biodiversity and other environmental values of the land.

To protect land important to provide habitat connectivity for native flora and fauna.

To provide for the long-term preservation and conservation of ecological communities, habitat, flora and fauna and genetic diversity.

To protect and enhance ecological communities, populations and habitat of matters of national environmental significance listed under the Environment Protection and Biodiversity Conservation Act 1999 (Cth).


Precinct structure plan provisions

A precinct structure plan applies to land when the precinct structure plan is incorporated in this scheme.

Use of land

Any requirement in the Table of uses and any requirement specified in this schedule 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>
<tbody>
<tr>
<td>Natural systems</td>
<td></td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apiculture</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal keeping, Intensive animal husbandry, and Timber production)</td>
<td></td>
</tr>
<tr>
<td>Animal keeping (other than Animal boarding)</td>
<td></td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>Must be an existing dwelling.</td>
</tr>
<tr>
<td></td>
<td>No more than 6 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Carnival</td>
<td></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>Circus</td>
<td></td>
</tr>
<tr>
<td>Community market</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>Emergency services facility</td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td>The goods stored must be agricultural produce, or products used in agriculture on or adjacent to the land.</td>
</tr>
<tr>
<td>Group accommodation</td>
<td>Must be used in conjunction with Agriculture, Rural industry, or winery.</td>
</tr>
<tr>
<td></td>
<td>Must be no more than 6 dwellings.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least 40 hectares.</td>
</tr>
<tr>
<td></td>
<td>Must be restricted to the footprint of existing buildings, gardens and environs and existing agricultural use of the land.</td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td>Must be an existing dwelling.</td>
</tr>
<tr>
<td></td>
<td>Must be in conjunction with the existing use of the land.</td>
</tr>
</tbody>
</table>
### Use
- Informal outdoor recreation
- Interpretation centre
- Minor utility installation
- Open sports ground
- Pleasure boat facility
- Primary produce sales
- Railway

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restaurant</td>
<td>Must be used in conjunction with Agriculture, Rural industry, or Winery.</td>
</tr>
<tr>
<td></td>
<td>The number of patrons present must not exceed 50 patrons.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least 40 hectares.</td>
</tr>
<tr>
<td></td>
<td>Must be restricted to the footprint of existing buildings, gardens and environs and existing agricultural use of the land.</td>
</tr>
<tr>
<td>Road</td>
<td>Must comply with the requirement of clause 5 of this schedule</td>
</tr>
<tr>
<td>Rural industry</td>
<td>Must relate to produce produced on or adjacent to the land</td>
</tr>
<tr>
<td>Rural store</td>
<td>Must relate to produce produced on or adjacent to the land</td>
</tr>
<tr>
<td>Telecommunication facility</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation)</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Winery</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited
- Abattoir
- Accommodation (other than Dependent person’s unit, Group accommodation, Host farm, and Residential hotel)
- Animal boarding
- Apiculture
- Art and craft centre
- Brothel
- Broiler farm
- Cemetery
- Child care centre
- Cinema based entertainment facility
- Cremetorium
### Use

- Dwelling
- Display home
- Earth and energy resources industry
- Education centre
- Emergency services facilities
- Freeway service centre
- Funeral parlour
- Hospital
- Helicopter landing site
- Industry (other than Rural industry)
- Intensive animal husbandry
- Leisure and recreation (other than Informal outdoor recreation and Open sports ground)
- Office
- Place of assembly (other than Carnival and Circus)
- Renewable energy facility
- Research centre
- Residential hotel
- Retail premises (other than Community market, Primary produce sales and restaurant)
- Rice growing
- Saleyard
- Sawmill
- Service station
- Timber production
- Transport terminal
- Veterinary centre
- Warehouse (other than Freezing and cool storage, and Rural store)

### Application requirements

All applications must be accompanied by the following information to the satisfaction of the responsible authority:

- A written statement demonstrating how the proposal will ensure that there is no net loss of habitat for ecological communities and listed species in accordance with the Biodiversity Conservation Strategy for Melbourne's Growth Corridors (Department of Environment and Primary Industries, June 2013).

- A written statement showing how the proposal meets the requirements of:
  - Any precinct structure plan applying to the land; and
  - Any Conservation Management Plan approved for the land by the Secretary to the Department of Sustainability and Environment; and
- any agreement under section 69 of the Conservation Forests and Lands Act 1987 relevant to the land; and
- Melbourne Water where the proposal is within 100 metres of a waterway.
- An Environmental Management Plan.

### Use of land

#### 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 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase. An agreement under Section 173 of the Act must be entered into with the owner of each lot created which ensures that the land may not be further subdivided so as to increase the number of lots. The agreement must be registered on title. The requirement to enter into an agreement only applies to a lot which could be further subdivided in accordance with this scheme.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

A permit granted must be generally in accordance with the precinct structure plan applying to the land.

### 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, 50 square metres. Any area specified must be more than 50 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, 50 square metres. Any area specified must be more than 50 square metres.
- An alteration or extension to an existing building used for agriculture provided the floor
area of the alteration of extension does not exceed the area specified in a schedule to this
zone or, if no area is specified, 50 square metres. Any area specified must be more than 50
square metres. The building must not be used to keep, board, breed or train animals.
- A rainwater tank.

- Earthworks.
- Roadworks or bicycle trails. The construction of a road or bicycle trail must not commence
until a Construction Environmental Management Plan for the relevant works has been approved
to the satisfaction of the Department of Sustainability and Environment.
- 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.

A permit granted must be generally in accordance with the precinct structure plan applying to the
land.

6.0
20/11/2014
C186
Referral of applications

An application to develop land must be referred under Section 55 of the Act to the Secretary for
the Department of Environment and Primary Industries.

7.0
20/11/2014
C186
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.

8.0
20/11/2014
C186
Decision guidelines

General issues

- 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 precinct structure
plan applying to the land.
- 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.

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.

Whether the proposal will result in a net loss of habitat for matters of national environmental significance described in the *Biodiversity Conservation Strategy for Melbourne’s Growth Corridors* (Department of Environment and Primary Industries, 2013).

Whether the proposal is appropriate having regard to biodiversity values of the land recorded in the time stamped data set NV2011_TSGA (Department of Environment and Primary Industries) and the *Biodiversity Conservation Strategy for Melbourne's Growth Corridor* (Department of Environment and Primary Industries, 2014).

**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.

**Advertising signs**

Advertising sign requirements are at Clause 52.05. This zone is in Category 4.
SCHEDULE 6 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ6.

CRANBOURNE RACING COMPLEX AND SURROUNDINGS

Purpose
To provide for the use and development of the land for racing industry related purposes.
To provide for the use and development of the land for community, entertainment and tourism uses and events.
To provide for the protection, retention, enhancement and maintenance of native vegetation and sensitive ecological corridors.
To ensure that the combination of uses, their hours of operation and the form of any development do not prejudice the amenity of surrounding areas.
To provide for the use and development of the land adjacent to the Cranbourne Training Centre for horse stabling purposes.
To provide for the use and development of land in accordance with the Cranbourne Racing Complex and Surrounds Investment and Development Plan.

1.0 Cranbourne Racing Complex and Surrounds Precinct Plan

Map 1 to Schedule 6 to Clause 37.01 shows the precincts of the Cranbourne Racing Complex and Surrounds.
Map 1 to Schedule 6 to Clause 37.01

Cranbourne Racing Complex and Surrounds Precinct Plan
### Table of uses

#### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal husbandry (other than Animal boarding, Apiculture, and Intensive animal husbandry)</td>
<td>Must be located in Precincts 1, 2, 4 and 6.</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Horse stables</td>
<td>Must not be within 30 metres of land in a residential zone.</td>
</tr>
<tr>
<td></td>
<td>Must be located in Precincts 2, 4 and 6.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>Must be in Precincts 1 and 2.</td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Open sports ground</td>
<td></td>
</tr>
<tr>
<td>Saleyard</td>
<td>Must be located in Precincts 1 and 2.</td>
</tr>
<tr>
<td>Veterinary centre</td>
<td>Must be in Precincts 1, 2, 4 and 8.</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 Corrective Institution, Dependent person’s unit, Dwelling, and Residential hotel)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal boarding, Animal husbandry, Animal keeping, Animal training, Apiculture, and Intensive animal husbandry)</td>
<td></td>
</tr>
<tr>
<td>Dependent persons unit</td>
<td>Must be the only dependent person's unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 4.</td>
</tr>
<tr>
<td></td>
<td>Must be located in Precincts 4 and 6.</td>
</tr>
<tr>
<td>Dwelling</td>
<td>Must be the only dwelling on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 4.</td>
</tr>
<tr>
<td></td>
<td>Must be located in Precincts 4 and 6.</td>
</tr>
<tr>
<td>Equestrian supplies</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises</td>
<td></td>
</tr>
<tr>
<td>Function centre</td>
<td></td>
</tr>
<tr>
<td>Gambling premises</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>Must be in association with the racing and equestrian industries.</td>
</tr>
<tr>
<td>Intensive animal husbandry (other than Broiler farm and Cattle feedlot)</td>
<td>Must be in association with the racing and equestrian industries.</td>
</tr>
<tr>
<td>Place of assembly (other than Function centre and Drive-in theatre)</td>
<td></td>
</tr>
<tr>
<td>Residential hotel</td>
<td></td>
</tr>
<tr>
<td>Utility installation</td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must be in association with the racing and equestrian industries.</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>Apiculture</td>
</tr>
<tr>
<td>Broiler farm</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cattle feedlot</td>
</tr>
<tr>
<td>Cemetery</td>
</tr>
<tr>
<td>Crematorium</td>
</tr>
<tr>
<td>Corrective institution</td>
</tr>
</tbody>
</table>

**Development of Land**

A permit is not required to construct a building or carry out works for a use in Section 1 of the Table of Uses, provided that the building or works:

- are not located within 500 metres of a closed or operational landfill; and
- are not to be constructed or carried out within 30 metres of land in a residential zone.

Any permit to use or subdivide land, or construct a building or carry out works, must be generally in accordance with the relevant provisions of the Cranbourne Racing Complex and Surrounds Investment and Development Plan.

**Use for one or two dwellings or a dependent person’s unit**

A lot may be used for one or two dwellings or a dependent person’s unit 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.

- The owner enters into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 (Unless previously provided under Clause 5.0) that provides for or requires that:
  - any dwelling or building used for accommodation in Precinct 4 must be used in conjunction with Horse Stables or be associated with the use of the Cranbourne Racing and Training Complex.

---

## Subdivision

An application to subdivide land must meet the following requirements:

Each lot must be:

- 0.4 hectare for each lot where reticulated sewerage is not connected.
- 0.2 hectare for each lot with connected reticulated sewerage.

A permit may be granted to create smaller lots 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.

Any permit issued is subject to a condition requiring the owner to enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 that provides for or requires that:

- any dwelling or building used for accommodation in Precinct 4 must be used in conjunction with Horse Stables or be associated with the use of the Cranbourne Racing and Training Complex.

---

## Exemption from notice and review

Any application that is generally in accordance with the approved Cranbourne Racing Complex and Surrounds Investment and Development Plan is exempt from the notice and review requirement 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.

---

## Applications on land reserved under the Crown Land (Reserves) Act 1978

An application for a permit by a person other than the relevant public land manager on land which is permanently or temporary reserved for any purpose under the Crown Land (Reserves) Act 1978 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 the permit being made.
- To the application for the permit being made and to the proposed use or development.
Application requirements

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

- A traffic management plan including:
  - The location of vehicular access to and from the site.
  - The location of on-site car parking and internal access roads.
  - The location of major pedestrian paths on the site.
  - A statement of any works required to ensure appropriate safe access to the site
  - An assessment of the impact the proposal would have on any arterial road intersections.

- An Environmental and Pest Management Plan prepared and approved to the satisfaction of the responsible authority including:
  - The impact of the use or development on the flora and fauna on the site and its surrounds and methods to avoid, minimise or mitigate those impacts.
  - The need to protect and enhance the biodiversity of the area, including the retention of native vegetation and fauna habitat and the re-vegetation of important areas of habitat and integration of native vegetation into landscaping of the site.
  - Avoidance and mitigation of impacts to the Southern Brown Bandicoot ecological community and habitat.
  - 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.
  - Water sensitive urban design including methods for water collection and reuse.
  - The management of any impacts on adjoining land associated with the horse racing and training facilities including noise, dust, traffic, hours of operation, night-lighting, light spill, effect on the privacy of adjoining properties, solar access, and glare.
  - The management of impacts, if any, during the construction and carrying out of works, including dust, noise, litter, traffic and other amenity impacts.

- A landscape concept plan indicating vegetation to be retained and the general theme for the overall landscaping of the site including linkages to the Cranbourne Gardens.

- A description of the physical services to be provided for the site.

Any application to use or subdivide land, construct a building or construct or carry out works within 500 metres of a closed or operational landfill must meet (as appropriate) the Best Practice Environmental Management Guideline (Siting, Design Operation and Rehabilitation of Landfills), Environment Protection Authority, Publication 788.2 (2014)) in relation to potential migration of landfill gas.

Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, the responsible authority must consider, as appropriate:

- The location and extent of any buildings and works with respect to the natural environment, landscape values, vistas and water features and the measures to be undertaken to minimise any adverse impacts.

- The comments of any public land manager or other relevant land manager having responsibility for the care and management of the land or adjacent land.

- The impact of any development on the surrounding area.
- The design of buildings works and landscape treatment.
- The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used on the surrounding area.
- The adequacy of car parking supply and layout.
- The safe and efficient movement of vehicular traffic to and from the site.
- The movement of pedestrians and cyclists.
- The objectives and guidelines of the Cranbourne Racing Complex and Surrounds Investment and Development Plan.
- The views of adjoining landowners and stakeholders, including the Cranbourne Gardens.
- The relevant policies and requirements of the Environment Protection Authority, including but not limited to separation distances, noise, music, waste water, and sediment and soil pollution.

**10.0**

Signs

Sign requirements are at Clause 52.05. This zone is included in Category 2.
SCHEDULE 7 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ7.

CARDINIA CREEK SOUTH PRECINCT STRUCTURE PLAN – ELECTRICITY EASEMENT

Purpose

To manage the transition of non-urban land into urban land in accordance with the Cardinia Creek South Precinct Structure Plan.

To provide for a range of uses and the development of land generally in accordance with the Cardinia Creek South 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>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be a use conducted by or on behalf of a public land manager</td>
</tr>
<tr>
<td>Open sports ground</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>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>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Corrective institution</td>
</tr>
<tr>
<td>Display home</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>

2.0 Use of land

A permit granted must:

- Be generally in accordance with the Cardinia Creek South Precinct Structure Plan.
- Include any conditions or requirements specified in the Cardinia Creek South Precinct Structure Plan.
An application for the use of land which is generally in accordance with the *Cardinia Creek South Precinct 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 review rights of Section 82(1) of the Act.

### 3.0 Subdivision

A permit granted must:

- Be generally in accordance with the *Cardinia Creek South Precinct Structure Plan*.
- Include any conditions or requirements specified in the *Cardinia Creek South Precinct Structure Plan*.

An application for the subdivision of land which is generally in accordance with the *Cardinia Creek South Precinct 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 review rights of section 82(1) of the Act.

### 4.0 Buildings and works

No permit is required to construct a building or construct or carry out works for the following:

- 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.
- 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.

The following requirements apply to construct a building or construct or carry out works:

- A permit granted must be generally in accordance with the *Cardinia Creek South Precinct Structure Plan*.
- A permit granted must include any conditions or requirements specified in the *Cardinia Creek South Precinct Structure Plan*.

An application to construct a building or construct or carry out works which is generally in accordance with the *Cardinia Creek South Precinct 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 review rights of Section 82(1) of the Act.

### 5.0 Signs

Sign requirements are at Clause 52.05. All land located within this schedule to the Special Use Zone is in Category 3.
COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as CDZ with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for a range of uses and the development of land in accordance with a comprehensive development plan incorporated in this scheme.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 1 of the schedule to</td>
<td>Must comply with any condition in Section 1 of the schedule to this zone.</td>
</tr>
<tr>
<td>this zone</td>
<td></td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 2 of the schedule to</td>
<td>Must comply with any condition in Section 2 of the schedule to this zone.</td>
</tr>
<tr>
<td>this zone</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3 of</td>
<td></td>
</tr>
<tr>
<td>the schedule to this zone</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

Use

| Any use in Section 3 of the schedule to  |                                                                   |
| this zone                                |                                                                   |

Use of land

Any requirement in the schedule to this zone must be met.

Application requirements

An application to use land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any guidelines in the schedule to this zone.
Subdivision

Permit requirement

A permit is required to subdivide land.

Any requirement in the schedule to this zone must be met.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Application requirements

An application to subdivide land for residential development, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
</tbody>
</table>
Class of subdivision | Objectives and standards to be met
---|---
2 lots | Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

An application to subdivide land must be accompanied by any information specified in the schedule to this zone.

**Exemption from notice and review**

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The objectives and standards of Clause 56.
- Any guidelines in the schedule to this zone.

**Buildings and works**

**Permit requirement**

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.

An apartment development must meet the requirements of Clause 58.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 and the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
</tbody>
</table>

**Transitional provisions**

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**Application requirements**

An application to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.
An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

**Exemption from notice and review**

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if it is generally consistent with the comprehensive development plan.

The schedule to this zone may specify that other applications are also exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- For an apartment development, the objectives, standards and decision guidelines of Clause 58.
- Any guidelines in the schedule to this zone.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.
SCHEDULE 1 TO THE COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as CDZ1

LYNDHURST NEIGHBOURHOOD ACTIVITY CENTRE COMPREHENSIVE DEVELOPMENT PLAN

Land

This Schedule applies to the land in the Lyndhurst Neighbourhood Activity Centre located on at the north-west corner of Thompsons Road and Marriott Boulevard, Lyndhurst.

Purpose

- To provide for the use and development of land generally in accordance with the Lyndhurst Neighbourhood Activity Centre Comprehensive Development Plan.
- To complement the residential development provided as part of the Lynbrook and Lyndhurst Development Plan.
- To provide for the integrated planning, development or subdivision of residential areas in and adjacent to the Lyndhurst Neighbourhood Activity Centre with a mix of community, education, retail, residential and recreational activities.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apiculture</td>
<td>Must meet the requirements of the Apiary Code of Practice, May 1997</td>
</tr>
<tr>
<td>Betting agency</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Carnival</td>
<td>Must meet the requirements of ‘A Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997.</td>
</tr>
<tr>
<td>Circus</td>
<td>Must meet the requirements of ‘A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997.</td>
</tr>
<tr>
<td>Dwelling</td>
<td>Must not be located within the buffer for uses with adverse amenity potential.</td>
</tr>
<tr>
<td></td>
<td>Must be in the higher density residential area as shown in Figure 1 of the Lyndhurst Neighbourhood Activity Centre Comprehensive Development Plan.</td>
</tr>
<tr>
<td></td>
<td>Within the area identified as core retail in Figure 1 of the Lyndhurst Neighbourhood Activity Centre Comprehensive Development Plan the frontage at ground floor level must not exceed 2 metres.</td>
</tr>
<tr>
<td>Electoral office</td>
<td>May be used for only 4 months before an election and 2 weeks after an election.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant, Hotel, Restaurant and Tavern)</td>
<td>Must be located within the area identified as core retail in Figure 1 of the Lyndhurst Neighbourhood Activity Centre Comprehensive Development Plan.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>---------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Home occupation</td>
<td>Must be located within the area identified as core retail in Figure 1 of the Lyndhurst Neighbourhood Activity Centre Comprehensive Development Plan.</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mineral exploration</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Natural systems</td>
<td></td>
</tr>
<tr>
<td>Office (other than Electoral office)</td>
<td>Must be located within the area identified as core retail in Figure 1 of the Lyndhurst Neighbourhood Activity Centre Comprehensive Development Plan.</td>
</tr>
<tr>
<td></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), unless the office is a bank, real estate agency, travel agency, medical centre, or any other office where the floor space adjoining the frontage is a customer service area accessible to the public;</td>
</tr>
<tr>
<td>Postal agency</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Search for stone</td>
<td>Must not be costeaming or bulk sampling.</td>
</tr>
<tr>
<td>Shop (other than Adult sex bookshop)</td>
<td>Must be located within the area identified as core retail in Figure 1 of the Lyndhurst Neighbourhood Activity Centre Comprehensive Development Plan.</td>
</tr>
<tr>
<td>Telecommunications facility</td>
<td>Buildings and works must meet the requirements of Clause 52.19.</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>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>Accommodation</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Apiculture, Intensive Animal Husbandry)</td>
<td></td>
</tr>
<tr>
<td>Bed and Breakfast</td>
<td></td>
</tr>
<tr>
<td>Child care centre</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>Mineral, stone, or soil extraction (other</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>than Extractive industry, Mineral exploration, Mining, and Search for stone)</td>
<td>The site must either be in the area identified as highway related uses in Figure 1 of the Lyndhurst Neighbourhood Activity Centre Comprehensive Development Plan. The site must not exceed either: 3000 square metres. 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</td>
</tr>
<tr>
<td>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Betting agency, Food and drink premises, Postal agency, and Shop)</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td></td>
</tr>
<tr>
<td>The site must be a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
<td></td>
</tr>
<tr>
<td>Store</td>
<td></td>
</tr>
<tr>
<td>Tavern</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>Adult sex bookshop</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>
</tbody>
</table>
### Use

- Motor racing track
- Saleyard
- Transport terminal
- Warehouse (other than Store)

### 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 and 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 Comprehensive Development Plan.

The Urban Design Framework must:

- Be generally in accordance with the Lyndhurst Neighbourhood Activity Centre Comprehensive Development Plan.
- Address the role of the centre as defined in the Casey Activity Centre Strategy (Draft 2009).
- 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 VicRoads.
- Show:
  - A Main Street Based Centre.
  - A highly permeable street block structure.
  - Minimum heights in the main street core.
  - A substantial multi-purpose urban space with a taller enclosed building perimeter.
  - A mixture of uses both vertically and horizontally to facilitate a wide range of uses.
  - A compact urban core which maximises developable area / plot ratio, mix and intensity of activity and housing within walkable distance of the main street heart.
  - Community and business services in the main street which integrates a community centre space and business incubator as appropriate.
  - Multi-purpose, mixed-use buildings in the main street.
  - Individual tenancies through subdivision to facilitate evolution and change in the centre over time.

- Set out how the design responds to feedback received from consultation with infrastructure agencies or landowners within the centre.
- Set out how it has responded to any activity centre, safer design or other relevant design guidelines incorporated or referenced in the planning scheme.
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.

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.

Include guidelines to improve environmental sustainability including integrated water management and energy conservation.

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 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 the Director of Public Transport.

Set out design guidelines for the provision of advertising 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.

Show how opportunities for housing are incorporated as a core component of the activity centre.

The responsible authority may waive or reduce a requirement of this clause if it is satisfied that it is not relevant to the assessment of the application or has been previously satisfied.

**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, 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.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The requirements of this Schedule, the State and Local Planning Policy Frameworks, and the Lyndhurst Neighbourhood Activity Centre Comprehensive Development Plan at Clause 81 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 requirement**

A permit is required to subdivide 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 requirements of this Schedule, the State and Local Planning Policy Frameworks, the Lyndhurst Neighbourhood Activity Centre Comprehensive Development Plan at Clause 81 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 Requirement**

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 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.

- Identification of proposed bus routes and bus stop locations to the satisfaction of the Department of Transport.
- 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.
- A traffic impact assessment 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 requirements of this Schedule, the State and Local Planning Policy Frameworks, the Lyndhurst Neighbourhood Activity Centre Comprehensive Development Plan at Clause 81 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 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.
- 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 a development of four 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 Act.

### Advertising signs

Advertising sign requirements are at Clause 52.05. All land is in Category 1.

### Exemption from notice and review

An application under any provision of this scheme which is generally in accordance with the Lyndhurst 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.

**Notes:** Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.

Other requirements may also apply. These can be found at Particular Provisions.
37.03  
31/07/2018  
VC148

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).

37.03-1  
21/09/2018  
VC150

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal production and Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Indoor recreation facility, and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01 if any requirement is not met</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Indoor recreation facility</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 2</td>
</tr>
</tbody>
</table>

37.03-2  
16/01/2018  
VC142

Buildings and works

A permit is required to construct a building or construct or carry out works, including:

- A fence.
- Roadworks, if the water flowpath is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.

This does not apply to:
- Flood mitigation works carried out by the responsible authority or floodplain management authority.
- The following works in accordance with plans prepared to the satisfaction of the responsible authority:
  - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
  - The erection of telephone or power lines provided they do not involve the construction of towers or poles.
- Post and wire and post and rail fencing.

### 37.03-3 Subdivision

A permit is required to subdivide land. A permit may only be granted to subdivide land if the following apply:

- The subdivision does not create any new lots, which are entirely within this zone. This does not apply if the subdivision creates a lot, which by agreement between the owner and the relevant floodplain management authority, is to be transferred to an authority for a public purpose.
- The subdivision is the resubdivision of existing lots and the number of lots is not increased, unless a local floodplain development plan incorporated into this scheme specifically provides otherwise.

### 37.03-4 Application requirements

#### General

An application must be accompanied by any information specified in the schedule to this zone.

#### Local floodplain development plan

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

#### Flood risk report

If a local floodplain development plan for the area has not been incorporated into this scheme, an application must be accompanied by a flood risk report to the satisfaction of the responsible authority. The flood risk report must consider the following, where applicable:
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this zone.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effects of the development on environmental values such as natural habitat, stream stability, erosion, water quality and sites of scientific significance.

**37.03-5**

*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**

*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**

*Signs*

Sign requirements are at Clause 52.05. This zone is in Category 4 unless the schedule to this zone specifies a different category.
## SCHEDULE TO THE URBAN FLOODWAY ZONE

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land</td>
<td>4</td>
</tr>
</tbody>
</table>
PRIORITY DEVELOPMENT ZONE

Shown on the planning scheme map as PDZ with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise or provide for the use and development of land for projects and areas of regional or State significance.
To provide for a range of uses and the development of land in accordance with a plan incorporated in this scheme.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 1 of the schedule to this zone</td>
<td>Must comply with any condition in Section 1 of the schedule to this zone.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 2 of the schedule to this zone</td>
<td>Must comply with any condition in Section 2 of the schedule to this zone.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3 of the schedule to this zone</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 3 of the schedule to this zone</td>
<td></td>
</tr>
</tbody>
</table>

Use of land

Any requirement in the schedule to this zone must be met.

Subdivision

Permit requirement

A permit is required to subdivide land.
An application to subdivide land for residential development, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:
- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>Class of subdivision</td>
<td>Objectives and standards to be met</td>
</tr>
<tr>
<td>---------------------</td>
<td>-----------------------------------</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>

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></td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td></td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>

|                      | Clause 59.02                                     |
| Subdivide land into lots each containing an existing building or car parking space where: |          |
| - The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme. |          |
| - An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision. |          |

|                      | Clause 59.02                                     |
| Subdivide land into 2 lots if: |          |
| - The construction of a building or the construction or carrying out of works on the land: |          |
|   - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired. |          |
|   - Has started lawfully. |          |
| - The subdivision does not create a vacant lot. |          |

**Buildings and works**

**Permit requirement**

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.

An apartment development must meet the requirements of Clause 58.
**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 and the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
</tbody>
</table>

**Transitional provisions**

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**Application requirements**

An application to use land, to subdivide land or to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

**Exemption from notice and review**

An application under any provision of this scheme which is generally in accordance with the incorporated plan is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act unless the schedule to this zone specifies otherwise.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The objectives and standards of Clause 56.
- For an apartment development, the objectives, standards and decision guidelines of Clause 58
- Any guidelines in the schedule to this zone.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.

**Other provisions of the scheme**

The schedule to this zone may specify that other provisions of the scheme do not apply.
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>
</table>
| Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production) | 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. |
| Bed and breakfast                                                   | Must be the only Dependent person’s unit on the lot.  
Must meet the requirements of Clause 37.07-2.                                                                                   |
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<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 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 listed in the table to Clause 53.10 with no threshold distance specified.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone, land used for a hospital, an education centre or a corrective institution or land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution:</td>
</tr>
<tr>
<td></td>
<td>- The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>- 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>Must not:</td>
</tr>
<tr>
<td></td>
<td>- Exceed a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012.</td>
</tr>
<tr>
<td></td>
<td>- Require a notification under the Occupational Health and Safety Regulations 2017.</td>
</tr>
<tr>
<td></td>
<td>- Require a licence under the Dangerous Goods (Explosives) Regulations 2011.</td>
</tr>
<tr>
<td></td>
<td>- Require a licence under the Dangerous Goods (HCDG) Regulations 2016.</td>
</tr>
<tr>
<td>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>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>---------------------------------------------------------------------</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>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>
<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>
<tr>
<td>Dwelling (other than Bed and breakfast) – if the Section 1 conditions are not met</td>
<td>Must be no more than 2 dwellings on the lot. Must meet the requirements of Clause 37.07-2.</td>
</tr>
<tr>
<td>Education centre (other than child care centre)</td>
<td></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>Industry (other than Rural Industry)</td>
<td></td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Trade supplies</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Veterinary centre</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Rural store)</td>
<td></td>
</tr>
<tr>
<td>Winery</td>
<td></td>
</tr>
</tbody>
</table>
### 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>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>Office (other than Medical centre and Real estate agency)</td>
</tr>
<tr>
<td>Renewable energy facility</td>
</tr>
<tr>
<td>Retail premises (other than Landscape gardening supplies, Manufacturing sales, Market, Primary produce sales, Restaurant and Trade supplies)</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Timber production</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 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 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.

37.07-6
26/10/2018
VC152

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 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.

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).

37.07-7
31/07/2018
VC148

Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The 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 sewerage 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>
<tbody>
<tr>
<td>Any use in Section 1 of a zone applied by the schedule to this zone</td>
<td>Must comply with any condition opposite the use in Section 1 of the applied zone.</td>
</tr>
<tr>
<td></td>
<td>Must comply with any condition or requirement specified in the schedule to this zone or in the precinct structure plan.</td>
</tr>
<tr>
<td>Any use specified in the schedule to this zone as a use for which a permit is not required</td>
<td>Must comply with any condition or requirement specified in the schedule to this zone or in the precinct structure plan.</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 a zone applied by the schedule to this zone</td>
<td>Must comply with any condition opposite the use in Section 2 of the applied zone.</td>
</tr>
<tr>
<td></td>
<td>Must comply with any condition or requirement specified in the schedule to this zone or in the precinct structure plan.</td>
</tr>
<tr>
<td>Any use specified in the schedule to this zone as a use for which a permit is required</td>
<td>Must comply with any condition or requirement specified in the schedule to this zone or in the precinct structure plan.</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>Any use in Section 3 of a zone applied by the schedule to this zone</td>
</tr>
<tr>
<td>Any use specified in the schedule to this zone</td>
</tr>
</tbody>
</table>

**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.
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 THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ1.

CRANBOURNE WEST PRECINCT STRUCTURE PLAN

The Plan

Map 1 to Schedule 1 to Clause 37.07 shows the Future Urban Structure for the Cranbourne West Precinct Structure Plan. It is a reproduction from Plan 5 in the Cranbourne West Precinct Structure Plan.

Map 1 to Schedule 1 of Clause 37.07: Cranbourne West Future Urban Structure
Use and development

The Land

The use and development provisions specified in this schedule apply to land inside the ‘precinct structure plan area’ on Map 1 and zoned as Urban Growth Schedule 1. Where land is not zoned Urban Growth Zone the provisions of this Schedule do not apply.

Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land, construction of a building, and construction and carrying out of works, by reference to Table 1 of this schedule.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Land use or 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>Residential (any density)</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
<tr>
<td>Industrial / Employment interface / Business park</td>
<td>Clause 34.02 – Commercial 2 Zone</td>
</tr>
<tr>
<td>Neighbourhood Activity Centre (other than specified in this table)</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Neighbourhood Activity Centre (on central trunk boulevard collector in Mixed Use) / Mixed use / Business Activity Centre</td>
<td>Clause 32.04 – Mixed Use Zone</td>
</tr>
<tr>
<td>Arterial Road widening</td>
<td>Clause 36.04 – Road Zone Category 2 once the land is in public ownership</td>
</tr>
</tbody>
</table>

Specific Provisions – Use of Land

Table 2: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition or requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industry (excluding Service Industry)</td>
<td>Must not be located on a lot which is within 35 metres of land in an applied residential zone unless the land in the applied residential zone is to be developed for open space or drainage purposes in accordance with the Cranbourne West Precinct Structure Plan.</td>
</tr>
<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 Cranbourne West Precinct Structure Plan:</td>
</tr>
<tr>
<td></td>
<td>8000 – Large Neighbourhood Activity Centre</td>
</tr>
<tr>
<td></td>
<td>5000 – Neighbourhood Activity Centre at the intersection of Central Parkway / Evans Road</td>
</tr>
<tr>
<td></td>
<td>3000 – Neighbourhood Activity Centre in the southern residential precinct</td>
</tr>
</tbody>
</table>

Specific provisions – Resolution of Doubt

If any doubt arises as to whether a provision specified in this schedule applies to land, a permit may be granted for any use or development if the responsible authority is satisfied that the use or development is in accordance with the Cranbourne West Precinct Structure Plan.
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 5 of the Building Regulations 2018) 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 of 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 (Victorian Planning Authority, November 2019) incorporated pursuant to Clause 72.04 of the Casey Planning Scheme.

Specific provisions - Use and development of future public land

A permit is not required to use or develop land shown in the Cranbourne West Precinct Structure Plan as local park, local sports reserve or community facilities provided the development is carried out generally in accordance with the Cranbourne West Precinct Structure Plan and with the prior written consent of the responsible authority.

Application Requirements

General

Any planning permit application must be accompanied by:

- A detailed flora and fauna survey that identifies the location of flora and fauna within or adjoining the site and proposed management required to mitigate the impacts of the development on significant species to the satisfaction of the Department of Sustainability and Environment. Amongst investigation of all other species the survey should also specifically target Dwarf Galaxias and the Growling Grass Frog. This requirement cannot be waived or reduced.

- A Native Vegetation Plan, where required, to the approval of the Department of Sustainability and Environment that identifies vegetation to be retained, vegetation to be removed, and offsets to be secured in the long term. The Native Vegetation Plan must be in line with the three step approach to achieve net gain of Victoria’s Native Vegetation Framework and where native vegetation is to be removed it must include an Offset Plan.

- A hydrogeological assessment of groundwater conditions and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions on the development and the impact of development on groundwater.

- A site assessment of the potential for contaminated land as a result of previous land uses.

- A Transport Impact Assessment Report to the satisfaction of the relevant roads authority (be it VicRoads or Council).

- An 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 roadworks 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 Cranbourne West Development Contributions Plan is sought to be provided as "works in lieu" subject to the consent of the Collecting Agency; and,

- any other matter required by the responsible authority.

- Detailed plans or reports relating to the proposed development. The plans and or reports must show and explain how the proposal responds to the vision and requirements of the Cranbourne West Precinct Structure Plan and outline how the proposal integrates with adjoining land and other areas within the Precinct Structure Plan area.

An application for residential subdivision must also be accompanied by 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 guidelines in the ‘Housing’ element of the Cranbourne West Precinct Structure Plan incorporated in this scheme.

If in the opinion of the responsible authority a requirement for information is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement unless a specific provision states that the requirement cannot be waived or reduced.

3.2

Neighbourhood Activity Centre

In addition to the relevant requirements of Section 3.1, unless the responsible authority agrees, a permit for the use, subdivision or other development of the land which is designated as a Large or Small Neighbourhood Activity Centre in the Cranbourne West Precinct Structure Plan must not be granted until an Urban Design Framework for the Neighbourhood Activity Centre has been prepared to the satisfaction of the responsible authority. The Urban Design Framework must address or include, as appropriate, any requirements set out in the Cranbourne West Precinct Structure Plan and this schedule.

A permit for the use, subdivision or other development of land which is designated as a Large or Small Neighbourhood Activity Centre in the Cranbourne West Precinct Structure Plan must be generally in accordance with and implement the approved Urban Design Framework.

The Urban Design Framework may be amended with the approval of the responsible authority.

4.0

General requirements for all planning permits

A planning permit must require that:

Land for community facilities, public open space and road widening

- land required for community facilities as set out in the Cranbourne West Precinct Structure Plan or the Cranbourne West Development Contributions Plan must be transferred to or vested in Council at no cost to Council unless the land is funded by the Cranbourne West Development Contributions Plan.

- land required for public open space as a local or district park as set out in the Cranbourne West Precinct Structure Plan or the Cranbourne West Development Contributions Plan must be transferred to or vested in Council at no cost to Council unless the land is funded by the Cranbourne West Development Contributions Plan.

- land required for road widening must be transferred to or vested as ‘road’ in the Roads Corporation (in the case of land for arterial roads under the Road Management Act 2004) or in Casey City Council (in the case of other roads) at no cost unless that road or road widening land is funded by the Cranbourne West Development Contributions Plan or unless that land is included within a Public Acquisition Overlay in the scheme. For the purpose of this clause road widening includes the widening of the road reserve required to provide right of way flaring for the ultimate design of any intersection with an existing or proposed arterial road to the satisfaction of the Roads Corporation.
Stormwater management

- An agreement or agreements must be established regarding the ongoing management of any proposed wetland or water body areas located on public land to the satisfaction of the responsible authority. The agreement may require the owner to contribute to the cost of that ongoing management for a period of up to 3 years after the practical completion of the works for that wetland or water body. The agreement or agreements must be executed prior to the issue of a Statement of Compliance in respect of the land containing that wetland or water body.

Stormwater Facilities

- Unless an alternative arrangement is in place through a Drainage Scheme, land required for drainage purposes must be transferred to the relevant drainage authority at no cost to the relevant drainage authority. Land required for drainage purposes and transferred to relevant drainage authority (including Casey City Council) must not be credited as open space required to satisfy the requirements of Clause 52.01 of the planning scheme.

- All land required for drainage related purposes, including wetlands and drainage corridors must be landscaped in accordance with a landscape plan to be approved to the satisfaction of the responsible authority. The landscape plan must be informed by any relevant provisions of the Cranbourne West Precinct Structure Plan.

Tree reserves

- Where a tree reserve is required to be created, the tree reserve must be shown as vesting in Casey City Council by a registered plan of subdivision at no cost to Council.

Equalisation of open space in the Employment Area

- Where the area of any land shown as Public Open Space in the Employment Area within the Cranbourne West Precinct Structure Plan is less than 3.75% in respect of any particular land parcel within that Employment Area, the shortfall in the public open space contribution up to 3.75% must be paid in cash to the responsible authority calculated as a percentage of the site value of that land in the subdivision prior to the issue of a Statement of Compliance in respect of a plan of subdivision containing that land.

- Where the area of any land shown as Public Open Space in the Employment Area within the Cranbourne West Precinct Structure Plan exceeds 3.75% in respect of any particular land parcel, the owner of that land will be entitled to a payment. Council and the Owner must agree on the timing and method of payment or the timing and method must be to the satisfaction of the responsible authority. The amount of the payment is to be calculated by reference to a percentage of the site value where the percentage is to be equal the difference between 3.75% and the actual amount of land shown as Public Open Space.

Construction of single dwellings on small lots

Before the issue of a certificate 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 2.5 of this schedule a planning permit must contain a condition that requires the approved building envelopes must be applied as a restriction on the plan of subdivision or be applied through an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 that is recorded on the title to the land. The restriction or the agreement must provide for:

- The building envelope to apply to each relevant lot
- All buildings to conform to the building envelope on the relevant lot
• The construction of a building outside of a building envelope only with the 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.

Where the building envelope is to be applied to the land through an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987, 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 (Victorian Planning Authority, November 2019) under section 2.5 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 (Victorian Planning Authority, November 2019) incorporated pursuant to Clause 72.04 of the Casey Planning Scheme.

• The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code (Victorian Planning Authority, November 2019) applies to each lot to the satisfaction of the responsible authority.

5.0
03/02/2010
C102

Advertising signs

Advertising sign requirements for the land shown as Employment Interface in Map 1 to this schedule are in Category 3 of clause 52.05.

All other land is subject to the advertising requirements which apply under the applied zones.

If there is no applied zone identified for the land the advertising sign requirements for the land are at Category 3 of Clause 52.05.
SCHEDULE 2 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ2.

CRANBOURNE EAST PRECINCT STRUCTURE PLAN

1.0

The Plan

Map 1 shows the future urban structure for the Cranbourne East Precinct. It is a reproduction of Plan 5 in the Cranbourne East Precinct Structure Plan.

Map 1 to Schedule 2 to Clause 37.07
Use and development

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.

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 map 1)</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employment Land</td>
<td>Commercial 2 Zone</td>
</tr>
<tr>
<td>Local town centre and local centre</td>
<td>Commercial 1 Zone</td>
</tr>
<tr>
<td>Any lot wholly contained within 200 metres distance from any part of the local town centre abutting Linsell Boulevard, Clyde North</td>
<td>Mixed Use Zone</td>
</tr>
<tr>
<td>All other land in the precinct</td>
<td>General Residential Zone</td>
</tr>
</tbody>
</table>

Special 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 Mixed Use Zone</td>
<td>A permit is not required if the office is in the same building as a dwelling.</td>
</tr>
<tr>
<td>Shop (other than Adult sex bookshop) where the applied zone is General Residential Zone</td>
<td>A permit may be granted to use land for a shop provided the leasable floor area of the shop does not exceed 100 square metres.</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 provided the leasable floor area of the office does not exceed 100 square metres.</td>
</tr>
</tbody>
</table>
| Shop where the applied zone is Commercial 1 Zone                 | 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 Cranbourne East Precinct Structure Plan:  
  8000 – Selandra Rise local town centre;  
  5000 – Morison Road local town centre;  
  5000 – Adrian Street local town centre;  
  500 – Local centre. |
| Office where the applied zone is Commercial 1 Zone               | A permit is required to use land for an office if the combined leasable floor area of all offices exceeds the following areas (square metres) for the relevant centre as described in the Cranbourne East Precinct Structure Plan:  
  2000 – Selandra Rise local town centre;  
  2000 – Morison Road local town centre;  
  2000 – Adrian Street local town centre;  
  500 – Local centre. |
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 5 of the Building Regulations 2018) 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 (Victorian Planning Authority, November 2019) incorporated pursuant to Clause 72.04 of the Casey Planning Scheme.

Specific provisions – Master plan for education centres

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works for an education centre until a master plan has been prepared to the satisfaction of the responsible authority. The master plan must show:

- The location of all buildings, car parking areas, access driveways, playing fields and other works associated with the education centre.
- The staging of development.

The master plan may be amended to the satisfaction of the responsible authority.

Specific provisions – Resolution of doubt

If any doubt arises as to whether a provision specified in this schedule applies to land, a 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 Cranbourne East Precinct Structure Plan.

Specific provisions – Offset plans before subdivision or buildings and works

Where an incorporated Native Vegetation Precinct Plan applying to the land specifies that vegetation is to be removed, destroyed or lopped on the land, a planning permit must not be granted to use or subdivide the land or to construct a building or carry out works until an Offset Plan, in accordance with the Native Vegetation Precinct Plan applying to the land, has been prepared to the satisfaction of the Department of Sustainability and Environment and approved by the responsible authority.

Specific provisions - Use and development of future public land

A permit is not required to use or develop land shown in the Cranbourne East Precinct Structure Plan as local park, local sports reserve or community facilities provided the development is carried out generally in accordance with the Cranbourne East Precinct Structure Plan and with the prior written consent of the responsible authority.

Application requirements – subdivision

An application for subdivision must be accompanied by a site and context description as detailed in Clause 56.01. In addition to the requirements of Clause 56.01 the site analysis and design response must show or address the following to the satisfaction of the responsible authority:

- Any design response or guidelines adopted for the area by the Casey City Council.
• A hydrogeological assessment of the groundwater conditions on the site and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions on the development and the impact of the development on groundwater.

• A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.

• An 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 roadworks internal and external to the land consistent with any relevant traffic report or assessment;
  - 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 Casey City Council; and
  - the provision of public open space and land for any community facilities.

An application which proposes to transfer a heritage building into public ownership must be accompanied by a Structural Engineering Assessment that provides details of the condition of the building and any works required to bring the building to a standard which complies with relevant building regulations to the satisfaction of the responsible authority.

If the responsible authority decides that 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.

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.

### 3.1 Application requirements – Neighbourhood activity centres and Employment Centre

If the land is shown as a local town centre on Map 1, 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 activity centre or employment centre has been prepared to the satisfaction of the responsible authority.

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 or employment centre set out in the incorporated precinct structure plan applying to the land.

The responsible authority may allow an urban design framework to be prepared in stages.

The urban design framework may be amended to the satisfaction of the responsible authority.

The requirement does not apply to the local town centre shown in the Cranbourne East Precinct Structure Plan abutting Linsell Boulevard, Clyde North.

### 4.0 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 local town centre abutting Linsell Boulevard (Selandra Rise local town centre) must be referred in accordance with section 55 of the Act to the Growth Areas Authority.
Conditions and requirements for permits

Conditions for construction of single dwellings on small lots

Before the issue of a certificate 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 2.3 of this schedule a planning permit must contain a condition that requires the approved building envelopes must be applied as a restriction on the plan of subdivision or be applied through an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 that is recorded on the title to the land. The restriction or the agreement must provide for:

- The building envelope to apply to each relevant lot
- All buildings to conform to the building envelope on the relevant lot
- The construction of a building outside of a building envelope only with the 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.

Where the building envelope is to be applied to the land through an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987, 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 (Victorian Planning Authority, November 2019) under section 2.3 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 (Victorian Planning Authority, November 2019) incorporated pursuant to Clause 72.04 of the Casey Planning Scheme.
- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code (Victorian Planning Authority, November 2019) applies to each lot to the satisfaction of the responsible authority.

Conditions for subdivision or building and works permits where a Native Vegetation Precinct Plan applying to the land has identified the removal, destruction, lopping, retention or offset of native vegetation

Any permit granted for subdivision, buildings or works, on land where a Native Vegetation Precinct Plan has identified the removal, destruction or lopping of native vegetation must contain the following conditions:

- Any native vegetation to be removed must be clearly marked on site.
- Prior to the destruction, removal or lopping of a tree, the tree must be examined by a suitably qualified zoologist for the presence of fauna in hollows or external nests. If native fauna species are located, they must be salvaged and relocated to the nearest suitable habitat in consultation with the Department of Sustainability and Environment.

Any permit granted for subdivision, buildings or works, on land where a Native Vegetation Precinct Plan has identified the retention or offset of native vegetation must contain the following conditions:
A highly visible vegetation protection fence must be erected at a distance from the trunk of twice the canopy radius for each scattered tree and at least 2 metres patches of native vegetation. A sign must be prominently displayed on the fence identifying it as a vegetation protection fence.

Any earthworks (including placement of fill and temporary or permanent stockpiling of soil) must be designed to ensure that native vegetation not be detrimentally affected through machinery movements or impacts on soil quality, water run-off and landform changes.

**Conditions for subdivision or building and works permits where land is required for community facilities and public open space**

Land required for community facilities or public open space (as a local or district park) as set out in the Cranbourne East Precinct Structure Plan or the Cranbourne East Precinct Structure Plan Development Contributions Plan must be transferred to or vested in Council at no cost to Council unless the land is funded by the Cranbourne East Precinct Structure Plan Development Contributions Plan.

**Requirement for subdivision permits**

If any part of the land is identified in the incorporated Cranbourne East Precinct Structure Plan as being required for unencumbered public open space that land must be transferred to Council subject to equalisation in accordance with the equalisation provisions in the incorporated Cranbourne East Precinct Structure Plan Development Contributions Plan.

**Advertising signs**

Land is in the category specified in the applied zone. If there is no applied zone the land is in Category 3.

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display an advertising sign that promotes the sale of land or dwellings.

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 buildings and works for an office on the same land.

The sign is not illuminated

No fittings or wiring are visible from adjacent streets or properties.
SCHEDULE 3 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ3.

CLYDE NORTH PRECINCT STRUCTURE PLAN

1.0

The Plan

Map 1 to Schedule 3 to Clause 37.07 shows the Future Urban Structure for the Clyde North Precinct Structure Plan. It is a reproduction of Plan 5 in the Clyde North Precinct Structure Plan.

Map 1 to Schedule 3 to Clause 37.07

2.0

The land

The use and development provisions specified in this schedule apply to the land as shown as Clyde North Precinct Structure Plan Area in Map 1 of this Schedule and zoned as Urban Growth Zone 3.
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 and 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>Employment</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Local Town Centre and Local Centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Cardinia Creek Conservation Corridor</td>
<td>Clause 36.03 – Public Conservation and Resource Zone</td>
</tr>
<tr>
<td>All other land in the precinct</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
</tbody>
</table>

The precise boundary of the Commercial 1 Zone for local centres will 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 Commercial 1 Zone associated with each Local Town Centre will be determined by the Urban Design Framework Plan approved under Clause 3.0 of this schedule.

The precise boundary of the Public Conservation and Recreation Zone will be determined by the final Cardinia Creek Master Plan.

Special 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:</td>
</tr>
<tr>
<td></td>
<td>● 8000 square metres for the land shown as a large neighbourhood activity centre in the incorporated Clyde North Precinct Structure Plan.</td>
</tr>
<tr>
<td></td>
<td>● 2000 square metres for the land shown as a small neighbourhood activity centre in the incorporated Clyde North Precinct Structure Plan.</td>
</tr>
<tr>
<td></td>
<td>● 1000 square metres for the land shown as a local neighbourhood activity centre in the incorporated Clyde North Precinct Structure Plan.</td>
</tr>
<tr>
<td>Office where the applied zone is Commercial 1 Zone</td>
<td>A permit is required to use land for an office if the combined leasable floor area of all office exceeds:</td>
</tr>
<tr>
<td></td>
<td>● 4000 square metres for the land shown as the large neighbourhood activity centre in the incorporated Clyde North 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 does not exceed 100 square metres.</td>
</tr>
</tbody>
</table>
Specific provisions – Construction of single dwellings on small lots

A permit is not required to construct one dwelling on a lot of between 250 square metres and 300 square metres where an approved building envelope (as defined in Part 5 of the Building Regulations 2018) 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 in Table A2 at 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 (Victorian Planning Authority, November 2019) incorporated pursuant to Clause 72.04 of the Casey Planning Scheme.

Specific provisions - Use and development of future public land

A permit is not required to use or develop land shown in the Clyde North Precinct Structure Plan as local park, local sports reserve or community facilities provided the development is carried out generally in accordance with the Clyde North Precinct Structure Plan and with the prior written consent of the responsible authority.

Application Requirements

Subdivision Applications - General

An application for subdivision must be accompanied by a site and context description as detailed in Clause 56.01. In addition to the requirements of Clause 56.01, the site and context description must show or address the following to the satisfaction of the responsible authority:

- An application may reference the Clyde North Precinct Structure Plan, the Clyde North Native Vegetation Precinct Plan or the Clyde North Development Contributions Plan to describe relevant elements of the site and its context where appropriate.

- Any design response or guidelines adopted for the area by Casey City Council.

- 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.

- 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 Clyde North Precinct Structure Plan incorporated in this scheme.

- A hydrogeological assessment of groundwater conditions on the site and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions on the development and the impact of development on groundwater.
The incorporation of tree Nos. 1884, 1885 and 1920 (as described in the Arboricultural Assessments: Clyde North, C21 Business Park and Cranbourne North (stage 2) Precincts, prepared by Treelogic Pty Ltd, Dec 2008) into the public realm, if applicable to the subject land.

A Transport Impact Assessment Report to the satisfaction of the relevant roads authority (be it VicRoads or Council).

On land southwest of Pound Road, a site assessment of the land by a suitably qualified environmental professional including:
- detail of 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; and
- 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.

Subdivision Applications – 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 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 Casey 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.

If in the opinion of the responsible authority an application requirement is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Subdivision Applications – Land Adjacent to Waterways

An application for subdivision of any land adjacent to the waterways must be accompanied by a plan showing:
- Waterway management easements or reserves generally in accordance with PSP Plan 14 Cardinia Creek Masterplan to the satisfaction of Melbourne Water.
- All land to be set aside for drainage works to the satisfaction of Melbourne Water.

Neighbourhood activity centre urban design frameworks

If the land is shown as a local town centre on Map 1 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 activity centre has been prepared to the satisfaction of the responsible authority.

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 allow an urban design framework to be prepared in stages.

The Urban Design Framework may be amended to the satisfaction of 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 Clyde North Precinct Structure Plan and the Clyde North Native Vegetation Precinct Plan are implemented as part of the planning permit or the plans endorsed under the planning permit.

Any permit issued for land affected by a conservation management plan:

- Must be consistent with any conservation management plan applying to the land.
- Must require any relevant conservation actions, as set out in an approved conservation management plan, to be carried out 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.

Environmental assessment of potentially contaminated land

If an application for a permit includes a site assessment recommending an environmental audit of all or part of the land, then the permit must contain conditions that for that part of the land recommended for the audit;

- Either:
  - A certificate of environmental audit issued for the relevant land in accordance with Part 1XD of the Environmental 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 conditions of the relevant land are suitable for a sensitive use (with or without conditions on the use of the site);

must be provided to the responsible authority before any building on the relevant land is occupied; and

- If a statement by an environmental auditor is provided rather than a certificate of environmental audit and the statement 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 any building on the relevant land is occupied to provide for;
  - ongoing compliance with all conditions in the Statement by the Environmental Auditor;
  - 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.

Conditions for construction of single dwellings on small lots

Before a plan is certified for a subdivision (or a 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 5 of the Building Regulations 2018) to the satisfaction of the responsible authority.

If an approved building envelope applies to a lot between 250-300 square metres under section 2.3 of this schedule a planning permit must contain a condition that requires the approved building envelopes must be applied as a restriction on the plan of subdivision or be applied through an agreement with the responsible authority 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 to apply to each relevant lot.

• All buildings to conform to the building envelope on the relevant lot.

• The construction of a building outside of a building envelope only with the 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.

Where the building envelope is to be applied to the land through an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987, 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 (Victorian Planning Authority, November 2019) under section 2.3 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 (Victorian Planning Authority, November 2019) incorporated pursuant to Clause 72.04 of the Casey Planning Scheme.

• The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code (Victorian Planning Authority, November 2019) applies to each lot to the satisfaction of the responsible authority.

Condition for permits on land identified on Plan 12a in the Clyde North Precinct Structure Plan - Conservation Management Plan

The Clyde North PSP Cardinia Creek: Threatened Fauna Conservation Management Plan, approved by the Department of Sustainability and Environment and endorsed by the Responsible Authority must be implemented to the satisfaction of the Secretary to the Department of Sustainability and Environment, Melbourne Water, and the Responsible Authority. Implementation requires that any specified actions relevant to the site must be carried out in accordance with the approved Conservation Management Plan.

Before the statement of compliance is issued under the Subdivision Act 1988 the applicant or owner must make a financial contribution to Melbourne Water in accordance with Section 5.2 Funding of the Clyde North PSP Cardinia Creek: Threatened Fauna Conservation Management Plan.

Conditions for permits - subdivision, buildings and works which will result in removal of dams, drainage lines and vegetation

• Prior to the commencement of works: a Salvage Plan for threatened species including Southern Toadlet, Glossy Grass Skink and Growling Grass Frog must be prepared to the satisfaction of the Secretary to the Department of Sustainability and Environment and the approval of the responsible authority.

• The approved Salvage Plan must be implemented to the satisfaction of the Secretary to the Department of Sustainability and Environment and 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 Clyde North Precinct Structure Plan or the Clyde North Precinct Structure Plan Development Contributions Plan, must be transferred to or vested in Council at no cost to Council unless the land is funded by the Clyde North Precinct Structure Plan Development Contributions Plan.
Land required for public open space as a local or district park, as set out in the Clyde North Precinct Structure Plan or the Clyde North Precinct Structure Plan Development Contributions Plan, must be transferred to or vested in Council at no cost to Council unless the land is funded by the Clyde North Precinct Structure Plan Development Contributions Plan.

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 referred to or vested in Council or VicRoads at no cost to the acquiring agency unless funded by the Clyde North Precinct Structure Plan Development Contributions Plan.

**Conditions for subdivision of land adjacent to the waterways**

- That waterway management easements or reserves shown on the plan of subdivision are vested in Melbourne Water.
- The plan of subdivision to show all land to be set aside for drainage works.

**Requirement for subdivision permits**

Land required for unencumbered public open space must be transferred to Council subject to equalisation in accordance with the equalisation provisions in the incorporated Clyde North Precinct Structure Plan Development Contributions Plan.

**Advertising signs**

Land is in the category specified in the applied zone. If there is no applied zone the land is in Category 3.

**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 advertisement 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 4 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ4.

BOTANIC RIDGE PRECINCT STRUCTURE PLAN

The Plan

Plan 1 to Schedule 4 to Clause 37.07 shows the Future Urban Structure for Botanic Ridge. It is a reproduction of Plan 2 in the Botanic Ridge Precinct Structure Plan.

Plan 1 to Schedule 4 to Clause 37.07
Use and development

The Land

The use and development provisions specified in this schedule apply to the land shown as ‘Precinct Structure Plan Area’ in 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 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 or 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>Town centre</td>
<td>Clause 34.01 – Commercial 1 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>
</table>
| Shop where the applied zone is Commercial 1 Zone | A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds:  
  - 8700 square metres for land shown as the Eastern local town centre in the incorporated Botanic Ridge Precinct Structure Plan.  
  - 3000 square metres for land shown as the Western small local town centre in the incorporated Botanic Ridge Precinct Structure Plan. |

Specific provisions – Use and development of future public land

A permit is not required to use or develop land shown in the Botanic Ridge 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 Botanic Ridge Precinct Structure Plan and with the prior written consent of Casey City Council.

Specific provisions – Amenity and appearance of dwellings within the applied General Residential Zone

External lighting on a dwelling or within a lot must be baffled and angled so that light is cast toward the ground and / or so that it does not spill onto adjoining properties or public spaces.

Services normal to a dwelling and water tanks must be finished in a non-reflective, muted colour and must not, as far as is practicable, be visible from the street (other than a lane) or a public park.
2.6 Specific provisions - Residential design controls for residential subdivision

The residential design controls in the incorporated Botanic Ridge Precinct Structure Plan must be met by a residential subdivision or a development of a dwelling on a residential lot, as relevant, to the satisfaction of the responsible authority.

A permit may be granted to vary a residential design control.

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.

These provisions do not apply to a development that accords with the incorporated Small Lot Housing Code (Victorian Planning Authority, November 2019).

2.7 Specific provisions - Construction of single dwellings on small lots

A permit is not required to construct one dwelling on a lot of between 250 square metres and 300 square metres where an approved building envelope (as defined in Part 5 of the Building Regulations 2018) 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 in Table A2 at 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 (Victorian Planning Authority, November 2019) incorporated pursuant to Clause 72.04 of the Casey Planning Scheme.

2.8 Specific provisions - Referral of applications to the Director of Public Transport

Clause 52.36 requires referral of specified applications to the Director of Public Transport. Clause 52.36-1 exempts an application from the referral requirement where the application is consistent with an adopted Structure Plan that has been prepared in consultation with and endorsed by the Public Transport Division of the Department of Transport.

For the purpose of Clause 52.36-1 of this planning scheme, a development is consistent with the Botanic Ridge Precinct Structure Plan where the following requirements are met:

- A road nominated on Plan 8 – Public Transport and Walking Trails in the Botanic Ridge Precinct Structure Plan as a potential bus route is constructed (including any partial construction where relevant) in accordance with its corresponding cross section in the Botanic Ridge Precinct Structure Plan; 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

- Prior to the issue of a Statement of Compliance for any subdivision stage bus stop hard stands with direct and safe pedestrian access to a pedestrian path must be constructed unless otherwise agreed by the Director of Public Transport:
  - 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; and
  - At locations approved by the Director of Public Transport, at no cost to the Director of Public Transport and to the satisfaction of the Director of Public Transport.
A responsible authority may address any of the above matters through planning permit conditions.

### Application requirements

#### Residential subdivision – Site and context description and design response

Where a site and context description under Clause 56.01-1 of this scheme is required to be submitted, the following applies:

- The site and context description may reference the Botanic Ridge Precinct Structure Plan, the Botanic Ridge Native Vegetation Precinct Plan or the Botanic Ridge Development Contributions Plan to describe relevant present or future features of the site as listed in Clause 56.01-1.

- Where Clause 56.01-1 requires a site and context description to show ‘significant views to and from the site’, significant views must include, but are not limited to, views to and from the Cranbourne Gardens and views to and from land to the south of Browns Road.

An application for subdivision must address the requirements of Clause 56 of the Casey Planning Scheme. In addition to any requirement in 56.01-2 a subdivision design response must include:

- A land budget table, to the same format and methodology as those within this PSP, setting out the amount of land allocated to the proposed uses and expected population and dwelling yields.

- View-shed cross-sections from the ‘Trig Point lookout’ within the Cranbourne Gardens to the extent of the development. This material may be supported by plan based / 3D imagery.

#### Development applications in a local town centre

An application to construct a building or construct or carry out works on land in a local town centre must be accompanied by:

- A levels and grading plan for the site and immediate surrounds showing the existing and proposed levels.

- Material that demonstrates how the design and layout of the town centre ensures protection of view-sheds from the nearby Cranbourne Gardens.

- Design guidelines for the provision and integration of signs.

- Guidelines on environmental sustainability including integrated water management and energy conservation.

- Material demonstrating how medium and higher density housing and future commercial expansion can be incorporated into the centre over time.

An application to subdivide land, construct a building or construct or carry out works on land in a local town centre by should be accompanied by a Sustainability Management Plan which demonstrates how the following considerations have been incorporated into the design of the Town Centre:

- Energy efficient design and construction methods for the development of all buildings.

- Water Sensitive Urban Design to maximise re-use of stormwater, support landscaping and improve water infiltration into the ground, is encouraged.

- Demonstration that a high level of access, mobility and safe pedestrian movement is being delivered for the Town Centre.

- Appropriate mix of shade and shelter through a combination of landscape treatment and built form features.

- Natural ventilation of all buildings to reduce the reliance on machinery for heating and cooling.

- Passive solar orientation and building design.
Waste collection designed to maximise opportunities for recycling and reuse.

- Solar energy for water and space heating, electricity generation and internal and external lighting.

- How in ways other than those listed above, the design of built form reduces greenhouse gas emissions associated with the occupation and the ongoing use of buildings.

### 3.3 Miscellaneous

An application for subdivision must be accompanied by a Public Infrastructure Plan which addresses the following:

- The provision, staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of Melbourne Water.

- 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 development contributions plan applying to the land 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.

An application for subdivision must be accompanied by an assessment of surface and subsurface water conditions on the site and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions on the development and the impact of the development on groundwater.

An application that proposes to create or change access to Browns Road or Craig 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 Council.

An application to use or develop land at 60 Botanic Drive or 45 Craig Road for a sensitive use 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 provides information including:

- Detailed assessment of the matters outlined as potential contaminants on the land documented in ‘Report for Botanic Ridge Precinct Structure Plan, Environmental Contamination Assessment, January 2010’ by GHD.

- 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.

- Recommended remediation actions for any potentially contaminated land.

### 4.0 Conditions and requirements for permits

#### 4.1 Housing

**Conditions for construction of single dwellings on small lots**

Before the issue of a certificate 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
2.7 of this schedule a planning permit must contain a condition that requires the approved building
envelopes must be applied as a restriction on the plan of subdivision or be applied through an
agreement with the responsible authority under Section 173 of the Planning and Environment Act
1987 that is recorded on the title to the land. The restriction or the agreement must provide for:

- The building envelope to apply to each relevant lot.
- All buildings to conform to the building envelope on the relevant lot.
- The construction of a building outside of a building envelope only with the 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.

Where the building envelope is to be applied to the land through an agreement with the responsible
authority under Section 173 of the Planning and Environment Act 1987, 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
(Victorian Planning Authority, November 2019) under section 2.7 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 (Victorian Planning Authority, November 2019) incorporated pursuant to Clause 72.04
  of the Casey Planning Scheme.
- The plan of subdivision submitted for certification must identify whether type A or type B of
  the Small Lot Housing Code (Victorian Planning Authority, November 2019) applies to each
  lot to the satisfaction of the responsible authority.

60 Botanic Drive and 45 Craig Road, Junction Village – conditions for a permit allowing use
or development for a sensitive use

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 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).

If an environmental site 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 the earlier in respect of all or that part of the land as the case may, 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 of Environmental Audit issued for the relevant land in accordance with Part 1XD of the *Environment Protection Act 1970* stating that the environmental conditions of the relevant land are 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 construction of any building on the relevant land providing for the:

- Implementation and on-going compliance with all conditions in the Statement of Environmental Audit;
- The payment of the responsible authority’s legal costs and expenses of drafting/reviewing and registering the agreement by the owner of the relevant land.

### 4.2 Employment and activity centres

The boundary of a local centre with the applied Commercial 1 Zone must be shown on a plan of subdivision as a local centre to the satisfaction of the responsible authority.

### 4.3 Community facilities

Land required for community facilities as set out in the *Botanic Ridge Precinct Structure Plan* or the *Botanic Ridge Development Contributions Plan* must be transferred to or vested in Council at no cost to Council unless the land is funded by the *Botanic Ridge Development Contributions Plan*.

### 4.4 Open space and natural systems

#### Environment notifications and prohibitions

Any permit issued for residential subdivision must include the following condition:

The owner must enter into an agreement under section 173 of the Act with the responsible authority to provide for:

- Notification that Casey City Council publishes a list of native plant species suitable to the local environment at Botanic Ridge and a statement that Casey City Council encourages the use of these native plants in private gardens to complement the adjacent Cranbourne Gardens environment.

- Notification that intermittent environmental burn regimes within the Cranbourne Gardens may affect the amenity of the lot.

- The owner to covenant that they will not do the following on the lot:
  - Keep cats or exotic bees.
  - Plant or raise listed environmental weeds.

The agreement must be registered on the title to every lot created by the subdivision. The preparation and execution of an agreement must be at no cost to the responsible authority.

#### Notification of bushfire risk and vegetation management advice

Any permit issued for subdivision of land within 150 metres of the bushfire hazard shown on Plan 5 and the relevant cross section in the incorporated Botanic Ridge Precinct Structure Plan must include the following condition:
The owner must enter into an agreement under section 173 of the Act with the responsible authority to provide for notification to the owner of the lot on which the agreement is registered that:

- The Cranbourne Gardens is a potential bushfire hazard; and
- Any vegetation on the lot should be managed for the purpose of providing defendable space; and
- Guidance on defendable space can be obtained from the relevant fire authority.

The agreement must be registered on the title to every lot created by the subdivision that is within, or partly within 150 metres of the relevant bushfire hazard.

The preparation and execution of the agreement must be at no cost to the responsible authority.

**Transfer of municipal reserves**

Land described in the Botanic Ridge Precinct Structure Plan as:

- ‘Defendable space – Cranbourne Gardens Perimeter’ on Plan 5; and
- public open space (as a local or district park); and
- tree reserve,

must be transferred to or vested in Council at no cost to Council.

**Southern Brown Bandicoot conservation – habitat creation**

Any permit for residential subdivision must include the following conditions:

Before works commence on land identified as Southern Brown Bandicoot Connectivity on Plan 5 of the Botanic Ridge Precinct Structure Plan a detailed Southern Brown Bandicoot Connectivity Landscape Plan (SBBCLP) must be submitted to and approved by the Secretary to the Department of Environment Land, Water and Planning ('DELWP'). The plan must show:

- Areas of habitat to be created and enhanced for Southern Brown Bandicoot connectivity, including suitable plant species, landscape design and sensitive location of infrastructure,
- Landscaping wholly within the relevant reserves shown within 'Southern Brown Bandicoot connectivity',
- How the primary and other functions of the relevant reserve are to be maintained to the satisfaction of the public land manager,
- Any relevant pedestrian, bicycle or vehicle connectivity,
- Integration with existing or planned landscaping on adjacent properties or anticipates potential habitat development on adjacent properties, and
- Landscape works that do not result in an unacceptable increase in bushfire threat to adjacent land use and development.

Works and landscaping on an approved SBBCLP must be carried out to the satisfaction of the Secretary to DELWP.

**Southern Brown Bandicoot conservation – safe passage under roads**

A permit for residential subdivision must include the following condition:

In addition to the approval of any other relevant roads authority (including the anticipated public land manager for the relevant road reserve) roads that cross Southern Brown Bandicoot connectivity corridors including those shown on Plan 7 in the PSP may require additional culverts intended specifically for passage of Southern Brown Bandicoots and that do not have a primary hydraulic function.
Detailed design drawings for this infrastructure must be submitted to and approved by the Secretary to the Department of Environment Land, Water and Planning (‘Secretary to the DELWP’) prior to commencing construction.

Incorporation of SBB transit infrastructure must not adversely impact on the performance of the road reserve for vehicles, bicycles and / or pedestrians.

Notes: Southern Brown Bandicoot plans described above are in addition to the approval of any other relevant public land manager, including the anticipated public land manager, for the relevant reserve. Refer Table 9 in the PSP for guidance on the lead agency and funding of additional works for Southern Brown Bandicoot habitat.

Protecting and offsetting native vegetation

Any:

- Works carried out in respect of any subdivision;
- Construction of buildings and associated works; and
- Removal, lopping or destruction of native vegetation on the land as authorised by the Native Vegetation Precinct Plan (NVPP) applying to the land, must be carried out in accordance with all of the requirements set out in the incorporated NVPP applying to the land to the satisfaction of the responsible authority.

Only the native vegetation which is identified for removal in the incorporated NVPP applying to the land may be removed, lopped or destroyed without a permit.

Before the removal, destruction or lopping of any native vegetation within any property (identified by the PSP Property Number on Map 1 of the Botanic Ridge NVPP) the owner of the land from which the native vegetation is being removed must provide offsets consistent with the incorporated NVPP by either:

- Providing an allocated credit extract issued by the Department of Sustainability and Environment;
- or
- Preparing and submitting an Offset Plan to the satisfaction of the Department of Sustainability and Environment and have the Offset Plan approved by the responsible authority.

Where an Offset Plan is approved:

- Before the removal, destruction or lopping of any native vegetation, the owner of the land from which the native vegetation is being removed must provide on-title security for the Offset Site to the satisfaction of Department of Sustainability and Environment that provides for the implementation of the Offset Plan and pay the reasonable costs of the preparation, execution and registration of any on-title agreement; and
- Offsets must be initiated within 12 months of approval of the Offset Plan or before the removal of Very High Conservation Significance vegetation, whichever is earlier, and be implemented according to the schedule of works in the Offset Plan to the satisfaction of the responsible authority.

4.5 Transport and movement

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.

The land required for road flaring must be transferred to or vested as ‘road’ in the Roads Corporation (in the case of land for arterial roads under the Road Management Act 2004) or in Casey City Council (in the case of other roads) at no cost unless that road or road widening land is funded by the Botanic Ridge Development Contributions Plan.
Exemption from notice and review

None specified.

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>Town centre</td>
<td>Category 1</td>
</tr>
<tr>
<td>Potential mixed use</td>
<td>Category 2</td>
</tr>
<tr>
<td>Housing (all types)</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.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.
- The sign is set back a minimum of 750 millimetres 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.

Note: On 11 September 2014 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 the southeast 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.
SCHEDULE 5 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ5.

CRANBOURNE NORTH STAGE 2 PRECINCT STRUCTURE PLAN

1.0

The Plan

Map 1 to Schedule 5 to Clause 37.07 shows the Future Urban Structure for the Cranbourne North Stage 2 Precinct Structure Plan. It is a reproduction of Plan 5 in the Cranbourne North Stage 2 Precinct Structure Plan.

MAP 1 TO SCHEDULE 5 TO CLAUSE 37.07

2.0

The land

The use and development provisions specified in this schedule apply to the land as shown as Cranbourne North Stage 2 Precinct Structure Plan Area in Map 1 of this Schedule and zoned as Urban Growth Zone 5.

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 and 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>Local Town Centre/Local Centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>All other land in the precinct</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
</tbody>
</table>

The precise boundary of the Commercial 1 Zone for the local centre will 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 Commercial 1 Zone associated with the Local Town Centre will be determined by the designation of land in a relevant plan of subdivision as a local centre to the satisfaction of the responsible authority.

2.2 Special 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 does not exceed 100 square metres.</td>
</tr>
<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: 5400 square metres for the land shown as the Local Town Centre in the incorporated Cranbourne North Stage 2 Precinct Structure Plan. 1000 square metres for the land shown as the Local Centre in the incorporated Cranbourne North Stage 2 Precinct Structure Plan.</td>
</tr>
</tbody>
</table>

2.3 Specific provisions – Construction of single dwellings on small lots

A permit is not required to construct one dwelling on a lot of between 250 square metres and 300 square metres where an approved building envelope (as defined in Part 5 of the Building Regulations 2018) 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 (Victorian Planning Authority, November 2019) incorporated pursuant to Clause 72.04 of the Casey Planning Scheme.

2.4 Specific provisions - Use and development of future public land

A permit is not required to use or develop land shown in the Cranbourne North Stage 2 Precinct Structure Plan as local park, local sports reserve or community facilities provided the development is carried out generally in accordance with the Cranbourne North Stage 2 Precinct Structure Plan and with the prior written consent of the responsible authority.
Application Requirements

Subdivision Applications - General

An application for subdivision must be accompanied by a site and context description as detailed in Clause 56.01. In addition to the requirements of Clause 56.01, the site and context description must show or address the following to the satisfaction of the responsible authority:

- Any design response or guidelines adopted for the area by Casey City Council.
- 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.
- A hydrogeological assessment of groundwater conditions on the site and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions on the development and the impact of development on groundwater.
- A Transport Impact Assessment Report to the satisfaction of the relevant roads authority (be it VicRoads or Council).

Subdivision Applications – 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 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 Casey 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.
- Where the developer does not facilitate the construction of the connector street bridge and associated works, the owner of the land must enter into a Section 173 Agreement to provide for the construction of the bridge and associated works, to the satisfaction of the Responsible Authority.

If in the opinion of the responsible authority an application requirement is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

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 Cranbourne North Stage 2 Precinct Structure Plan and the Cranbourne North Stage 2 Native Vegetation Precinct Plan are implemented as part of the planning permit or the plans endorsed under the planning permit.

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 affect to the approved Public Infrastructure Plan.
Conditions for construction of single dwellings on small lots

Before a plan is certified for a subdivision (or a 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 5 of the Building Regulations 2018) to the satisfaction of the responsible authority.

If an approved building envelope applies to a lot between 250 – 300 square metres under section 2.3 of this schedule a planning permit must contain a condition that requires the approved building envelopes must be applied as a restriction on the plan of subdivision or be applied through an agreement with the responsible authority 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 to apply to each relevant lot
- All buildings to conform to the building envelope on the relevant lot
- The construction of a building outside of a building envelope only with the 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.

Where the building envelope is to be applied to the land through an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987, 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 (Victorian Planning Authority, November 2019) under section 2.3 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 (Victorian Planning Authority, November 2019) incorporated pursuant to Clause 72.04 of the Casey Planning Scheme.
- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code (Victorian Planning Authority, November 2019) applies to each lot 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 Cranbourne North Stage 2 Precinct Structure Plan or the Cranbourne North Stage 2 Precinct Structure Plan Development Contributions Plan, must be transferred to or vested in Council at no cost to Council unless the land is funded by the Cranbourne North Precinct Structure Plan Development Contributions Plan.

Land required for public open space as a local or district park, as set out in the Cranbourne North Stage 2 Precinct Structure Plan or the Cranbourne North Precinct Structure Plan Development Contributions Plan, must be transferred to or vested in Council at no cost to Council unless the land is funded by the Cranbourne North Precinct Structure Plan Development Contributions Plan.

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 referred to or vested in Council at no cost to the acquiring agency unless funded by the Cranbourne North Precinct Structure Plan Development Contributions Plan.
Construction of connector road bridge between properties 9 and 11 in the Cranbourne North Stage 2 Precinct Structure Plan

Unless arrangements for the construction of the connector road bridge shown in the Cranbourne North Stage 2 Precinct Structure Plan have been made to the satisfaction of the responsible authority, a permit for subdivision of land shown as property 9 or property 11 must provide for the construction of the bridge or include a requirement that the owner of the land under permit enter into an agreement under Section 173 of the Planning and Environment Act 1987 to contribute towards the construction of the bridge.

Environmental remediation at 1085, 1095 or 1135 Glasscocks Road

Prior to the commencement of any use for a sensitive purpose or prior to any buildings or works or the certification of a subdivision, whichever is earlier, or 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 Environmental 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 conditions of the relevant land are suitable for a sensitive use (with or without condition on the use of the site).

If a statement by an environmental auditor is provided rather than a certificate of environmental audit and the statement 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 any building on the relevant land is occupied to provide for:

- Ongoing compliance with all conditions in the State by the Environmental Auditor; and
- The responsible authority’s reasonable legal costs and expenses of drafting/reviewing and registering the agreement.

Advertising signs

Land is in the category specified in the applied zone. If there is no applied zone the land is in Category 3.

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 buildings and works for an office on the same land.
- The sign is not illuminated
- No fittings or wiring are visible from adjacent streets or properties.

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 advertisement 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.

**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.
SCHEDULE 6 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ6.

THOMPSONS ROAD PRECINCT STRUCTURE PLAN

1.0

The Plan

Map 1 shows the future urban structure proposed in the *Thompsons Road Precinct Structure Plan*. It is a reproduction of Plan 2 in the *Thompsons Road Precinct Structure Plan*.

Map 1 to Schedule 6 to Clause 37.07

Use and development

2.0

The land

The use and development provisions specified in this schedule apply to the land within the ‘precinct boundary’ on Map 1 and shown as UGZ6 on the planning scheme maps.

2.1

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>Major town centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Local town centre</td>
<td></td>
</tr>
<tr>
<td>Convenience centre</td>
<td></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 Thompsons Road 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 Thompsons Road Precinct Structure Plan and with the prior written consent of City of Casey.

Specific provisions – Use of land

Table 2: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop in the major town centre, town centre and convenience centre</td>
<td>A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds:</td>
</tr>
<tr>
<td></td>
<td>- 60,000 square metres for land shown as a major town centre in the incorporated Thompsons Road Precinct Structure Plan.</td>
</tr>
<tr>
<td></td>
<td>- 8,000 square metres for land shown as a local town centre in the incorporated Thompsons Road Precinct Structure Plan.</td>
</tr>
<tr>
<td></td>
<td>- 1,500 square metres for land shown as a convenience centre in the incorporated Thompsons Road Precinct Structure Plan.</td>
</tr>
<tr>
<td>Hospital where the applied zone is Commercial 2 Zone</td>
<td>A permit is not required to use land for a hospital if proposed on land described as ‘Health Facilities Stage 2’ on Plan 5 of the Thompsons Road Precinct Structure Plan.</td>
</tr>
<tr>
<td>Accommodation (other than Corrective institution) where the applied zone is Commercial 2 Zone</td>
<td>A permit may be granted to use land for accommodation if the land is located within the ‘Active Mixed Use’ land shown on Plan 2 of the Thompsons Road Precinct Structure Plan and any frontage at ground floor level does not exceed 2 metres (other than a bed and breakfast and caretaker’s house).</td>
</tr>
</tbody>
</table>
### Specific provisions – Construction of single dwellings on small lots

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 (Victorian Planning Authority, November 2019)* incorporated pursuant to Clause 72.04 of the Casey Planning Scheme.

Or,

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 5 of the Building Regulations 2018) 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.

### Specific provisions – Referral of applications – Thompsons Road Major 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 in the Thompsons Road Major Town Centre and within the local town centre must be referred in accordance with section 55 of the *Planning and Environment Act 1987* to the Growth Areas Authority.

### Specific provisions – Referral of applications – Hardys Road Quarry

An application to develop land for a sensitive use within 220 metres of the property boundary of the land containing the Hardys Road Quarry, 415 Tuckers Road and 105 Hardys Road, Clyde North subject to Work Authority 190 (WA190) under the *Mineral Resources (Sustainable Development) Act 1990*), must be referred to the Department of State Development, Business and Innovation (DSDBI). DSDBI may restrict or prevent development within 220 metres of the Work Authority 190 boundary whilst Work Authority is current. The application must be referred to the Program Manager - Planning in the Earth Resources Regulation Branch at the Department of State Development, Business and Innovation.

### 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 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 property 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 and colours outlined in Table 2 – Lot Size and Housing Type Guide in the Thomspsons Road Precinct Structure Plan; and

- A demonstration of how the subdivision will contribute to the delivery of a diversity of housing.

### 3.2 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;

- 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 Clyde Development Contributions Plan is sought to be provided as "works in lieu" subject to the written consent of City of Casey;

- 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 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 City of Casey, as required.

### 3.4 Environmental Site Assessment

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 ‘Preliminary environmental contamination assessment - Clyde Creek & Thompsons Road, Clyde (PSP 53 & PSP 54)’ (Beveridge Williams, January 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;

- 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; and

- Recommended remediation actions for any potentially contaminated land.
3.5  
20/11/2014  
C185  

Groundwater Assessment  
An application to subdivide land, use or develop land must be accompanied by hydrogeological assessment of groundwater conditions on the site and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions on the development and the impact of development on groundwater.

4.0  
20/11/2014  
C185  

Conditions and requirements for permits  
Refer to the Precinct Structure Plan applying to the land.

5.0  
20/11/2014  
C185  

Advertising signs  
The advertising sign category for the land is the category specified in the zone applied zone to the land at Clause 2.2 of this schedule.

5.1  
20/11/2014  
C185  

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 advertisement 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.

6.0  
20/11/2014  
C185  

Decision guidelines  
Before deciding on an application to use land for a shop on land shown as a town centre in the incorporated Thompsons Road Precinct Structure Plan the responsible authority must consider:

- The local catchment and PSP catchment demand for the proposed increase of retail floor area; and
- The affect on existing and future major town centres within Clyde and Clyde North.
SCHEDULE 7 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ7.

CLYDE CREEK PRECINCT STRUCTURE PLAN

1.0

The Plan

Map 1 shows the future urban structure proposed in the Clyde Creek Precinct Structure Plan. It is a reproduction of Plan 2 in the Clyde Creek Precinct Structure Plan.

Map 1 to Schedule 7 to Clause 37.07

2.0

Use and development

2.1

The land

The use and development provisions specified in this schedule apply to the land within the ‘precinct boundary’ on Map 1 and shown as UGZ7 on the planning scheme maps.
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 or 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>Major Town Centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Local Town Centre</td>
<td></td>
</tr>
<tr>
<td>Convenience Centre</td>
<td></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 32.07 – Residential Growth Zone 1</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 provision – Use and development of future public land

A permit is not required to use or develop land shown in the Clyde Creek 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 Clyde Creek Precinct Structure Plan and with the prior written consent of City of Casey.

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:</td>
</tr>
<tr>
<td></td>
<td>• 50,000 square metres for land shown as a major town centre in the incorporated Clyde Creek Precinct Structure Plan.</td>
</tr>
<tr>
<td></td>
<td>• 5,000 square metres for land shown as the Hardys Road local town centre in the incorporated Clyde Creek Precinct Structure Plan.</td>
</tr>
<tr>
<td></td>
<td>5,000 square metres for land shown as the Tuckers Road local town centre in the incorporated Clyde Creek Precinct Structure Plan.</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. 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 – Construction of single dwellings on small lots
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 (Victorian Planning Authority, November 2019) incorporated pursuant to Clause 72.04 of the Casey Planning Scheme.

Or;

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 5 of the Building Regulations 2018) 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.

2.7 Specific provision – 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 non government school unless exempt under Clauses 62.02-1 and 62.02-2.

2.8 Specific provisions – Major Town Centre Urban Design Framework
Except with the consent of the responsible authority and the Growth Areas Authority, a permit must not be granted to use or subdivide land, or construct a building and carry out works on land shown as the Clyde Major Town Centre until an urban design framework for the centre has been prepared to the satisfaction of the responsible authority and the Growth Areas Authority.

An urban design framework approved under this schedule must be generally in accordance with the precinct structure plan applying to the land.

An application for use and/or development on land shown as the Clyde Major Town Centre must be consistent with any urban design framework approved under this schedule.

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 permit is consistent with the requirements for the urban design framework and the permit implements the objectives for the Major Town Centre as set out in the Clyde Creek Precinct Structure Plan.

The responsible authority may allow an urban design framework to be prepared in stages.

The Urban Design Framework may be amended to the satisfaction of the responsible authority and the Growth Areas Authority.

2.9 Specific provision – Referral of applications – Clyde Major 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 in the Clyde Major Town Centre and within the local town centres must be referred in accordance with section 55 of the Planning and Environment Act 1987 to the Growth Areas Authority.

2.10 Specific provisions – Referral of applications – Hardys Road Quarry
An application to develop land for a sensitive use within 220 metres of the property boundary of the land containing the Hardys Road Quarry, 415 Tuckers Road and 105 Hardys Road, Clyde North subject to Work Authority 190 (WA190) under the Mineral Resources (Sustainable Development) Act 1990, must be referred to the Department of State Development, Business and Innovation (DSDBI). DSDBI may restrict or prevent development within 220 metres of the Work
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.

3.1 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 property 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 and colours outlined in Table 2 – Lot Size and Housing Type Guide in the Clyde Creek Precinct Structure Plan; and
- A demonstration of how the subdivision will contribute to the delivery of a diversity of housing.

3.2 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;
- 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 Clyde Development Contributions Plan is sought to be provided as “works in lieu” subject to the written consent of City of Casey;
- 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 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 City of Casey, as required.

3.4 Environmental Site Assessment

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 ‘Preliminary environmental contamination assessment - Clyde Creek & Thompsons Road, Clyde (PSP 53 & PSP 54)’ (Beveridge Williams, January 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;
- 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; and
- Recommended remediation actions for any potentially contaminated land.

3.5 Groundwater Assessment

An application to subdivide land, use or develop land must be accompanied by hydrogeological assessment of groundwater conditions on the site and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions on the development and the impact of development on groundwater.

4.0 Conditions and requirements for permits

Refer to the Precinct Structure Plan applying to the land.

5.0 Advertising signs

The advertising sign category for the land is the category specified in the zone applied zone to the land at Clause 2.2 of this schedule.

5.1 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 advertisement 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.

6.0 Decision guidelines

Before deciding on an application to use land for a shop on land shown as a town centre in the incorporated Clyde Creek Precinct Structure Plan the responsible authority must consider:

- The local catchment and PSP catchment demand for the proposed increase of retail floor area; and
- The affect on existing and future major town centres within Clyde and Clyde North.
1.0
20/11/2014
C186

The Plan

Map 1 shows the future urban structure proposed in the Casey Fields South Residential Precinct Structure Plan. It is a reproduction of Plan 2 in the Casey Fields South Residential Precinct Structure Plan.

Map 1 to Schedule 8 to Clause 37.07

2.0
20/11/2014
C186

Use and development

The land

The use and development provisions specified in this schedule apply to the land within ‘precinct boundary’ on Map 1 and shown as UGZ8 on the planning scheme maps.

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 or development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land (Refer Map 1)</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>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 road</td>
<td>Clause 36.04 – Road Zone – Category 2</td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.07 – Residential Growth Zone 1</td>
</tr>
</tbody>
</table>

2.3

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’.

2.4

Specific provisions – Use and development of future public land

A permit is not required to use or develop land shown in the Casey Fields South Residential 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 Casey Fields South Residential Precinct Structure Plan and with the prior written consent of City of Casey.

2.5

Specific provisions – Construction of single dwellings on small lots

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 (Victorian Planning Authority, November 2019) incorporated pursuant to Clause 72.04 of the Casey Planning Scheme.

Or;

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 5 of the Building Regulations 2018) 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.

2.6

Land adjacent to Broiler Farm, 1385 Ballarto Road, Cranbourne East

An application to use or develop land for a sensitive use within 288 metres of the broiler farm at 1385 Ballarto Road, Cranbourne East must be accompanied by a risk assessment prepared by a suitably experienced and qualified person. The risk assessment must acknowledge the existing broiler farm operations and assess the adverse amenity impacts of the broiler facility on the future use or development of the land for a sensitive use within the buffer designated in the Casey Fields South Residential Precinct Structure Plan.

3.0

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.
3.1  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 property 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 and colours outlined in Table 2 – Lot Size and Housing Type Guide in the *Casey Fields South Residential Precinct Structure Plan*; and
- A demonstration of how the subdivision will contribute to the delivery of a diversity of housing.

3.2  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;
- 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 Clyde Development Contributions Plan is sought to be provided as "works in lieu" subject to the written consent of City of Casey;
- 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  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 City of Casey, as required.

3.4  Environmental Site Assessment

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 ‘Preliminary environmental contamination assessment – 1345 – 1425 Ballarto Road and 365 – 385 Clyde-Five Ways Road, Clyde’ (Beveridge Williams, October 2012) 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*;
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; and

Recommended remediation actions for any potentially contaminated land.

**3.5**

**Groundwater Assessment**

An application to subdivide land, use or develop land must be accompanied by hydrogeological assessment of groundwater conditions on the site and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions on the development and the impact of development on groundwater.

**4.0**

**Conditions and requirements for permits**

Refer to the Precinct Structure Plan applying to the land.

**5.0**

**Exemption from notice and review not to apply to certain applications**

In accordance with section 52(1)(c) of the Act notice of application to use or develop land for a sensitive use within 288 metres of the broiler farm at 1385 Ballarto Road, Cranbourne East must be given to the owner/operator of the broiler farm at 1385 Ballarto Road, Cranbourne East.

**6.0**

**Advertising signs**

The advertising sign category for the land is the category specified in the zone applied zone to the land at Clause 2.2 of this schedule.

**6.1**

**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 advertisement 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 9 TO THE URBAN GROWTH ZONE
Shown on the planning scheme map as UGZ9.

BERWICK WATERWAYS PRECINCT STRUCTURE PLAN

1.0

The Plan
Map 1 to Schedule 9 to Clause 37.07 shows the Future Urban Structure for Berwick Waterways. It is a reproduction of Plan 2 in the Berwick Waterways Precinct Structure Plan.

MAP 1 TO SCHEDULE 9 TO CLAUSE 37.07

2.0

Use and development

The Land
The use and development provisions specified in this schedule apply to the land shown as ‘Precinct Structure Plan Area’ in Map 1 of this schedule and shown as UGZ9 on the planning scheme maps.

Note: If land shown on Map 1 is not zoned UGZ, the provisions of this zone do not apply.
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 or 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 town centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Greaves Road</td>
<td>Clause 36.04 – Road Zone Category 1</td>
</tr>
<tr>
<td>Centre Road</td>
<td>Clause 36.04 – Road Zone Category 2</td>
</tr>
<tr>
<td>Connector Street</td>
<td></td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.07s1 – Residential Growth Zone 1</td>
</tr>
</tbody>
</table>

2.3

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 Residential Growth 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 an applied Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land’.

2.4

Specific provisions – Use and development of future public land

A permit is not required to use or develop land shown in the Berwick Waterways Precinct Structure Plan for a local park provided the use or development is carried out generally in accordance with the Berwick Waterways Precinct Structure Plan and with the prior written consent of the responsible authority.

2.5

Specific Provisions - Construction of single dwellings on small lots

A permit is not required to construct one dwelling on a lot of between 250 square metres and 300 square metres where an approved building envelope (as defined in Part 5 of the Building Regulations 2018) 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 (Victorian Planning Authority, November 2019) incorporated pursuant to Clause 72.04 of the Casey Planning Scheme.
Application requirements

Residential subdivision

Land budget, housing, diversity and density

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 property 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 and colours outlined in Table 2.

Flood mitigation plan & Integrated water cycle management plans

An application to develop land must be accompanied by a flood mitigation plan showing:

- The location and form of flood storage capacity required in association with the proposed development of the whole of the land in the Berwick Waterways Precinct Structure Plan area and how the proposed development facilitates or is consistent with achieving the required form of flood storage capacity;
- Flood storage capacity provided downstream of the development, free draining and capable of emptying within a timeframe sufficient to provide capacity for likely flood events;
- A proposed outfall for flood and storm waters;
- How flood waters are to be conveyed to the outfall;
- How the plan implements the flood mitigation provisions in the Berwick Waterways Precinct Structure Plan;
- Evidence of how land required to accommodate retarding basins, waterways and related infrastructure is to be secured and transferred to Melbourne Water concurrent with development of the land.

Subdivision applications must be accompanied by an integrated water management plan showing:

- Proposed integrated water cycle management system;
- Waterways and integrated water management design enables land to be used for multiple recreation and environmental purposes;
- Overland flow paths, piping within road reserves and how these will be connected and integrated across property / parcel boundaries;
- Containment of water in road reserves to Melbourne Water freeboard requirements for overland flow paths.

These requirements may be combined into a single plan.

Public infrastructure plan

An application for subdivision must be accompanied by a Public Infrastructure Plan which addresses the following unless otherwise agreed by the responsible authority:

- 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.
- 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 development contributions plan applying to the land 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.

Assessment of traffic impacts of new intersection

An application that proposes to create or change access to Centre Road or Greaves 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 in the case of Greaves Road or Casey City Council in the case of Centre Road unless otherwise agreed by the responsible authority and the relevant road manager.

Potentially contaminated land

An application to use or develop land 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 provides information including:

• Takes account of the report Geotechnical and Preliminary Environmental Contamination Assessment: Precinct Structure Plan No. 09 Berwick Waterways by Aecom, 28 January 2011.

• 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.

• 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.

4.0

20/11/2014
C188

Conditions and requirements for permits

See the precinct structure plan applying to the land.

5.0

20/11/2014
C188

Advertising signs

The advertising sign category for the land is the category specified in the zone applied zone to the land at Clause 2.2 of this schedule.

5.1

20/11/2014
C188

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 advertisement 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 10 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ10.

CASEY CENTRAL TOWN CENTRE PRECINCT STRUCTURE PLAN

1.0

The Plan

Map 1 to Schedule 10 to Clause 37.07 shows the Future Urban Structure for Casey Central Town Centre. It is a reproduction of Plan 3 in the *Casey Central Town Centre Precinct Structure Plan*.

MAP 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 shown as ‘Precinct Structure Plan Area’ in Map 1 of this schedule and shown as UGZ10 on the planning scheme maps.

Note: If land shown on Map 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 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 or 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>Lifestyle retail</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Transitional retail</td>
<td></td>
</tr>
<tr>
<td>Corporate centre</td>
<td>Clause 34.02 – Commercial 2 Zone</td>
</tr>
<tr>
<td>Glasscocks Road</td>
<td>Clause 36.04 – Road Zone Category 1</td>
</tr>
<tr>
<td>Mixed use</td>
<td>Clause 32.04 – Mixed Use Zone</td>
</tr>
<tr>
<td>Medium density residential</td>
<td>Clause 32.08s1 – General Residential Zone 1</td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.07s1 – Residential Growth Zone 1</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 Residential Growth 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 an applied 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 Casey Central Town Centre Precinct Structure Plan as open space (other than open space within a gas easement) provided the use or development is carried out generally in accordance with the Casey Central Town Centre 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>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling where the applied zone is Mixed Use Zone</td>
<td>A permit is required to use land for a dwelling.</td>
</tr>
<tr>
<td>Office where the applied zone is Mixed Use Zone</td>
<td>A permit is not required to use land for an office.</td>
</tr>
<tr>
<td>Supermarket where the applied zone is Commercial 1 Zone</td>
<td>A permit is required to use land for a supermarket if the combined leasable floor area of all supermarkets exceeds 1,500 square metres on land shown as ‘transitional retail’ and ‘lifestyle retail’ in the incorporated Casey Central Precinct Structure Plan.</td>
</tr>
</tbody>
</table>

Corrective institution
- Child care centre
- Hospital
- Medical centre
- Residential aged care facility
- Retirement village
- Education centre

Specific Provisions – Construction of single dwellings on small lots

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 (Victorian Planning Authority, November 2019) incorporated pursuant to Clause 72.04 of the Casey Planning Scheme.

Or;

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 5 of the Building Regulations 2018) 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 at Table A2 to Clause 54.06-2 is met.

Specific Provisions – construction management plan required whether or not a permit is required

Prior to the commencement of any works, including demolition, within the gas easement or within 55 metres of the gas easement as shown on Map 1 of this schedule, a Construction Management Plan (CMP) must be submitted to and approved by the responsible authority. The plan must:

- be endorsed by the owner/operator of the high pressure gas pipeline;
- specify details of the construction methodology;
- prohibit the use of rippers and horizontal directional drills within the easement or towards the easement unless otherwise agreed by the operator of the gas transmission pipeline;
- prohibit vertical drilling within easement;
- prohibit deep excavation within the gas easement, unless with prior agreement of the owner/operator of the high pressure gas pipeline;

- prohibit heavy vehicles (over 8 tonne per axle) from accessing the gas easement other than by a fully constructed road, unless with prior agreement with the operator of the gas transmission pipeline;

- require a concrete slab to be installed over the pipeline for the width of any road crossing; and

- include any other relevant matter to the satisfaction of the responsible authority.

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.

**2.8**  
01/09/2016 C189  

**Specific Provisions – Referral of applications – Lifestyle and Transitional retail areas and Corporate Centre areas**

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 Lifestyle and Transitional retail areas and Corporate Centre areas shown on Map 1 of this schedule must be referred in accordance with section 55 of the *Planning and Environment Act 1987* to the Metropolitan Planning Authority.

**3.0**  
01/09/2016 C189  

**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.

**3.1**  
01/09/2016 C189  

**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 property 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 and colours outlined in Table 3 – Lot Size and Housing Type Guide in the *Casey Central Town Centre Precinct Structure Plan*; and

- a demonstration of how the subdivision will contribute to the delivery of a diversity of housing.

**Public infrastructure plan**

An application for subdivision 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;

- 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;

- 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 written 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.

3.2 Traffic Impact Assessment

An application that proposes to create or change access to Narre Warren - Cranbourne Road or Glasscocks 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 in the case of Narre Warren - Cranbourne Road or City of Casey in the case of Glasscocks Road unless otherwise agreed by the responsible authority and the relevant road manager.

3.3 Environmental Wind Assessment

An application that proposes construction of a building in excess of 40 metres in height must be accompanied by a desktop environmental wind assessment by a suitably qualified wind engineer to ensure appropriate ground level wind conditions are achieved. The assessment must be to the satisfaction of the responsible authority.

3.4 Environmental Site Assessment

- An application to subdivide land or to 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 the report titled ‘Casey Central Phase 1 Environmental Site Assessment’ (GHD, May 2006) 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;
  - 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.

4.0 Conditions and requirements for permits

4.1 General requirements

A planning permit must include a condition or conditions which ensure that any requirements or conditions set out in the Casey Central Precinct Structure Plan are implemented as part of the planning permit or the plans endorsed under the planning permit.

Prior to commencement of the first stage of a development or prior to issue of a Statement of Compliance for subdivision within the precinct, 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 and amongst other matters specify the timing and responsibility for delivery of the fully directional signalized intersection of The Strand and Glasscocks Road.
Subdivision permits that allow for the creation of a lot 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 (Victorian Planning Authority, November 2019) incorporated pursuant to Clause 72.04 of the Casey Planning Scheme.

- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code (Victorian Planning Authority, November 2019) applies to each lot to the satisfaction of the responsible authority.

Use or develop land for a sensitive purpose

Any permit for the subdivision, use or development of land for a sensitive use must include any conditions necessary, in the opinion of the responsible authority, to implement any remediation actions recommended in the Environmental Site Assessment accompanying the application.

Subdivision or building and works permits where land is required for road widening

Land required for road widening including 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 extra cost to the acquiring agency unless funded by the Cranbourne North Precinct Structure Plan Development Contributions Plan.

Subdivision or building and works permits where land is required for public open space

Land required for public open space as a local park as set out in the Casey Central Town Centre Precinct Structure Plan or the Cranbourne North Precinct Structure Plan Development Contributions Plan, must be transferred to or vested in Council at no cost unless the land is funded by the Cranbourne North Precinct Structure Plan Development Contributions Plan.

Public Transport Victoria

Unless otherwise agreed by Public Transport Victoria, prior to the issue of a Statement of Compliance for any subdivision stage, bus stops must be constructed, at full cost to the permit holder, as follows:

- Generally in the location identified by Public Transport Victoria;
- In accordance with the Public Transport Guidelines for Land Use and Development with a concrete hard stand area, and in activity centres a shelter must also be constructed;
- Be compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002; and
- Be provided with direct and safe pedestrian access to a pedestrian path.

All to the satisfaction of Public Transport Victoria and the responsible authority.

Salvage and translocation

Any permit for subdivision must contain the following condition:

The Salvage and Translocation Protocol for Melbourne’s Growth Corridors, 2014 (Melbourne Strategic Assessment) (Department of Environment and Primary Industries) must be implemented in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.
5.0
01/09/2016
C189

Advertising signs
The advertising sign category for the land is the category specified in the zone applied zone to the
land at Clause 2.2 of this schedule.

5.1
01/09/2016
C189

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 advertisement 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 11 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ11.

BROMPTON LODGE PRECINCT STRUCTURE PLAN

The Plan

Map 1 shows the future urban structure proposed in the Brompton Lodge Precinct Structure Plan. It is a reproduction of Plan 2 in the Brompton Lodge Precinct Structure Plan.

Map 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 Map 1 and shown as UGZ11 on the planning scheme maps.

Note: If land shown on Map 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 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 or 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 Town Centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Walkable catchment for higher density residential opportunities</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 Provision - 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 provision – Use and development of future public land

A permit is not required to use or develop land shown in the *Brompton Lodge Precinct Structure Plan* as local park or community facilities provided the use or development is carried out generally in accordance with the *Brompton Lodge Precinct Structure Plan* and with the prior written consent of City of Casey.

Specific provision – 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</td>
<td>A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds 6,280 square metres.</td>
</tr>
<tr>
<td>Commercial 1 Zone</td>
<td></td>
</tr>
</tbody>
</table>

Specific provision – Construction of single dwellings on small lots

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 (Victorian Planning Authority, November 2019)* incorporated pursuant to Clause 72.04 of the Casey Planning Scheme.

Or;

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 5 of the Building Regulations 2018) 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.

Specific provisions –Referral of applications – Sand extraction area - Department of Economic Development, Jobs, Transport and Resources (DEDJTR)

An application to develop land for a sensitive use within the land containing the former sand extraction area, at 655 Cranbourne-Frankston Road, Cranbourne South (Lot 1 TP958208K, and 980-1020 Dandenong–Hastings Road, Cranbourne (Lot 1 TP371251 and Lot 2 PS331597), subject to Work Authority 121 (WA121) under the *Mineral Resources (Sustainable Development) Act 1990*), must be referred to the Department of Economic Development, Jobs, Transport and Resources (DEDJTR).
2.8

Specific provision – Referral of applications – Local Town Centre

An application to subdivide land, or construct a building or carry out works (where value to those works in in excess of $500,000) on land identified in Plan 4 in the incorporated Brompton Lodge Precinct Structure Plan as ‘Local Town Centre’ must be referred in accordance with section 55 of the Planning and Environment Act 1987 to the Growth Areas Authority.

3.0

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.

3.1

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 property 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 and colours outlined in Table 2 – Lot Size and Housing Type Guide in the Brompton Lodge Precinct Structure Plan; and

- A demonstration of how the subdivision will contribute to the delivery of a diversity of housing.

- A risk assessment prepared by a suitably experienced and qualified consultant that acknowledges the existing and future land use at the sand extraction area and provides sufficient confidence that a sensitive use can be safely developed within 250 metres of the extraction area. The application and risk assessment must be referred to DEDJTR.

- A Conservation Management Plan (CMP) detailing the implementation of the Mitigation Measures for the Dwarf Galaxias habitat, by the Department of Environment, Land, Water and Planning for approval by the Responsible Authority. In addition to addressing the technical and environmental requirements of the CMP, the plan must include details of the timing of works for the construction of new habitat and the monitoring program and parameters for the translocation of existing fish from the existing habitat to the new habitat, confirm the:

  - Responsibility for the costs of construction and relocation.

  - Responsibility for the ongoing maintenance responsibilities.

  - The funding mechanism for ongoing maintenance by the owners in the estate.

  - Detailed construction details relative to the civil design requirements of the land surrounding the existing and proposed habitat areas.

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:

- 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 the Responsible Authority. The stormwater management strategy must include details of the proposed funding mechanism for waterway management by the future owners above and beyond any responsibilities of the authorities;

- 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 *Brompton Lodge Development Contributions Plan* is sought to be provided as "works in lieu" subject to the written consent of City of Casey;
- 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

**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 City of Casey, as required.

3.4

**Use or develop land for a sensitive purpose – Environmental Site Assessment – 765 & 785 Cranbourne-Frankston Road, Cranbourne South**

An application for subdivision and or use and development of land at 765 and 785 Cranbourne-Frankston Road, Cranbourne South (Lot 1 LP86054 and Lot 5 PS613876) must be accompanied by a Phase 2 Environmental Site Assessment, including:

- Indicative sampling to be carried out at 765 Cranbourne-Frankston Road, Cranbourne (Lot 1 LP86054) South for potential contamination ranked as ‘medium’ and ‘high’ in the Phase 1 Environmental Site Assessment and Geotechnical Desktop Investigation, Brompton Lodge Precinct Structure Plan (Coffey, April 2015);

- Soil assessment to be carried out at 785 Cranbourne-Frankston Road, Cranbourne South (Lot 5 PS613876) for potential contamination ranked as ‘medium’ and ‘high’ in the Phase 1 Environmental Site Assessment and Geotechnical Desktop Investigation, Brompton Lodge Precinct Structure Plan (Coffey, April 2015); and

- 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.*

3.5

**Groundwater Assessment – 765 & 785 Cranbourne–Frankston Road, Cranbourne South and 980-1020 Dandenong–Hastings Road, Cranbourne**

An application for subdivision and or use and development of land at 765 & 785 Cranbourne-Frankston Road, Cranbourne South (Lot 1 LP86054 and Lot 5 PS613876) and 980-1020 Dandenong-Hastings Road, Cranbourne (Lot 1 TP371251 and Lot 2 PS331597), must be accompanied by a site specific geotechnical investigation that assesses the existing groundwater conditions and makes recommendations to protect the proposed development from the impacts of ground water on site.

3.6

**Acoustic report**

An acoustic report, prepared by a qualified acoustic engineer, demonstrating how the proposed subdivision would comply with the relevant noise regulations, particularly in relation to noise from Western Port Highway, and what measures are recommended to be implemented to ensure compliance with noise regulations.
Conditions and requirements for permits

Conditions for subdivision permits that allow for the creation of a lot of less than 300 square metres

If construction of a single dwelling on a lot is to be assessed against the Small Lot Housing Code (Victorian Planning Authority, November 2019) under section 2.6 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 (Victorian Planning Authority, November 2019) incorporated pursuant to Clause 72.04 of the Casey Planning Scheme; and

- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code (Victorian Planning Authority, November 2019) applies to each lot to the satisfaction of the responsible authority.

Or;

If construction of a single dwelling on a lot between 250 and 300 square metres in area is to be provided via a building envelope that is not the Small Lot Housing Code (Victorian Planning Authority, November 2019), any permit for subdivision that allows the creation of a lot between 250 and 300 square metres must contain the following conditions:

- Before a plan is certified for a subdivision (or a 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 5 of the Building Regulations 2018) to the satisfaction of the responsible authority.

- The approved building envelopes must be applied as a restriction on the plan of subdivision or be applied through an agreement with the responsible authority 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 to apply to each relevant lot
  - All buildings to conform to the building envelope on the relevant lot
  - The construction of a building outside of a building envelope only with the 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.

Where the building envelope is to be applied to the land through an agreement with the responsible authority under Section 173 of the Planning and Environment Act, 1987 the building envelope plan may be approved after the plan of subdivision is certified.

Conditions for Public Transport

Unless otherwise agreed to by Public Transport Victoria, prior to the issue of a statement of compliance for any subdivision stage, bus stops must be constructed, at full cost to the permit holder as follows:

- Generally in the location identified by Public Transport Victoria

- In accordance with the Public Transport Guidelines for Land Use and Development with a concrete hard stand area, and in activity centres a shelter must also be constructed
- Be compliant with the *Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002*; and
- Be provided with direct and safe pedestrian access to a pedestrian path.

All to the satisfaction of Public Transport Victoria and the Responsible Authority.

### 4.3 Conditions for subdivision or buildings and works permits

#### Where land is required for road widening

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 *Brompton Lodge Development Contributions Plan*.

#### Where land is required for public open space

Land required for public open space as a local park as set out in *Brompton Lodge Precinct Structure Plan* or the *Brompton Lodge Development Contributions Plan*, must be transferred to or vested in Council at no cost to Council unless the land is funded by the *Brompton Lodge Development Contributions Plan*.

### Section 173 agreement

#### Conservation Management Plan

A planning permit for subdivision, buildings or works within the PSP area must include conditions necessary to implement the approved conservation management plan for the Dwarf Galaxias conservation area in the incorporated *Brompton Lodge Precinct Structure Plan*. A permit must include the following conditions:

- The certification of the plan of subdivision must not be issued and buildings or works must not commence until a Conservation Management Plan for the relevant works has been approved to the satisfaction of the Department of Environment, Land, Water and Planning and Responsible Authority, unless otherwise agreed by the Department of Environment, Land, Water and Planning and Responsible Authority.

- All works must be in accordance with the approved Conservation Management Plan, to the satisfaction of the Department of Environment, Land, Water and Planning and Responsible Authority.

- All works and translocation activities must be completed prior to the issue of a statement of compliance unless otherwise approved in writing by the Responsible Authority.

- Conditions securing the delivery and maintenance of the conservation area by section 173 agreement or an alternate mechanism 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.

#### Site Management Plan

- 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;
- 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.

4.4 15/12/2016

**Condition to use or develop land for a sensitive purpose – Environmental Site Assessment – 765 & 785 Cranbourne–Frankston Road, Cranbourne South and 980-1020 Dandenong–Hastings Road, Cranbourne**

Before a plan subdivision is certified under the *Subdivision Act 1988*, the recommendations of the Phase 2 Environmental Site Assessment submitted with an application for 765 & 785 Cranbourne–Frankston Road, Cranbourne South (Lot 1 LP86054 and Lot 5 PS613876) and 980-1020 Dandenong–Hastings Road, Cranbourne (Lot 1 TP371251 and Lot 2 PS331597) 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 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.

4.5 15/12/2016

**Condition to use or develop land for a sensitive purpose – 655 Cranbourne–Frankston Road, Cranbourne South and 980-1020 Dandenong–Hastings Road, Cranbourne**

A planning permit for subdivision or buildings or works at 655 Cranbourne–Frankston Road, Cranbourne South (Lot 1 TP 958208K) and 980-1020 Dandenong–Hastings Road, Cranbourne (Lot 1 TP371251 and Lot 2 PS331597) must include the following conditions:

- The salvage and translocation of Dwarf Galaxias species must be undertaken prior to the remediation of any works associated with the Work Authority 121 (WA121), except where works are required for maintenance of the pits for the purposes of public safety prior to the translocation of the Dwarf Galaxias and this must be undertaken to the satisfaction of the Department of Environment, Land, Water and Planning and the Responsible Authority.
- Before a plan of subdivision is certified under the *Subdivision Act 1988* and before the commencement of any works, the land at 655 Cranbourne-Frankston Road, Cranbourne South (Lot 1 TP958208K) and 980-1020 Dandenong–Hastings Road, Cranbourne (Lot 1 TP371251 and Lot 2 PS331597), which is subject to a Work Authority, must be rehabilitated to the satisfaction of the Responsible Authority and the Department of Economic Development, Jobs, Transport and Resources.

5.0 15/12/2016

**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 advertisement 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.

**Decision Guidelines**

Before deciding on an application to use land for a shop in a town centre, in addition to the decision guidelines at Clause 37.07-14, the Responsible Authority must consider, as appropriate:

- The local catchment and PSP catchment demand for the additional floor area; and
- The effect on existing and future major town centres within Casey.
SCHEDULE 12 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ12.

CARDINIA CREEK SOUTH PRECINCT STRUCTURE PLAN

1.0

The Plan

Plan 1 shows the future urban structure of the Cardinia Creek South Precinct Structure Plan. It is a reproduction of Plan 2 in the Cardinia Creek South Precinct Structure Plan.

Plan 1 to Schedule 12 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 UGZ12 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 Cardinia Creek 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.

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’.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential on a lot wholly within walkable catchment boundary</td>
<td>Clause 32.07 – Residential Growth Zone</td>
</tr>
<tr>
<td>(once subdivided)</td>
<td></td>
</tr>
<tr>
<td>Mixed use</td>
<td>Clause 32.04 – Mixed Use Zone</td>
</tr>
<tr>
<td>Local Town Centre / Local Convenience Centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Connector Street</td>
<td>Clause 36.04 – Road Zone Category 2</td>
</tr>
<tr>
<td>Arterial Road</td>
<td>Clause 36.04 – Road Zone Category 1</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>On land shown as community facilities in the Cardinia Creek South Precinct Structure Plan and with the prior written consent of the responsible authority.</td>
</tr>
<tr>
<td>Primary school</td>
<td>On land shown as Potential Non-Government School in the Cardinia Creek South Precinct Structure Plan.</td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td>Minor sports and recreation</td>
<td>On land shown as local park or local sports reserve on Plan 5 in the Cardinia Creek South Precinct Structure Plan and with the prior written consent of the responsible authority.</td>
</tr>
</tbody>
</table>
**Use**

**Condition**

**Shop where the applied zone is Commercial 1 Zone**

- The combined leasable floor area of all shops does not exceed:
  
  - 8,000 square metres for land shown as retail in the Alexander Boulevard Town Centre in the Cardinia Creek South Precinct Structure Plan.
  
  - 8,000 square metres for land shown as retail in the Pattersons Road Town Centre in the Cardinia Creek South Precinct Structure Plan.
  
  - 1,500 square metres for land shown as retail in the Ballarto Road Local Convenience Centre in the Cardinia Creek South Precinct Structure Plan.

Any use listed in Clause 62.01 Must meet requirements of Clause 62.01.

**Section 2 - Permit required**

**Use**

**Condition**

**Any use not in Section 1 or Section 3**

**Section 3 – Prohibited**

**Use**

None Specified

**Specific provisions - Subdivision**

None specified.

**Specific provisions - Buildings and works**

**Dwellings on a lot less than 300 square metres**

No permit is required to construct a building or construct or carry out works for the following:

- 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 (Victorian Planning Authority, November 2019)* incorporated pursuant to Clause 72.04 of the Casey Planning Scheme; or

- One dwelling on a lot of between 250 and 300 square metres where an approved building envelope (as defined in Part 5 of the Building Regulations 2018) applies to the lot.

A permit is required to:

- Construct a front fence within 3 metres of a street, on a lot less than 300 square metres, if the fence exceeds the maximum height specified in Clause 54.06-2.

**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 ‘potential non-government school’ unless exempt under Clauses 62.02-1 and 62.02-2.

**Development of future public land**

A permit is not required to construct a building or construct or carry out works:
On land shown in the *Cardinia Creek South Precinct Structure Plan* as local park, local sports reserve or community facilities provided the development is carried out generally in accordance with the *Cardinia Creek South Precinct Structure Plan* and with the prior written consent of the responsible authority.

### 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 the requirements of Clause 56.01-2, a subdivision design response for a residential subdivision must include, to the satisfaction of the responsible authority:

- 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;
- A demonstration of how the property 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 and colours outlines in Table 2 - Lot Size and Housing Type Guide in the *Cardinia Creek South 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 Plan 4 – Image and Character and any tree protection requirements and guidelines within the *Cardinia Creek South Precinct Structure Plan*;
- Potential bus route and bus stop locations prepared in consultation with Public Transport Victoria;
- Subdivision and Housing Design Guidelines, prepared to satisfaction of the responsible authority, which demonstrates how the proposal:
  - Responds to and achieves the objectives and planning and design requirements and guidelines within the “Housing” section of the Cardinia Creek South Precinct Structure Plan incorporated into this scheme; and,
  - Where adjoining Thompsons Road, must respond to the role of Thompsons Road as part of the Principal Freight Network and manages the impacts of freight movements on urban amenity.
- A Site Management Plan that addresses bushfire risk during, and where necessary, after construction, which is approved by the Country Fire 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.

Public Infrastructure Plan
An application to subdivide land, or construct a building or construct or carry out works must be accompanied by a Public Infrastructure Plan which addresses the following:

- A Stormwater Management Strategy that assesses the existing surface and subsurface drainage conditions on the site, addresses the provision, staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of the responsible authority and Melbourne Water.
- What land may be affected by 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 Precinct Infrastructure Plan in the incorporated Cardinia Creek South Precinct Structure 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.
- 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 or the responsible authority, as required.

Heritage Conservation Management Plans and Heritage Assessment
An application to use, develop or subdivide land containing an identified Heritage Place must be accompanied by a Heritage Conservation Management Plan. The Heritage Conservation Management Plan must include a statement of significance/cultural value, appropriate site boundaries where subdivision is proposed, required restoration works, a schedule identifying essential urgent restoration works and potential future restoration works, an interpretive reuse plan, and interpretive signage, to the satisfaction of the responsible authority.

Groundwater Assessment
An application to use, develop or subdivide land must be accompanied by a hydrogeological assessment of groundwater conditions on the site and the potential impacts on the proposed development, including any measures required to mitigate the impacts of groundwater conditions on the development and the impact of development on groundwater, to the satisfaction of the responsible authority.
Conditions and requirements for permits

Condition - Subdivision permits that allow the creation of a lot/s of less than 300 square metres

- Prior to 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 (Victorian Planning Authority, November 2019) incorporated pursuant to Clause 72.04 of the Casey Planning Scheme.

- The Plan of Subdivision submitted for certification must identify whether Type A or Type B of the Small Lot Housing Code (Victorian Planning Authority, November 2019) applies to each lot to the satisfaction of the responsible authority.

Requirement - Salvage and translocation

The salvage and translocation of flora and fauna must be undertaken in the carrying out of works to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

Condition - Environmental Management Plans

A planning permit to subdivide land, construct a building or construct or carry out works within 30 metres of land shown as a conservation area in the Cardinia Creek South Precinct Structure Plan must include the following condition:

- Prior to certification of the plan of subdivision or the commencement of buildings or works, an Environmental Management Plan for the relevant works or subdivision must be approved to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning and responsible authority, unless otherwise agreed by the Secretary to the Department of Environment, Land, Water and Planning and responsible authority.

Condition - Protection of conservation areas and native vegetation during construction

- Before the commencement of buildings or works within 30 metres of a conservation area shown in the Cardinia Creek South Precinct Structure Plan, the permit holder must erect a vegetation protection fence around any conservation area, patch of native vegetation or scattered tree identified for retention, or vegetation identified for salvage in the Cardinia Creek South Precinct Structure Plan. The fence must be:
  - 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 occurring within 30 m of the conservation area, patch of native vegetation or scattered tree;
  - located at a minimum distance from the identified elements in Table 2:

| Table 2 |
|-----------------|---------|
| Element         | Distance|
| Conservation area| 2 m     |
| Scattered tree   | 12 x DBH (Diameter at Breast Height) |
| Patch of native vegetation | 2 m     |

During the undertaking of buildings or works, all activities must be excluded from occurring within the protection fencing, unless otherwise agreed to by the Secretary to the Department of Environment, Land, Water and Planning.
Construction stockpiles, fill, machinery, vehicle parking, excavation and works or other activities associated with the buildings or works must be designed and constructed to ensure that the conservation area, scattered trees or patches of native vegetation identified for retention in the Precinct Structure Plan are protected from adverse impacts during construction.

**Condition - Land Management Cooperative Agreement**

A permit to subdivide land shown in the *Cardinia Creek South 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 *Cardinia Creek 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 a conservation area identified in the *Cardinia Creek South Precinct Structure Plan* that is:

- Identified the *Cardinia Creek South 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

- Identified in the *Cardinia Creek South 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

- 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.

All to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

**Condition - Subdivision permits where bus stops are required**

- Unless otherwise agreed by Public Transport Victoria, prior to the issue of a Statement of Compliance for any subdivision stage, bus stops must be constructed, at full cost to the permit holder, as follows:
  - Generally in the location identified by Public Transport Victoria;
  - In accordance with the Public Transport Guidelines for Land Use and Development with a concrete hard stand area and access path;
  - Be compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002; and
  - Be provided with direct and safe pedestrian access to a pedestrian path.

All to the satisfaction of Public Transport Victoria and the responsible authority.
Conditions - Subdivision permits where land is required for road widening

Any permit for subdivision 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.

Condition - Public 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.

Requirement - Subdivision or buildings and works permits where land is required for community facilities, public open space or road widening

Any permit for subdivision or buildings and works must contain a condition or conditions ensuring:

- The costs associated with effecting the transfer or vesting of land required for community facilities, public open space or road widening (including right of way flaring for the ultimate design of any intersection within an existing or proposed arterial road) must be borne by the permit holder; and
- Land required for community facilities, public open space or 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 the relevant public agency with any designation (e.g. road, reserve or lot) nominated by the relevant agency.

Requirement – Use, subdivision or buildings and works permits where land contains an identified Heritage Place

- Any permit for the use, development or subdivision of land containing an identified Heritage Place must contain a condition requiring the Heritage Conservation Management Plan approved as part of the permit to be secured via an appropriate legal mechanism such as an agreement pursuant to section 173 of the Planning and Environment Act 1987 to the satisfaction of the responsible authority

Exemption from notice and review

None specified.

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:

- When deciding on an application to create floorspace in excess of any cap in a town centre, the local catchment and PSP catchment demand for additional floor space; and
- The effect on existing and future major town centres within City of Casey.

Signs

Sign requirements for this land is the category specified in the zone applied to the land at Clause 2.2 of this schedule.
1.0 MINTA FARM PRECINCT STRUCTURE PLAN

The Plan

Plan 1 shows the Future Urban Structure proposed in the *Minta Farm Precinct Structure Plan*. It is a reproduction of Plan 3 in the *Minta Farm Precinct Structure Plan*.

Plan 1 to Schedule 14 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 UGZ14 on the planning scheme maps. This schedule must be read in conjunction with the Minta Farm Precinct Structure Plan.

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 Minta Farm 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.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mixed Use sub-precinct</td>
<td>Clause 32.04 – Mixed Use Zone</td>
</tr>
<tr>
<td>Residential on a lot wholly within a walkable catchment</td>
<td>Clause 32.07 – Residential Growth Zone</td>
</tr>
<tr>
<td>Arterial road</td>
<td>Clause 36.04 – Road Zone Category 1</td>
</tr>
<tr>
<td>Credited open space located within the Commercial and Office sub-precinct or the Innovation and Technology Business sub-precinct</td>
<td>Clause 36.04 – Public Park and Recreation Zone</td>
</tr>
<tr>
<td>Local Town Centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Commercial and Office sub-precinct</td>
<td>Clause 34.02 – Commercial 2 Zone</td>
</tr>
<tr>
<td>Innovation and Technology Business sub-precinct</td>
<td>Clause 34.02 – Commercial 2 Zone</td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
</tbody>
</table>

Specific Provision – Use of land
Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop (other than Adult sex product shop) where the applied zone is Commercial 1</td>
<td>The combined leasable floor area of all shops must not exceed 13,000 square metres.</td>
</tr>
<tr>
<td>Supermarket where the applied zone is Commercial 2 Zone</td>
<td>The leasable floor area must not exceed 500sqm.</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 use listed in Section 1 in the Table of uses of the applicable applied zone</td>
<td></td>
</tr>
</tbody>
</table>
Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industry where the applied zoned is Commercial 2 Zone</td>
<td>The use must be located within the Commercial and Office sub-precinct.</td>
</tr>
<tr>
<td>Residential aged care facility where the applied zone is Mixed Use Zone</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises where the applied zone is Commercial 2 Zone</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3 in the Table of uses in the applicable applied zone</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 – Prohibited

Use

Any use listed in Section 3 in the Table of uses of the applicable applied zone

2.4

Specific provisions - Subdivision

Construction of the north-south arterial road

A planning permit must not be issued for any subdivision that results in a combined total of more than 1,000 residential lots in the incorporated Minta Farm Precinct Structure Plan area, until:

- Interim construction of the north-south arterial road is completed between the Beaconsfield interchange (north) and Grices Road (south); and
- All land required for ultimate carriageway of the north-south arterial road within the precinct is vested in the relevant public authority.

Unless an agreement to implement these matters is entered into under Section 173 of the Act with the responsible authority.

2.5

Specific provision – Buildings and works

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 (Victorian Planning Authority, November 2019), incorporated into the Casey Planning Scheme.

2.6

Specific provision - Urban Design Framework

Except with the consent of the responsible authority and the Victorian Planning Authority, a permit must not be granted to use or subdivide land, or construct a building or construct and carry out works on land identified as ‘Urban Design Framework area’ Plan 6 in the incorporated Minta Farm Precinct Structure Plan, until an urban design framework for the area 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 precinct structure plan applying to the land.

An application for use and/or development on land identified as ‘Urban Design Framework area’ on Plan 6 in the incorporated Minta Farm Precinct Structure Plan must be consistent with any urban design framework approved under this schedule.
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 for the relevant area if, in the opinion of the responsible authority, the permit is consistent with the requirements for the urban design framework and the permit implements the objectives in the *Minta Farm Precinct Structure Plan*. The responsible authority may allow an urban design framework to be prepared in stages. The urban design framework may be amended to the satisfaction of the responsible authority and the Victorian Planning Authority.

**2.7 Specific provision - Use and development of future public land**

A permit is not required to use or develop land shown in the *Minta Farm Precinct Structure Plan* as local park, local sports reserve or community facilities provided the development is carried out generally in accordance with the *Minta Farm Precinct Structure Plan* and with the prior written consent of the responsible authority.

**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 property will contribute to the achievement of the residential density outcomes in the *Minta Farm 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 and colours outlined in *Table 2 – Lot Size and Indicative Housing Type* in the *Minta Farm Precinct Structure Plan*;
- A written statement that sets out how the proposal implements the objectives and planning and design requirements and guidelines in accordance with the incorporated *Minta Farm 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 assessment, prepared by a suitably qualified professional, of the existing surface and subsurface drainage conditions on the site, including any potential impacts on the proposed development. The assessment must include any measures required to mitigate the impacts of the development on groundwater and drainage;
- A demonstration of how the subdivision will contribute to the delivery of a diversity of housing;
- An arboricultural report identifying all trees on the site and a tree retention plan identifying how the application responds to *Plan 8 – Native Vegetation Retention and Removal* and any tree protection requirements and guidelines in the *Minta Farm Precinct Structure Plan*;
- Potential bus route and bus stop locations prepared in consultation with Public Transport Victoria;
Subdivision and Housing Design Guidelines, prepared to satisfaction of the responsible authority, which demonstrates how the proposal responds to and achieves the objectives and planning and design requirements and guidelines within the “Image, Character, Housing and Heritage” section of the Minta Farm Precinct Structure Plan incorporated into this scheme;

Where relevant, demonstration of how the subdivision will respond sensitively to the heritage significance of the Myer House (Heritage Overlay - HO209) and its surrounding area.

A response demonstrating how the subdivision responds to existing topography.

A Site Management Plan that addresses bushfire risk during, and where necessary, after construction, to the satisfaction of the Country Fire Authority and 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 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 grassfire and bushfire; and
- How adequate opportunities for access and egress will be provided for early residents, construction workers and emergency vehicles.

Subdivision – Innovation and technology business sub-precinct and commercial and office sub-precinct.

An application for subdivision in the innovation and technology business sub-precinct and commercial and office sub-precinct 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 job yield.
- A demonstration of how the property will contribute to the achievement of the employment/job creation yields in the Minta Farm Precinct Structure Plan applying to the land.
- A written statement that sets out how the proposal implements the objectives and planning and design requirements and guidelines in accordance with the incorporated Minta Farm 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.

Urban Design Framework

An application to construct a building or construct or carry out works in the urban design framework area, identified in Plan 6 of the Minta Farm Precinct Structure Plan, must be accompanied by a design response that provides an assessment against the Urban Design Framework approved under this schedule.

Local Town Centres

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 Local Town Centre requirements, the Local Town Centre Guidelines and the relevant Local Town Centre Concept Plan in the *Minta Farm Precinct Structure Plan*;
- Address any relevant design guidelines prepared by the Victorian Government or Casey 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.
- Include environmental sustainability initiatives 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;
- Address the provision of advertising 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 including a design of the urban plaza.

**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 road works internal and external to the land consistent with any relevant traffic report or assessment;
- What, if any, infrastructure set out in the infrastructure contributions plan applying to the land 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.

**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 and/or concept road safety audit, must be to the satisfaction of VicRoads or Casey City Council, as required.

**Subdivide, Use or Develop Land for a Sensitive Use – Environmental Site Assessment**

An application to subdivide land or 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 prepared by a suitably qualified environmental professional to the
satisfaction of the responsible authority, which takes account of the report titled ‘Stage 1 and 2 – Desktop Environmental, Hydrogeological and Geotechnical Assessment (SKM, 17 February 2011)’ and includes the following information:

- 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;
- 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; and
- Recommended remediation actions for any potentially contaminated land.

**Heritage Places**

An application to subdivide land or to construct a building or construct and carry out works on land containing an identified heritage place(s) must:

- Address the proposed future use or adaptive reuse of the affected heritage place(s);
- Include a Heritage 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.

### Conditions and Requirements for Permits

#### Condition – Subdivision permits that allow the creation of a lot 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 (Victorian Planning Authority, November 2019), into the Casey Planning Scheme; and

- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code (Victorian Planning Authority, November 2019) applies to each lot to the satisfaction of the responsible authority.

#### Requirement – Subdivision and Housing Design Guidelines

The specific built form requirements arising out of the design guidelines prepared as part of the application for subdivision for lots adjacent to the eastern boundary of the precinct must be implemented via a restriction on title or any other alternative deemed satisfactory by the responsible authority.

#### Conditions – Biodiversity and Threatened Species

Any permit for subdivision must contain the following conditions:

**Salvage and translocation**

- The Salvage and Translocation Protocol for Melbourne’s Growth Corridors (Department of Environment, Land, Water and Planning, 2017) 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

- Before the commencement of buildings or works within 30 metres of a conservation area shown on Plan 5 of the *Minta Farm Precinct Structure Plan*, the permit holder must erect a vegetation protection fence around any conservation area, patch of native vegetation or scattered tree identified for retention, or vegetation identified for salvage in the incorporated *Minta Farm Precinct Structure Plan*. The fence must be:
  - 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 occurring within the conservation area, patch of native vegetation or scattered tree
  - located at a minimum distance from the identified elements in Table 2:

### Table 2

<table>
<thead>
<tr>
<th>Element</th>
<th>Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation area</td>
<td>0.5 metres</td>
</tr>
<tr>
<td>Scattered tree</td>
<td>12 x Diameter at Breast Height</td>
</tr>
<tr>
<td>Patch of native vegetation</td>
<td>2 metres</td>
</tr>
</tbody>
</table>

During the undertaking of buildings or works, all activities must be excluded from occurring within the protection fencing, unless otherwise agreed to by the Secretary to the Department of Environment, Land, Water and Planning.

Construction stockpiles, fill, machinery, vehicle parking, excavation and works or other activities associated with the buildings or works must be designed and constructed to ensure that the conservation area, scattered trees or patches of native vegetation identified for retention in the Precinct Structure Plan are protected from adverse impacts during construction.

**Conditions – Land Management Co-operative Agreement**

- A permit to subdivide land shown in the incorporated *Minta Farm Precinct Structure Plan* as including the conservation area shown on Plan 5 must ensure that, before the issue of a statement of compliance for the last stage of subdivision, the owner of the land:
  - Enters into a Land Management Co-operative 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; 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 area shown on Plan 5 of *Minta Farm 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 – Environmental Management Plans**

A planning permit to subdivide land, construct a building, or construct or carry out works on or within 30 metres of land shown as a conservation area in the incorporated *Minta Farm Precinct Structure Plan* must include the following condition:

- Prior to the certification of plan of subdivision or the commencement of buildings or works, an Environmental Management Plan for the relevant works or subdivision must be approved to the satisfaction of the Secretary to the Department of Environment, Land Water and Planning and the responsible authority.

**Condition – Public transport**

- 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.

**Conditions – Subdivision or buildings and works permits where land is required for community facilities, public open space or road widening**

A permit for subdivision or buildings and works, where land is required for community facilities, public open space or road widening must include the following conditions:

- The costs associated with effecting the transfer or vesting of land required for community facilities, public open space or road widening must be borne by the permit holder.

- Land required for community facilities, public open space or road widening 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 – Use or Develop Land for a Sensitive Use**

- 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 Phase 2 Environmental Site Assessment 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.
Requirement – Management of bushfire risk during subdivisional works

A permit for subdivision that contains a condition requiring a construction management plan must ensure that the relevant plan addresses any potential bushfire risks arising from the land during construction and must include a statement from a suitably qualified professional that the proposed bushfire risk management measures are appropriate.

Exemption from Notice and Review

None specified.

Decision Guidelines

None specified.

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 advertisement 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 750 millimetres 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.

If the sign does not meet all of the requirements listed above, it must comply with the provisions of Clause 52.05.
ACTIVITY CENTRE ZONE

Shown on the planning scheme map as ACZ with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To encourage a mixture of uses and the intensive development of the activity centre:
- As a focus for business, shopping, working, housing, leisure, transport and community facilities.
- To support sustainable urban outcomes that maximise the use of infrastructure and public transport.
To deliver a diversity of housing at higher densities to make optimum use of the facilities and services.
To create through good urban design an attractive, pleasant, walkable, safe and stimulating environment.
To facilitate use and development of land in accordance with the Development Framework for the activity centre.

Operation

A schedule to this zone comprises the Development Framework for the activity centre.
A schedule to this zone must contain:
- A framework plan for the activity centre.
- A statement of the activity centre land use and development objectives to be achieved.
A schedule to this zone may contain:
- Centre-wide provisions.
- Precinct provisions.

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>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 3 of the schedule to this zone</td>
<td></td>
</tr>
</tbody>
</table>
**Casey Planning Scheme**

**37.08-3**

**Use of land**

Any requirement in the schedule to this zone must be met.

---

**37.08-4**

**Subdivision**

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>

---

**37.08-5**

**Buildings and works**

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

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.
### Class of application

**Information requirements and decision guidelines**

Construct a building or construct or carry out works with an estimated cost of up to $500,000 and 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.

### 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.

### 37.08-6

17/09/2009
VC59

#### Design and development

A schedule to this zone may include requirements relating to:

- Building setbacks.
- Building height.
- Building materials.
- Access.
- Landscaping.
- Public realm.
- Any other requirements or guidelines 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 is not in accordance with any design and development requirement in the schedule to this zone unless the schedule to this zone specifies otherwise.

### 37.08-7

16/01/2018
VC142

#### Application requirements

**Use**

An application to use land must be accompanied by the following information, as appropriate:

- A description of the proposed use and the types of activities which will be carried out and any proposed staging of use and activities on the land.
- Plans drawn to scale and dimensioned which show:
  - The siting and use of buildings.
  - Areas not required for immediate use.
  - Adjacent buildings and uses.
- 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, glare, air-borne emissions and emissions to land and water.
- 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.

- Any other information specified in the schedule to this zone.

**Subdivision**

An application to subdivide land must be accompanied by the following information, as appropriate:

- Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
  - The pattern of subdivision of the surrounding area.
  - Easements.
  - Location of drainage and other utilities.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Access points.
  - Any natural features.

- Any other information specified in the schedule to this zone.

**Buildings and works**

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- Plans drawn to scale and dimensioned which show:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and use of buildings and works on adjoining land.
  - Levels of the site and the difference in levels between the site and surrounding properties to a defined point at the site boundaries or to Australian Height Datum (AHD).
  - Any contaminated soils and filled areas, where known.
  - The layout of existing and proposed buildings and works.
  - The internal layout and use of the proposed development.
  - All access and pedestrian areas.
  - All driveway, car parking and loading areas.
  - Existing vegetation and proposed landscape areas.
  - All external storage and waste treatment areas.
  - The location of easements and services.

- Elevation plans drawn to scale and dimensioned which show:
  - The building form and scale.
  - Setbacks to property boundaries.
- Finished floor levels and building heights to a defined point at the site boundaries or to Australian Height Datum (AHD).

- Shadow diagrams based on the equinox shown for existing conditions and the proposed development.

- A schedule of finishes for the proposed development detailing materials and colours of external surfaces including walls, roofs and fences.

- A written statement providing an assessment of the proposal against the relevant sections of the Planning Policy Framework, Activity Centre Zone and any relevant overlays.

- An assessment of the characteristics of the area including:
  - Any environmental features such as vegetation, topography and significant views.
  - Street design and landscape.
  - The pattern of development.
  - Building form, scale and rhythm.
  - Architectural style, building details and materials.
  - Connection to the public realm.
  - Any significant noise, odour, fume and vibration sources to and/or from the development.

- A landscape plan 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.

- Construction details of all drainage works, driveways, vehicle parking and loading areas.

- An urban context report and design response as required in Clause 58.01 for an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development.

- Any other information specified in the schedule to this zone.

### 37.08-8

**Exemption from notice and review**

An application under Clauses 37.08-2, 37.08-4, 37.08-5 or 37.08-6 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.

A schedule to this zone may specify an application in respect of land in an Activity Centre Zone under any other specified provision of this scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

### 37.08-9

**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 development framework plan set out in the schedule to this zone.

- The land use and development objectives set out in the schedule to this zone.
The extent that the layout and design of the new use or development minimises the potential for off-site impacts, including from noise, fumes, odour or vibrations, ensuring that:
- existing uses are not compromised by a new development, or
- a new development is designed to address amenity impacts from existing uses.

- Any requirements set out in the schedule to this zone.
- Any other decision guidelines specified in the schedule to this zone.

Access
- Movements systems through and around the site including the movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking, loading of vehicles and access to parking spaces and loading bays.

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.

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.

Design and built form
- The design, scale, height, setback, appearance and material of the proposed buildings and works.
- The provision for solar access to the building and on the public realm.
- The design of the public realm.
- The relationship between the proposed building and the public realm.
- The streetscape, including the conservation of buildings, the design of verandas, access from the street front, provision of 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 interface with adjoining zones, especially the relationship with residential zones.
- 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.
- The storage of rubbish and materials for recycling.

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.
37.08-10  Signs
Sign requirements are at Clause 52.05. This zone is in Category 1 unless a schedule to this zone specifies a different category.

37.08-11  Other provisions of the scheme
The schedule to this zone may specify that other provisions of the scheme do not apply.
SCHEDULE 1 TO CLAUSE 37.08 ACTIVITY CENTRE ZONE

Shown on the planning scheme map as ACZ1.

CRANBOURNE TOWN CENTRE

1.0 Cranbourne Town Centre Framework Plan

Land use and development objectives to be achieved

- To promote a sustainable and vibrant mixed-use activity centre which is a regional destination with a strong sense of place and civic identity which serves the local and wider community.
To develop the Cranbourne Town Centre as a focus for contemporary, high-density residential development incorporating a mix of complementary retail, commercial, entertainment, employment, education and community uses.

To ensure land use and development facilitates a range of sustainable local employment and business opportunities.

To promote the Casey Complex as a modern, high-standard, regional sporting and recreational facility with integrated uses and community services.

To promote developments which are flexible with an intensity and mixture of land uses around key transport nodes

To provide a high level of activity to attract people, provide a focal point for the community, create an attractive and safe urban environment and increase opportunities for social interaction.

To substantially increase the provision, density and diversity of housing types by offering the community a wider range of housing opportunities.

**Built form**

To create a visually appealing built form within attractive streetscapes and increase the intensity, scale and density of development to reflect the status of the Cranbourne Town Centre as a significant location, both within Casey and the broader Melbourne metropolitan area.

To create a sense of identity in the Cranbourne Town Centre by encouraging high quality architecture which incorporates art into the design and/or in adjacent public areas

To ensure an appropriate transition in height from within the Cranbourne Town Centre to surrounding areas.

To establish ‘gateway’ locations within the Cranbourne Town Centre with distinguishing architecture, higher built form and innovative urban design.

**Environmental sustainability**

To ensure Australian ‘best practice’ environmentally sustainable design is exceeded in relation to building energy management, water-sensitive urban design, construction materials, indoor environment quality, waste management and transport.

**Public realm**

To encourage active street frontages and pedestrian generating activities to be located along roads and streets.

To facilitate use and enjoyment of public urban spaces, pedestrian and bicycle paths, plazas and streetscapes through well considered urban design.

To encourage artwork in suitable locations to contribute to the creation of a distinctive sense of identity.

**Open space and landscaping**

To create and maintain a healthy landscaped environment which includes treed boulevards with active frontages and high-quality landscaping along the length of High Street-South Gippsland Highway, Lyall Street and Sladen Street.

To achieve development that provides accessible, safe, attractive and functional private and public open space opportunities that, are well connected and integrated within a permeable urban environment.

**Transport and access**

To develop well-defined movement networks and access that provide strong linkages, increase public transport patronage and improve pedestrian and bicycle users’ amenity.
To provide for well-defined vehicular, bicycle and pedestrian access.

To strengthen pedestrian movement throughout the centre, specifically by reinforcing the east-west connections across High Street.

### 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 Camping and caravan park, Caretaker’s house, Corrective institution, Residential building, Residential village, Retirement village and Host farm)</strong></td>
<td>Must not be in Precinct 3 or Sub-precincts 1A, 8C or 8D. Any frontage at ground level in Sub-precincts 1B-1F, 1H, 2A, 2C, 4, 5, 7A, 7C, 8A or 8B must not exceed 2 metres.</td>
</tr>
<tr>
<td><strong>Animal keeping (other than Animal boarding)</strong></td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td><strong>Bus terminal</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Child care centre</strong></td>
<td>Must be located within Precinct 4, 5, 7 or 9 or Sub-precincts 8A or 8B.</td>
</tr>
<tr>
<td><strong>Cinema</strong></td>
<td>Must be located in Precinct 4.</td>
</tr>
<tr>
<td><strong>Convenience shop</strong></td>
<td>Must not be located in Precinct 3, 6 or 9 or Sub-precinct 8C. Must be at ground level.</td>
</tr>
<tr>
<td><strong>Education centre</strong></td>
<td>Must be located in Precinct 4 or 7.</td>
</tr>
<tr>
<td><strong>Food and drink premises (other than Hotel and Tavern)</strong></td>
<td>Must not be in Precinct 3, 6 or Sub-precinct 8C.</td>
</tr>
<tr>
<td><strong>Home based business</strong></td>
<td>Must meet the requirements of Clause 52.11.</td>
</tr>
<tr>
<td><strong>Industry (other than Refuse disposal and Service industry)</strong></td>
<td>Must be located in Precinct 3 or Sub-precincts 8C or 8D.</td>
</tr>
<tr>
<td></td>
<td>Must not be a purpose shown with a Note 1 or 2 in the table to Clause 52.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, 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 52.10.</td>
</tr>
<tr>
<td></td>
<td>• 30 metres, for a purpose not listed in the table to Clause 52.10.</td>
</tr>
<tr>
<td><strong>Informal outdoor recreation</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Leisure and recreation (other than Informal outdoor recreation, Motor racing track and Restricted recreation facility)</strong></td>
<td>Must be located in Precinct 7.</td>
</tr>
</tbody>
</table>

**3.0 04/04/2019 C204**

**Table of uses**

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
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</tr>
</thead>
<tbody>
<tr>
<td><strong>Accommodation (other than Camping and caravan park, Caretaker’s house, Corrective institution, Residential building, Residential village, Retirement village and Host farm)</strong></td>
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<td><strong>Bus terminal</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Child care centre</strong></td>
<td>Must be located within Precinct 4, 5, 7 or 9 or Sub-precincts 8A or 8B.</td>
</tr>
<tr>
<td><strong>Cinema</strong></td>
<td>Must be located in Precinct 4.</td>
</tr>
<tr>
<td><strong>Convenience shop</strong></td>
<td>Must not be located in Precinct 3, 6 or 9 or Sub-precinct 8C. Must be at ground level.</td>
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<tr>
<td><strong>Education centre</strong></td>
<td>Must be located in Precinct 4 or 7.</td>
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<tr>
<td><strong>Food and drink premises (other than Hotel and Tavern)</strong></td>
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</tr>
<tr>
<td><strong>Home based business</strong></td>
<td>Must meet the requirements of Clause 52.11.</td>
</tr>
<tr>
<td><strong>Industry (other than Refuse disposal and Service industry)</strong></td>
<td>Must be located in Precinct 3 or Sub-precincts 8C or 8D.</td>
</tr>
<tr>
<td></td>
<td>Must not be a purpose shown with a Note 1 or 2 in the table to Clause 52.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, 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 52.10.</td>
</tr>
<tr>
<td></td>
<td>• 30 metres, for a purpose not listed in the table to Clause 52.10.</td>
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<tr>
<td><strong>Informal outdoor recreation</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Leisure and recreation (other than Informal outdoor recreation, Motor racing track and Restricted recreation facility)</strong></td>
<td>Must be located in Precinct 7.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Medical centre</td>
<td>In Precinct 6, the gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>In Precincts 1, 3, 4, 7 or 9 or Sub-precincts 2A, 2C, 5A, 5C, 5D, 8C or 8D, any frontage at ground floor level must not exceed 2 metres, unless the frontage is a customer service area accessible to the public.</td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
<td>Must not be located in Precinct 6.</td>
</tr>
<tr>
<td></td>
<td>In Precincts 1, 3, 4, 7 or 9 or Sub-precincts 2A, 2C, 5A, 5C, 5D, 8C or 8D, any frontage at ground floor level must not exceed 2 metres, unless the office is a bank, real estate agency, travel agency, or other office where the floor space adjoining the frontage is a customer service area accessible to the public.</td>
</tr>
<tr>
<td>Open sports ground</td>
<td>Must be located in Precinct 7.</td>
</tr>
<tr>
<td>Place of assembly (other than Cinema, Drive-in theatre, Nightclub and Place of worship)</td>
<td>Must be located in Precincts 4 or 7.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>Must be located in Precinct 6.</td>
</tr>
<tr>
<td></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, have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Postal agency</td>
<td></td>
</tr>
<tr>
<td>Railway station</td>
<td>Must be located in Precinct 2 or 7.</td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td>Must be located in Sub-precincts 1A or 8D.</td>
</tr>
<tr>
<td></td>
<td>Must have a minimum leasable floor area of 1,000 square metres.</td>
</tr>
<tr>
<td>Service industry</td>
<td>Must be located in Precinct 3 or Sub-precinct 8C or 8D.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Restricted retail premises and Convenience shop)</td>
<td>Must be located in Precinct 4 or 5 or Sub-precincts 1D-1F, 2C or 7C.</td>
</tr>
<tr>
<td>Warehouse (other than Fuel depot)</td>
<td>Must be located in Precinct 3, or Sub-precincts 8C or 8D.</td>
</tr>
<tr>
<td></td>
<td>Must not be a purpose shown with a Note 1 or 2 in the table to Clause 52.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, 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 52.10.</td>
</tr>
<tr>
<td></td>
<td>- 30 metres, for a purpose not listed in the table to Clause 52.10.</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><strong>Adult sex product shop</strong></td>
<td>Must not be located in Precinct 6.</td>
</tr>
<tr>
<td></td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from land which is in Precinct 6 or a residential zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td><strong>Animal keeping (other than Animal boarding)</strong></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><strong>Child care centre – if the Section 1 condition is not met</strong></td>
<td>Must not be located in Sub-precincts 1A, 8C or 8D.</td>
</tr>
<tr>
<td><strong>Cinema – if the Section 1 condition is not met</strong></td>
<td>Must not be located in Precinct 2, 3, 6 or 8, or Sub-precincts 1A, 1C-1H.</td>
</tr>
<tr>
<td><strong>Cinema based entertainment facility</strong></td>
<td>Must not be located in Precinct 2, 3, 6, 7 or 8, or Sub-precincts 1A, 1C-1H.</td>
</tr>
<tr>
<td><strong>Convenience restaurant</strong></td>
<td>In Precinct 6 the site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td><strong>Convenience shop – if the Section 1 Condition is not met.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Food and drink premises (other than Convenience restaurant and Take away food premises)- if the section 1 condition is not met</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Hotel</strong></td>
<td>Must not be located in Precinct 6.</td>
</tr>
<tr>
<td><strong>Industry (other than Refuse disposal and Service industry) – if the Section 1 condition is not met.</strong></td>
<td>Must not be located in Precinct 4, 5, or 6. Must be in conjunction with one or more other uses in section 1 or 2. Must not be a purpose shown with a Note 1 or 2 in the table to Clause 52.10.</td>
</tr>
<tr>
<td><strong>Leisure and recreation (other than Informal outdoor recreation, Motor racing track and Restricted recreation facility) – if the Section 1 condition is not met</strong></td>
<td>Must be located in Precinct 3, 4 and 8.</td>
</tr>
<tr>
<td><strong>Nightclub</strong></td>
<td>Must be in Precinct 1, 4, 5 or 9.</td>
</tr>
<tr>
<td><strong>Office (other than Medical centre) – if the Section 1 condition is not met</strong></td>
<td>In Precinct 6:</td>
</tr>
<tr>
<td></td>
<td>- The land must be located within 100 metres of an adjoining precinct in the Activity Centre Zone.</td>
</tr>
<tr>
<td></td>
<td>- The land must have the same street frontage as the land in the adjoining precinct in the Activity Centre Zone.</td>
</tr>
</tbody>
</table>
### Condition

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>The leasable floor area must not exceed 250 square metres.</td>
<td></td>
</tr>
<tr>
<td>Must not be in Precinct 6.</td>
<td></td>
</tr>
<tr>
<td>Must not be located in Precinct 6.</td>
<td></td>
</tr>
<tr>
<td>In Precinct 6: The land must be located within 100 metres of land in an adjoining precinct in the Activity Centre Zone.</td>
<td></td>
</tr>
<tr>
<td>The land must have the same street frontage as the land in the adjoining precinct in the Activity Centre Zone.</td>
<td></td>
</tr>
<tr>
<td>In Precinct 6 the site must adjoin, or have access to, a road in a Road Zone.</td>
<td></td>
</tr>
<tr>
<td>Must not be located in Precinct 6.</td>
<td></td>
</tr>
<tr>
<td>Must not be located in Precincts 4, 5, 6, 7 or 9. Must be in conjunction with one or more other uses in section 1 or 2. Must not be a purpose shown with a Note 1 or 2 in the table to Clause 52.10.</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 – Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal keeping and Apiculture)</td>
</tr>
<tr>
<td>Camping and caravan park</td>
</tr>
<tr>
<td>Cemetery</td>
</tr>
<tr>
<td>Corrective institution</td>
</tr>
<tr>
<td>Crematorium</td>
</tr>
<tr>
<td>Drive-in theatre</td>
</tr>
<tr>
<td>Fuel depot</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Refuse disposal</td>
</tr>
<tr>
<td>Transport terminal (other than Railway station and Bus terminal)</td>
</tr>
</tbody>
</table>
Centre-wide provisions

Use of land

A permit is not required to use public land for the purpose of public utility and community facilities or any associated use that is consistent with the intent of the public land reservation or purpose as is carried out by, or on behalf of, the public land manager.

Subdivision

The subdivision of sites within the retail core is discouraged to facilitate the creation of viable development sites.

The consolidation of land to facilitate the creation of viable development sites is encouraged.

Buildings and works

No permit is required to construct a building or construct or carry out works for the following:

- The installation of an automatic teller machine.
- The 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.
- Buildings and works for the purpose of public utility and community facilities or any associated use that is consistent with the intent of the public land reservation or purpose as is carried out by, or on behalf of, the public land manager.
- Construct or extend one dwelling on a lot more than 300 square metres. This exemption does not apply to:
  - Construct a dwelling if there is at least one dwelling existing on the 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 front fence within 3 metres of a street if the fence is associated with two or more dwellings on a lot or a residential building, and the fence exceeds the maximum height specified in Clause 55.06-2.
  - Construct a dwelling that is to be used for the purpose of a caretaker’s house or a bed and breakfast.
- 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.
- Construct one dependent person’s unit on a lot.

Design and development

The following design and development requirements apply to an application to construct a building or construct or carry out works:

Residential development

On a lot of less than 300 square metres, a development must meet the requirements of Clause 54 if it proposes to:
- Construct or extend one dwelling; or
- Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling.

A development up to four storeys, excluding a basement, must meet the requirements of Clause 55 if it proposes 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.
- 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.

**Building height**

Buildings and works should not exceed the preferred heights specified in the precinct provisions at Clause 5 of this schedule.

Consideration will be given to higher built form where any of the following occur:
- A proposal demonstrates design excellence;
- A proposal meets the objectives and decision guidelines of this Schedule;
- A proposal is on a designated gateway or significant building site;
- Where the additional height will benefit the activity centre.

For the purposes of this Schedule, the preferred height does not apply to service equipment including plant rooms, lift overruns, solar collectors and other such equipment provided the following criteria are met:
- No more than 50% of the roof area is occupied by the equipment.
- The equipment is located in a position on the roof so as to minimise additional overshadowing of neighbouring properties and public spaces.
- The equipment is designed, screened and finished in a non-reflective material and of a colour to the satisfaction of the responsible authority.

**Building setbacks**

Minor works such as verandahs, architectural features, balconies, sunshades, screens and artworks may be constructed within the setback area specified in the precinct provisions at Clause 5 of this Schedule, provided they are designed and located to the satisfaction of the responsible authority.

Buildings and works should not exceed the preferred setback specified in the precinct provisions at Clause 5 of this Schedule.

**Landscape design**

Landscape design should:
- Create private and public open space areas that are accessible, safe, attractive and functional.

**Access and mobility**

New development should:
- Comply with the Australian Standard AS1428 Part 2 provisions for access and mobility.
- Provide a high level of accessibility at the principal front entry for any residential development.

**Precinct provisions**

**Precinct 1: Gateway Commercial North**

**Precinct objectives**

- To improve the visual quality of the northern gateway to Cranbourne and encourage development that will have a positive impact on the area.
- To encourage diverse employment and business opportunities that can capitalise on highway exposure and principally serve the local community.
- To intensify development and bring built form closer to South Gippsland Highway and High Street.
- To provide the majority of car parking at the rear of buildings.
- To encourage the development of an appropriate gateway building in the north-eastern corner of the precinct and landmark significant building/s in the area adjacent to the railway crossing.

### 5.1-3 Precinct requirements

<table>
<thead>
<tr>
<th>Sub-precinct</th>
<th>Preferred height (excluding basement)</th>
<th>Preferred Setbacks</th>
</tr>
</thead>
</table>
| 1A           | 14 metres (significant building up to 21 metres) | 9 metres to east boundary  
No more than 21 metres to South Gippsland Highway |
| 1B           | 14 metres | 0 metres to South Gippsland Highway  
0 metres to south boundary (Camms Road)  
6 metres to east boundary |
| 1C           | 14 metres | 0 metres to west boundary  
6 metres to east boundary |
| 1D           | 9 metres (significant building up to 14 metres) | 0 metres to west boundary |
| 1E           | 14 metres | 0 metres to east boundary  
6 metres to west boundary |
| 1F           | 14 metres | 0 metres to west boundary  
6 metres to east boundary |
| 1G           | None specified | None specified |
| 1H           | None specified (Historic site) | None specified |

### 5.1-4 Precinct guidelines

- New development in Sub-precincts 1C, 1D, 1E and 1F fronting South Gippsland Highway and High Street should provide active and accessible frontages and pedestrian canopies above the footpath.
- In Sub-precinct 1H, new development should include setbacks to High Street to retain the views of the heritage church building and allow for visual permeability through Ray Perry Park.
- Development should not negatively impact Ray Perry Park which provides a community focal point.
- Development abutting residential areas should include a suitable landscaped buffer along the interface boundary to prevent overlooking or overshadowing.
- Solid fencing is not permitted and any security fencing must be attenuated with landscaping.
- Development should provide for appropriate setbacks and a transition in scale and height to complement the adjoining residential areas to the east and west.
- Development of significant buildings should be directed to those corner sites immediately adjacent to the railway crossing in Sub-precincts 1C, 1D and 1E.
- On-site car parking should be provided to the rear or side of buildings.
In Sub-precincts 1B and 1C, new development should consist of commercial activity at the ground level with a minimum 3.8 metres in height and residential on the upper levels.

5.1-5 Any other requirements

None specified.

5.2 Precinct 2: Cranbourne Railway Station Environs

5.2-1 Precinct map

5.2-2 Precinct objectives

- To ensure development contributes positively to the amenity of the public and private realm and presents an appealing entry into the town centre from the northern gateway.
- To encourage an appropriate mix of residential, retail and commercial uses.
- To encourage increased residential density and multi-level development that optimises the use of the Cranbourne Railway Station and public transport facilities.

- To encourage the consolidation of sites to facilitate a broader range of medium and higher density developments.

- To encourage diverse employment and business opportunities that can capitalise on the High Street exposure to serve the local community.

- To encourage a range of smaller format commercial uses at ground floor level with accommodation above.

### 5.2-3 Precinct requirements

<table>
<thead>
<tr>
<th>Sub-precinct</th>
<th>Preferred height (excluding basement)</th>
<th>Preferred setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>2A</td>
<td>11 metres</td>
<td>6 metres to north boundary</td>
</tr>
<tr>
<td>2B</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>2C</td>
<td>11 metres west of Ingamells Street</td>
<td>0 metres to east boundary (High Street)</td>
</tr>
<tr>
<td></td>
<td>15 metres east of Ingamells Street</td>
<td></td>
</tr>
<tr>
<td></td>
<td>21 metres Significant building</td>
<td></td>
</tr>
</tbody>
</table>

### 5.2-4 Precinct guidelines

- Provide higher scale buildings at the eastern end of the precinct towards High Street and adjacent to the Cranbourne Railway Station.

- Built form should achieve a general stepping down of the buildings towards the adjacent residential areas.

- New residential development should incorporate appropriate acoustic treatments responding to the railway environment to minimise adverse amenity impacts.

- Development in Sub-precincts 2A, that is located adjacent to an existing residential development should be setback from side boundaries to allow adequate separation to achieve privacy of habitable rooms and private open space, solar access and landscaping.

### 5.2-5 Any other requirements

None specified.
Precinct 3: Employment and Services

Precinct map

5.3-2 Precinct objectives

- To encourage business and employment opportunities ranging from small to medium-sized industry and local service businesses.
- To create and promote attractive streetscapes with landscaped interfaces at the property frontage of new development.
5.3-3 Precinct requirements

<table>
<thead>
<tr>
<th>Preferred height (excluding basement)</th>
<th>Preferred setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>14 metres</td>
<td>3 metres to street boundary</td>
</tr>
<tr>
<td></td>
<td>6 metres to adjoining residential boundary</td>
</tr>
</tbody>
</table>

5.3-4 Precinct guidelines

- Buildings should be setback from the street boundary with a 3-metre-wide landscaping strip along the street frontage to enable tree planting.
- Solid front fencing is discouraged and the visual effect of any security fencing should be attenuated with landscaping.
- Redevelopment of industrial uses that interface with existing residential development should incorporate additional screening along the street frontage and common boundaries, comprising mainly landscaping and acoustic treatments.
- Improve the interface with residential development through the use of landscaping and built form.
- Service structures, such as meter boxes, plant and equipment, should be set back from the street boundary and suitably screened with landscaping. Roof plant and equipment should be appropriately screened.
- Ensure new development includes acoustic mitigation for nearby residential development.

5.3-5 Any other requirements

None specified.
5.4
19/03/2015
C157
5.4-1

Precinct 4: Retail Core West

Precinct map

5.4-2

Precinct objectives

- To allow for the expansion of the existing retail core providing more comprehensive retail and commercial uses to improve the viability and function of the Town Centre as a regional retail facility.
- To support and improve the connection and interface with High Street.
- To encourage improvement of rear façades and pedestrian connectivity from the residential area to the west.
- To resolve access and parking requirements.
- To support the establishment of retail anchors and speciality shops on the Council-owned car park in Sladen Street.
- To provide a mix of uses to facilitate extended hours of activity in the Town Centre and additional services available to the community.
- To encourage a range of commercial uses at lower levels with accommodation above.
- To encourage active uses to be developed along the edges Greg Clydesdale Square.
- To provide pedestrian and visual links between Greg Clydesdale Square and the proposed village square in Bakewell Street.
- To reinforce a north-south pedestrian connection from Cranbourne Park Shopping Centre to the Council car parks.

### 5.4-3 Precinct requirements

<table>
<thead>
<tr>
<th>Sub-precinct</th>
<th>Preferred podium height (excluding basement)</th>
<th>Preferred overall height</th>
<th>Preferred podium setbacks</th>
<th>Preferred setbacks above podium</th>
</tr>
</thead>
<tbody>
<tr>
<td>4A</td>
<td>12 metres</td>
<td>20 metres</td>
<td>0 metres to east boundary (High Street) 6 metres to west boundary</td>
<td>6 metres above 2 storey podium to High Street</td>
</tr>
<tr>
<td>4B</td>
<td>12 metres on High Street</td>
<td>20 metres on High Street</td>
<td>0 metres to east boundary (High Street) 6 metres to west boundary</td>
<td>6 metres above 2 storey podium to High Street</td>
</tr>
<tr>
<td>4C</td>
<td>12 metres</td>
<td>20 metres</td>
<td>None specified</td>
<td>6 metres above 2 storey podium to High Street</td>
</tr>
<tr>
<td>4D</td>
<td>12 metres</td>
<td>20 metres</td>
<td>0 metres to Sladen Street</td>
<td>6 metres above 2 storey podium</td>
</tr>
</tbody>
</table>

### 5.4-4 Precinct guidelines

- Any redevelopment of the Cranbourne Park Shopping Centre or Council owned car parks over 1000 square metres should include streetscape improvements and activation of the existing building treatments to High Street and to the west.
- Development must include glazed surfaces along façades fronting streets.
- Significant buildings are to be included in any redevelopment proposal fronting Sladen Street or High Street or the northern frontages of the Retail Core West precinct.
- Building design should take advantage of views wherever possible.
- Architecture should include variation in façade treatments, materials, colours and textures to reduce building massing and blank walls.
- Development along High Street that adjoins car parking areas should provide walk-through pedestrian facilities to achieve a pedestrian link to Lamb Street.
- In Sub-precinct 4A, new development should be appropriately elevated to retain the integrity of the retarding basin.
5.4-5  Any other requirements

None specified.

5.5  Precinct 5: Retail and Commercial Core East

5.5-1  Precinct map

5.5-2  Precinct objectives

- To create a new village destination (‘The Avenue’) for Cranbourne for the enjoyment of local residents and to activate the eastern side of High Street.
- To investigate the potential to closure of Bakewell Street to through vehicle traffic.
- To establish a new central public space on Bakewell Street opposite and visually connected with Greg Clydesdale Square providing the closure of Bakewell Street and the new public space area represents a net community benefit for the Activity Centre.
- To create a pedestrian-friendly High Street.
- To provide residential and office development on top of retail and commercial uses within the Cranbourne Town Centre.
- To encourage a variety of commercial, shops and food and drink premises at ground level with office and high-density residential above.

### 5.5-3

**Precinct requirements**

<table>
<thead>
<tr>
<th>Sub-precinct</th>
<th>Preferred podium height (excluding basement)</th>
<th>Preferred overall height</th>
<th>Preferred podium setbacks</th>
<th>Preferred setbacks above podium</th>
</tr>
</thead>
<tbody>
<tr>
<td>5A</td>
<td>12.5 metres</td>
<td>17.5 metres</td>
<td>0 metres to High Street</td>
<td>6 metres above a 2 storey podium to High Street</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>0 metres to Lyall Street.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>0 metres to Stawell Street.</td>
<td></td>
</tr>
<tr>
<td>5B</td>
<td>12.5 metres</td>
<td>14 metres</td>
<td>3 metres to Stawell Street</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>6 metres to Codrington Street</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>3 metres to Lyall Street</td>
<td></td>
</tr>
<tr>
<td>5C</td>
<td>12.5 metres</td>
<td>17.5 metres</td>
<td>0 metres to High Street, ‘The Avenue’ and Bakewell Street</td>
<td>6 metres above a 2 storey podium to High Street and ‘The Avenue’</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>0 metres to Sladen Street</td>
<td></td>
</tr>
<tr>
<td>5D</td>
<td>12.5 metres</td>
<td>14 metres</td>
<td>0 metres to ‘The Avenue’</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>0 metres to Lyall Street</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>6 metres to Codrington Street</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>0 metres to Sladen Street</td>
<td></td>
</tr>
</tbody>
</table>

### 5.5-4

**Precinct guidelines**

- Development along ‘The Avenue’ should incorporate active building frontages and contribute to a pedestrian-friendly streetscape design to create an intimate local street character.
- Development along High Street, ‘The Avenue’ and Bakewell Street (between High Street and ‘The Avenue’) should be subject to detailed urban design, incorporating elements such as pedestrian shelters, fine-grain shop fronts, on-street parking, active frontages and a high level of glazing to provide a sense of human scale.
- Translucent elements (including balconies) may encroach up to 3 metres from the edge of any podium buildings.
- Development should recognise heritage elements within the precinct.
- Developments providing pedestrian connections between High Street and ‘The Avenue’ are encouraged.
- In Sub-precinct 5B or 5D, awnings and porticos should be provided that may extend into the setback area along Codrington Street.
5.5-5  Any other requirements

None specified.
Precinct 6: Residential Intensification

Precinct map
5.6-2 Precinct objectives

- To provide diverse housing at increased densities in buildings up to and including four storey buildings.
- To promote a high standard of residential amenity for new development, including optimum solar access and privacy through design.
- To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas.
- To encourage the consolidation of sites to facilitate a broader range of medium and higher density residential developments.
- To encourage the development of Lyall Street as a boulevard providing an east-west link between the Retail Core West Precinct, High Street and the Casey Complex.
- To manage the interface with existing commercial uses to mitigate acoustic impacts on new residential development and ensure that new residential development includes appropriate acoustic protection.

5.6-3 Precinct requirements

<table>
<thead>
<tr>
<th>Preferred height (excluding basement)</th>
<th>Preferred Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>13.5 metres</td>
<td>For the construction or extension of one dwelling on a lot standard A3 or 5 metres, whichever is lesser and standard A10 at clause 54. For the construction of two or more dwelling on a lot or a residential building standard B6 or 5 metres, whichever is lesser and standard B17 at clause 55.</td>
</tr>
</tbody>
</table>

5.6-4 Precinct guidelines

- Translucent elements such as balconies should extend within front setbacks to encourage building articulation.
- Consideration will be given to higher built form and residential density for consolidated sites.
- No on-site parking should be provided forward of the front setback area.
- Tree planting should form part of the front setback treatment in all development.
- Tree planting buffers are required at the rear boundary on multi-level apartment developments.
- High solid front fences that prevent passive surveillance of the street should be avoided.
- New residential development of two or more storeys adjoining Precinct 1, 3, 4 or 8 should include acoustic protection from nearby industrial and commercial uses.
- New development along Lyall Street must complement the pedestrian nature of the street through landscaping and by avoiding the use of high front fences.

5.6-5 Any other requirements

None specified.
5.7-1 Precinct objectives

- To promote the establishment of a community hub for the Cranbourne Town Centre that provides for a mix of uses as well as civic and community facilities and services.
- To facilitate and prioritise the delivery of the Cranbourne East Railway Station.
- To promote an integrated transport interchange in the vicinity of the proposed Cranbourne East Railway Station.
To encourage the provision of Transit Oriented Development (TOD), including a mix of uses to maximise the interface with the future Cranbourne East Railway Station.

To upgrade the existing sports/recreation facilities and to provide new, modern and international standard sports facilities that cater for regional needs.

To encourage an appropriate range of retail, entertainment and commercial facilities to serve the needs of residents and the users of the Casey Complex.

To provide civic facilities and space for community activities/festivals.

To create a grid transportation network to facilitate ease of pedestrian, cycling and vehicular movement throughout the precinct.

### 5.7-3 Precinct requirements

<table>
<thead>
<tr>
<th>Sub-precinct</th>
<th>Preferred height (excluding basement)</th>
<th>Preferred setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>7A</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>7B</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>7C(a) Retail and Commercial</td>
<td>10 metres</td>
<td>0 metres setback to east, south and west boundaries.</td>
</tr>
<tr>
<td>7C(b) Transit Oriented Development</td>
<td>10 metres</td>
<td></td>
</tr>
<tr>
<td>7C(c) Recreation and Leisure</td>
<td>None specified</td>
<td></td>
</tr>
<tr>
<td>7C(d) Civic and Community</td>
<td>11 metres</td>
<td></td>
</tr>
<tr>
<td>7C(e) Residential</td>
<td>13 metres</td>
<td></td>
</tr>
</tbody>
</table>

### 5.7-4 Precinct guidelines

- Development should capitalise on the links with the future Cranbourne East Railway Station.
- Development should link with Lyall Street as the principal access to the Cranbourne Town Centre.
- A road and a pedestrian link should be provided between the precinct and land to the north of the future Cranbourne East Railway Station.
- In Sub-precinct 7C, development must be generally in accordance with an approved Casey Complex Master Plan.
- Development facing the future Cranbourne East Railway Station should incorporate acoustic treatments and buffered setbacks responding to the railway environment.
- Provision should be made for a variety of medium density housing types, including affordable housing.
- Development along key pedestrian routes should provide active frontages and weather protection above the footpath.
- The future road and pedestrian network should be generally in accordance with the north/south and east/west connections shown on the precinct map.

### 5.7-5 Any other requirements

None specified.
5.8-2 Precinct objectives

- To provide an attractive southern gateway to the Cranbourne Town Centre.
- To build upon established community services and facilities.
- To encourage continued business and employment opportunities ranging from small to medium-sized industry and local service businesses.
- To provide attractive streetscapes and improved amenity within the precinct incorporating elements of the Avenue of Honour and Royal Botanic Gardens Cranbourne.
Precinct requirements

<table>
<thead>
<tr>
<th>Sub-precinct</th>
<th>Preferred height (excluding basement)</th>
<th>Preferred setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>8A</td>
<td>12 metres (Significant buildings at designated Gateway/ Entry points may be higher)</td>
<td>None specified</td>
</tr>
<tr>
<td>8B</td>
<td>12 metres</td>
<td>0 metres to north boundary (Sladen Street)</td>
</tr>
<tr>
<td>8C</td>
<td>11 metres</td>
<td>3 metres to east boundary adjoining residential area</td>
</tr>
<tr>
<td>8D</td>
<td>12 metres (Significant buildings at designated Gateway/ Entry points may be higher)</td>
<td>No more than 21 metres to South Gippsland Highway and Cameron Street, 6 metres to adjoining residential boundary</td>
</tr>
</tbody>
</table>

Precinct guidelines

- In the case of large buildings, promote variation in the building form such as recessed or projecting architectural and design elements.
- Promote variation in architectural or structural modules, materials, details, surface colour and texture to break up large building forms and the visual bulk of large wall surfaces.
- Development abutting residential areas should include a suitable landscaped buffer along the interface boundary.
- Existing street trees should be retained as the dominant element at gateway locations.
- Flexible car parking layouts are required to be linked across site boundaries and should be located generally to the rear and side of buildings.
- Development along Cameron Street and Sladen Street should incorporate active façades.
- Development should incorporate views towards the Cranbourne Racecourse and Training Complex and the Royal Botanic Gardens Cranbourne.
- In Sub-precincts 8C and 8D, ensure new development includes acoustic protection for nearby residential development.
- For Sub-precinct 8B, encourage high amenity office/commercial development fronting Sladen Street.

In Sub-precinct 8D:

- Encourage continued business and employment opportunities from small to medium-sized industry and local service businesses.
- Encourage the consolidation of sites to create efficient development parcels and reduce the number and frequency of access lanes.
- Encourage a significant public artwork on the gateway site on the south –east corner of Sladen Street and the South Gippsland Highway.
- No retail uses aside from restricted retail premises will be permitted in the area.

Any other requirements

None specified.
5.9

Precinct 9: Cranbourne Racecourse, Tourism & Entertainment Precinct.

Precinct objectives

- To build upon the established civic uses and community services based around the original Shire of Cranbourne offices.
- To investigate and facilitate opportunities for tourist accommodation and related activities to serve nearby Cranbourne businesses, the Cranbourne Racecourse and Training Complex and the Royal Botanic Gardens Cranbourne.
- To ensure that interim redevelopment does not compromise the future potential of the precinct as the principal tourism component of Cranbourne.
- To improve the connection between the Cranbourne Racecourse and Training Complex and the Cranbourne Town Centre.
To provide an attractive entrance to the Cranbourne Racecourse and Training Complex.

To reinforce the identity of the Cranbourne Racecourse and Training Complex as part of Cranbourne.

To redevelop the old Council Depot to meet ongoing community needs.

To integrate the Royal Botanic Gardens Cranbourne into the Cranbourne Town Centre.

### 5.9-3 Precinct requirements

<table>
<thead>
<tr>
<th>Preferred height (excluding basement)</th>
<th>Preferred setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>12 metres</td>
<td>3 metres to adjoining residential boundary</td>
</tr>
</tbody>
</table>

### 5.9-4 Precinct guidelines

- Development should recognise heritage elements within the precinct.
- New development east of Grant Street should not block views of the original Shire of Cranbourne offices from High Street and Sladen Street to enhance the heritage significance of the building.
- Consideration should be given to a higher built form to accommodate a significant building at the corner of Sladen Street and Grant Street.
- New development should take advantage of views towards the Cranbourne Racecourse.

### 5.9-5 Any other requirements

None specified.

### 6.0 Application requirements

The following application requirements apply to an application for a permit under Clause 37.08, in addition to those specified in Clause 37.08 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A site analysis and urban context report which demonstrates how the proposal provides an appropriate transition to adjoining land.
- A traffic and car parking assessment that includes existing traffic conditions, parking allocation, likely traffic generation and distribution, impact of generated traffic on the existing road network, parking generation rates and traffic management recommendations.
- For residential development in Precinct 6 on land adjoining Precincts 1, 3, 4 or 8, an acoustic report by a suitably qualified consultant which demonstrates how the proposal includes appropriate noise attenuation measures to reasonably protect the amenity of future residents from nearby commercial or industrial uses.
- An application for a permit on publicly owned land 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 to the application for permit being made and to the proposed use or development.

### 7.0 Notice and review

An application to:

- Construct a building or construct or carry out works that exceed the preferred height or setback requirements contained within Clause 5 of this schedule
In Precinct 4, construct a building or construct or carry out works within 30 metres of land (not a road) which is in a residential zone or Commercial 1 Zone, land used for a hospital, a primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, a primary school or a secondary school.

In Precinct 6, use land or construct a building or construct or carry out works 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

The following decision guidelines apply to an application for a permit under Clause 37.08, in addition to those specified in Clause 37.08 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

Use

- Whether the proposal provides for an appropriate scale of development in order to accommodate the mix and intensity of uses envisaged for each precinct.
- Whether an application for a night club, hotel or tavern ensures that there is no unreasonable amenity impact on the surrounding neighbourhood.

Design and built form

Whether the proposed development:

- Is an under-utilisation of the lot.
- Creates a strong visual interest by providing building types based on innovative and contemporary architecture, urban design and ecologically sustainable development principles.
- Provides overhead weather protection adjoining key pedestrian footpaths and main boulevards.

Non-residential use and development in Precinct 6

- Whether the proposed use or development is compatible with nearby residential uses.
- Whether the proposed 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.

Subdivision

Whether the subdivision:

- Is associated with a development proposal that supports the objectives promoted by this schedule.

Access

Whether the proposed development:

- Integrates car parking requirements into the design of buildings and landform by encouraging the use of undercroft or basement parking and minimises the use of open lot/half basement/ground floor car parks at the street frontage.
- Provides vehicular access to buildings fronting key boulevards off side streets or via rear access.
- Limits the number of vehicle crossings to each development.

**Signs**

Sign requirements are at Clause 52.05. All land located within Precinct 6 is in Category 3. All other land is in Category 1.

**Other provisions of the scheme**

None specified.

**Background documents**

*Cranbourne Town Centre Plan (City of Casey, 2017)*

*Cranbourne Town Centre Urban Design Framework (City of Casey, 2011)*

*Casey Complex Structure Plan (City of Casey, 2011)*
SCHEDULE 2 TO CLAUSE 37.08 ACTIVITY CENTRE ZONE

Shown on the planning scheme map as ACZ2.

FOUNTAIN GATE-NARRE WARREN CBD METROPOLITAN ACTIVITY CENTRE

Fountain Gate-Narre Warren CBD Framework Plan

Land use and development objectives to be achieved

Land use

- To encourage more intensive use of under-utilised land which supports the CBD as a Metropolitan Activity Centre.

- To promote land uses that create high levels of activity (both day time and extended night time) around key activity hubs identified as Bunjil Place, entries to the Fountain Gate Shopping
Centre, Brechin Gardens and other plazas, Narre Warren Train Station and the business park open space area.

- To promote Bunjil Place as the focus of civic, culture and community uses while reinforcing integrated community services around Webb Street, particularly with appropriate provision for people with disabilities and the elderly.

**Built form**

- To facilitate development that provides appropriate articulation, architectural rhythm and massing, with strong sight lines to street level for passive surveillance.

- To create highly transparent, active and visually engaging building façades at ground floor level, where practicable, particularly fronting streets and public open spaces.

- To deliver a variety of strong character precincts that reflect the objectives of each precinct, and provide distinctive built form and public realm treatments.

- To deliver buildings that include ecologically sustainable development principles that reduce energy, water and waste impacts and manage stormwater runoff so that existing flood risks are not exacerbated.

- To encourage the integration of business identification signage into the design of buildings that is appropriate in scale and adaptable.

**Public realm**

- To deliver a variety of high quality public realm spaces that are human-scaled, flexible and cater for a range of social interactions.

- To enhance streetscapes through consistent tree planting and furniture that provides the street with attractive physical and visual amenity outcomes, including the provision of public art.

- To ensure that new developments front onto and improve the public realm.

- To provide safe and accessible spaces that are designed having regard to the principles of Crime Prevention Through Environmental Design and Universal Design.

**Accessibility and circulation**

- To prioritise pedestrians in the design of all new developments, carparks, roads and public spaces to ensure easy, safe, comfortable and high amenity connections to activity hubs, public transport facilities and activities throughout the CBD.

- To instigate a mode shift towards cycling by including adequate storage and after-trip provisions in all new developments and connecting cycle links throughout the CBD to nearby residents, the Hallam Main Drain and Monash Freeway regional cycle networks.

- To strengthen public transport as a preferred transit mode in the CBD by upgrading facilities and services and linking all precincts to the Narre Warren Train Station.

- To develop a legible, fine-grain street network that manages car-based movements and parking efficiently and discreetly and provides for a safe pedestrian environment.

- To ensure parking areas are, where practicable, integrated, shared and screened from public view, including appropriate separation and buffer landscaping.
### Table of uses

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
</table>
| **Accommodation (other than Camping and caravan park, Corrective institution, Dwelling, Host farm and Residential hotel)** | Must not be located within Precinct 5.  
Any frontage at ground floor level must not exceed 4 metres.                                                                                      |
| **Animal keeping**                                                   | Must be no more than 2 animals.                                                                                                                                                                           |
| **Betting agency**                                                   | In Precinct 5, the site must adjoin a road in a Road Zone or associated service road.                                                                                                                   |
| **Child care centre**                                                | Any frontage at ground floor level must not exceed 2 metres and access must not be shared with a dwelling.                                                                                              |
| **Cinema**                                                           | Must be in Precinct 1 or 2.                                                                                                                                                                             |
| **Cinema based entertainment facility**                             | Must be in Precinct 1 or 2.                                                                                                                                                                             |
| **Dwelling**                                                         | In Precinct 1, 2, 3, 4A and 4B, any frontage at ground floor level must not exceed 4 metres.                                                                                                             |
| **Education centre**                                                 | Must not be located within Precinct 5.                                                                                                                                                                   |
| **Electoral office**                                                 | Must not be located within Precinct 5.  
Must be used for only 4 months before an election and 2 weeks after an election.                                                                                                                   |
| **Food and drink premises (other than Hotel and Tavern)**           | In Precinct 4A, the use must be in conjunction with either a Shop (other than an adult sex bookshop) or Office use.                                                                                         |
|                                                                      | In Precinct 4B, the use must be in conjunction with an Office use.                                                                                                                                     |
|                                                                      | In Precinct 5, the site must adjoin a road in a Road Zone or associated service road.                                                                                                                    |
| **Home based business**                                             | Must meet the requirements of Clause 52.11.                                                                                                                                                               |
| **Hotel**                                                            | Must be located within Precinct 1, 2 or 3.                                                                                                                                                               |
| **Informal outdoor recreation**                                      | Must be located within Precinct 1, 2 or 3.                                                                                                                                                               |
| **Market**                                                           | Must be located within Precinct 1, 2 or 3.                                                                                                                                                               |
| **Motor vehicle, boat or caravan sales**                            | Must be located in Precinct 4A.                                                                                                                                                                          |
| **Office (other than Electoral office)**                             | In Precincts 1, 3 or 5, any frontage to a Priority pedestrian link at ground floor level must not exceed 6 metres, unless the floor space adjoining the frontage is a customer service area accessible to the public. |
|                                                                      | In Precinct 5, the site must adjoin a road in a Road Zone or associated service road.                                                                                                                    |
| **Place of assembly (other than Cinema, Nightclub and Place of worship)** | Must not be located within Precinct 5.                                                                                                                                                                   |
### Condition Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<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></td>
<td>In Precinct 5, the site must adjoin a road in a Road Zone or associated service road.</td>
</tr>
<tr>
<td><strong>Railway station</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Railway</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Residential hotel</strong></td>
<td>Must not be in Precinct 5.</td>
</tr>
<tr>
<td><strong>Retail premises (other than Food and drink premises, Gambling premises, Landscape gardening supplies, Manufacturing sales, Market, Motor vehicle, boat or caravan sales, Shop and Trade supplies)</strong></td>
<td>Must be located within Precinct 1, 2 or 3.</td>
</tr>
<tr>
<td><strong>Restricted retail premises</strong></td>
<td>Must be located within Precinct 1, 2 or sub-Precinct 4A.</td>
</tr>
<tr>
<td></td>
<td>In Precinct 1, the use must be in conjunction with either a Shop (other than an Adult sex bookshop) or Office use.</td>
</tr>
<tr>
<td><strong>Shop (other than Adult sex book shop, Bottle shop and Restricted retail premises)</strong></td>
<td>Must be located within Precinct 1, 2, 3 or 5.</td>
</tr>
<tr>
<td></td>
<td>In Precinct 5, the site must adjoin a road in a Road Zone or associated service road and the leasable floor area must not exceed 100 square metres.</td>
</tr>
<tr>
<td><strong>Trade supplies</strong></td>
<td>Must be located within Precinct 4A.</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 requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Adult sex book shop</strong></td>
<td>Must not be in Precinct 5.</td>
</tr>
<tr>
<td></td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone, land used for a Hospital, Primary school or Secondary school, or land in a Public Acquisition Overlay to be acquired for a Hospital, Primary school or Secondary school.</td>
</tr>
<tr>
<td><strong>Bottle shop</strong></td>
<td>Must not be in Precinct 5.</td>
</tr>
<tr>
<td></td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone, land used for a Hospital, Primary school or Secondary school or land in a Public Acquisition Overlay to be acquired for a Hospital, Primary school or Secondary school.</td>
</tr>
<tr>
<td><strong>Gambling premises (other than Betting agency)</strong></td>
<td>Must not be in Precinct 3 or 5.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Must be at least 200 metres (measured by the shortest route</td>
<td>Must be located within Precinct 4B.</td>
</tr>
<tr>
<td>Must not be a purpose listed in the table to Clause 52.10.</td>
<td>Must be located within Precinct 4B.</td>
</tr>
<tr>
<td>Must not be located in Precinct 5.</td>
<td>Must be located within Precinct 4B.</td>
</tr>
<tr>
<td>Landscape gardening supplies (other than Plant nursery)</td>
<td>Must be located in Precincts 1, 2 or 3.</td>
</tr>
<tr>
<td>Leisure and recreation facility (other than Informal outdoor</td>
<td>Must be located in Precincts 1, 2 or 3.</td>
</tr>
<tr>
<td>Motor vehicle, boat or caravan sales – if the Section 1 condition</td>
<td>Must not be located in Precinct 3 or 5.</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema, Circus, Exhibition</td>
<td>Must not be located in Precinct 3 or 5.</td>
</tr>
<tr>
<td>Retail premises (other than Landscape gardening supplies,</td>
<td>Must not be located in Precinct 3 or 5.</td>
</tr>
<tr>
<td>Restricted retail premises – if the Section 1 condition is not</td>
<td>Must not be located in Precinct 3 or 5.</td>
</tr>
<tr>
<td>Shop (other than Adult sex book shop, Bottle shop and Restricted</td>
<td>Must not be located in Precinct 3 or 5.</td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must not be located in Precinct 3 or 5.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td>Must not be a purpose listed in the table to Clause 52.10.</td>
</tr>
</tbody>
</table>
Section 3 – Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal keeping, Apiculture and Crop raising)</td>
</tr>
<tr>
<td>Camping and caravan park</td>
</tr>
<tr>
<td>Cemetery</td>
</tr>
<tr>
<td>Corrective institution</td>
</tr>
<tr>
<td>Crematorium</td>
</tr>
<tr>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Host farm</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Rural industry</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Transfer station</td>
</tr>
</tbody>
</table>

Centre-wide provisions

The following provisions apply to the Fountain Gate-Narre Warren CBD.

Use of land

A permit is not required to use land where the use is 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.

Subdivision

Subdivision should create road networks and lots that promote walkability and, where appropriate, provide mid-block access through lanes, pedestrian-only streets and other open spaces.

Buildings and works

No permit is required to construct a building or construct or carry out works for the following:

- The installation of an automatic teller machine.
- Alterations to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 75 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.
- Buildings and works for the purposes of Local Government, Education or Transport, provided the use is carried out by, or on behalf of, the public land manager.

No permit is required to construct a building or construct or carry out works for the following within Precinct 5:

- A single dwelling on a lot greater than 300 square metres.
- Works normal to a dwelling.
• An outbuilding (other than a garage or carport) on a lot, provided the gross floor area of the outbuilding does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
• A front fence that does not exceed the maximum height specified in Clause 54.06-2.
• Construct one dependent person’s unit on a lot.

**Design and development**

The following design and development requirements apply to an application to construct a building or construct or carry out works:

**Dwellings and residential buildings**

On a lot of less than 300 square metres, a development must meet the requirements of Clause 54 if it proposes to:
• Construct or extend one dwelling; or
• Construct or extend a front fence.

A development up to four storeys, excluding a basement, must meet the requirements of Clause 55 if it proposes 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.
• Construct or extend a front fence within 3 metres of a street if the fence is associated with two or more dwellings on a lot or a residential building.

**Public realm**

New development should:
• Enhance public spaces and limit off-site impacts.
• Create visual interest through articulation and materials on frontages to all streets, plazas and open space.
• Create facades that are designed with clear and frequent entries and openable sections providing opportunities for activation and passive surveillance and allow for balconies and roof terraces on upper levels.
• Be visually prominent to corners, particularly Gateway/Entry Points, through architectural features that create landmarks and bookend street blocks.
• Take their primary address from the primary highest order street, where located on a corner.
• Maximise safety through the application of Crime Prevention Through Environmental Design principles to public realm interfaces at ground and upper levels, taking into consideration surveillance, activation, lighting, landscaping and security.
• Consider the land use and development expectations on adjacent sites in the design of the development proposed.
• Include shopping trolley parking areas and containment systems in new retail developments to reduce the proliferation of loose shopping trolleys in the public realm.

**Building height**
Buildings and works should not exceed the preferred heights specified in the precinct provisions at Clause 5 of this schedule.

For the purposes of this schedule, the preferred height does not apply to service equipment, including plant rooms, lift overruns, solar collectors and other such equipment, provided the following criteria are met:

- No more than 50% of the roof area is occupied by the equipment.
- The equipment is located in a position on the roof so as to minimise additional overshadowing of neighbouring properties and public spaces.
- The equipment is designed, screened and finished in a non-reflective material and of a colour to the satisfaction of the responsible authority.

Street wall heights, upper level setbacks, overshadowing and overlooking

New development should provide street wall heights and upper level setbacks in accordance with:

- The precinct requirements specified in Clause 5.0 of this schedule; and
- Clause 55 Standards B17, B21 and B22 for the development of land adjoining a residential property or Precinct 5.

All buildings and works should be designed to minimise casting shadows on the public realm and public spaces, including those outlined in Table 1 of this schedule and existing residential zoned land.

Table 1: Overshadowing requirements

<table>
<thead>
<tr>
<th>Location shown on Precinct map</th>
<th>Overshadowing requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brechin Gardens</td>
<td>Avoid overshadowing Brechin Gardens (as defined by the extent of the Heritage Overlay HO153) for no more than 7 metres, between 11am and 2pm on 22 June.</td>
</tr>
<tr>
<td>Plazas</td>
<td>Avoid overshadowing more than 50 per cent of the space for at least three hours between 9:00am and 3:00pm on 22 September.</td>
</tr>
<tr>
<td>Footpaths on the south side of east-west streets</td>
<td>Avoid overshadowing for at least three hours between 9:00am and 3:00pm on 22 September.</td>
</tr>
</tbody>
</table>

All buildings should be designed to address roads and public spaces for passive surveillance, to minimise overlooking of private spaces and maximise solar access.

Active frontages

New development should:

- Avoid large expanses of blank wall, where practicable, otherwise articulate through the use of material and finishes.
- Screen external-facing service areas, garbage storage areas, car parking, garage doors and loading areas, from public view using buildings, vegetation or architectural features.
- Provide clear glazing to at least 60 per cent of ground floor retail and office frontages.
- Avoid dark or obscure glazing on ground floor and upper level facades.
- Provide well-articulated building entrances through architectural elements on primary streets to make them clearly legible and create a sense of address.
- Provide individual entry doors to ground floor tenancies that have frontages to a street, where practicable (except for Precinct 4 and Precinct 2, where ground floor tenancies may be accessed from shared lobbies).

- Provide opportunities for alfresco dining and openable facades on the ground level where appropriate to the proposed land use, particularly at activity hubs.

- Maximise the activation of upper levels, including residential or commercial spaces, through visible windows and balconies to facilitate visual interaction and passive surveillance, while retaining privacy where appropriate.

- Strategically locate lift core and stair wells within the floor plate of buildings to achieve efficient and attractive architectural form. If positioned on the building façade, the lift core or stair well should form part of an architectural feature element and incorporate clear glazing to create sight lines to and from the street.

**Pedestrian amenity and streetscape improvements**

New development should:

- Include continuous and generous weather protection for pedestrians where adjacent to key pedestrian routes.

- Avoid the use of reflective materials along ground level facades.

- Upgrade adjacent footpaths and laneways, to the satisfaction of the responsible authority and to DDA compliance where practicable.

- Include spaces that cater for a range of social interactions from large community festivals to temporary activities and meeting points to encourage people to linger, participate, engage and enjoy the centre.

Where a development includes road, car park or nature strip works, new or upgraded footpaths should be a minimum of 3 metres wide on both sides of streets and shared bicycle paths provided, as shown on the precinct maps in Clause 5.0.

**Services and loading**

New development should:

- Minimise vehicle and building services access points and screen loading facilities.

- Conceal services, plant and equipment from view through integration into the architectural form or set behind architectural elements and roof valleys.

**Landscaping**

New development should:

- Include Water Sensitive Urban Design (WSUD) elements with rain gardens and tree pits, and irrigation that utilises recycled water.

- Provide extensive tree planting within unenclosed car park areas and setback areas to shade and improve the microclimate.

- Include green/vegetated walls and feature planting to enhance the presentation and environmental performance of the precinct, where practicable.

- Utilise upper landscaping on terraces and balconies.

- Enhance the amenity of the public realm through themed tree planting, landscaping and high-quality material finishes.

- Include design features to reduce vehicle conflict with pedestrians, particularly around plaza spaces.

**Circulation, transport and parking**

New development should:
Locate secure car parking in basements. If located at or above ground level, secure car parking should be concealed from view and integrated within the overall design of the building through continued architectural façade treatment, where practicable.

Be designed so that car parking areas do not dominate street frontages or diminish opportunities for street activity.

Be designed to promote walkability within the CBD and provide mid-block access where appropriate to create a fine grain pedestrian network.

Provide activation, opportunities for passive surveillance and weather protection where adjacent to key public transport infrastructure.

**Environmentally sustainable development**

New development should:

- Ensure best practice environmentally sustainable design is met in relation to building energy management, water sensitive urban design, construction materials, indoor environment quality, canopy cover, waste management and transport.

- Maximise energy efficiency through the orientation, siting and layout of buildings, and the location of openings to achieve high levels of natural ventilation and light penetration within the constrained urban form.

- Maximise summer shade and winter sun through tree-lined streets and open spaces, deciduous plantings and built form that is responsive to solar access through height limits and setbacks.

- Reduce the Urban Heat Island effect through extensive canopy tree cover, green roofs, green/vegetated walls and WSUD.

- Maximise access to sustainable transport modes.
Precinct provisions

5.1 Precinct 1 - Civic and Mixed Use

5.1-1 Precinct map

5.1-2 Precinct objectives

- To encourage the development of a recognisable hierarchy of east-west and north-south boulevards, streets, shared paths and pedestrian links prioritising walking, cycling and bus use.
To promote high density development that incorporates a mix of land uses and provides for active street frontages.

To protect and enhance the heritage, health and amenity of Brechin Gardens, heritage buildings, significant trees and vegetation elements within the precinct and immediate surrounds.

To discourage large at-grade car parking and to design future parking areas to be integrated into the existing built form, with a pedestrian focus throughout.

To avoid standalone isolated buildings.

### 5.1-3 Precinct requirements

<table>
<thead>
<tr>
<th>Street</th>
<th>Preferred setback</th>
<th>Preferred maximum street wall height</th>
<th>Preferred minimum upper level setback</th>
</tr>
</thead>
<tbody>
<tr>
<td>Priority frontages</td>
<td>0 metres</td>
<td>11.5 metres</td>
<td>4 metres</td>
</tr>
<tr>
<td>(identified on Precinct map)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All other streets and roads</td>
<td>0 metres</td>
<td>14.5 metres</td>
<td>4 metres</td>
</tr>
</tbody>
</table>

### 5.1-4 Precinct guidelines

- Works within the area identified as ‘road/link alignment subject to further planning’ on the Precinct Map at Clause 5.1-1 should provide for access and movement to and through the precinct.
- Built-form surrounding Brechin Gardens should provide high quality architectural design and articulation, activate the ground level and provide passive surveillance to the gardens from upper levels.
- Overshadowing of Brechin Gardens and the heritage trees along Princes Highway should be minimised to reduce health impacts on trees.
- Upper levels should be designed to offer opportunities for balconies, roof terraces and glazing with strong sight lines to the street for passive surveillance.
- Developments along Webb Street should create opportunities for activation.
- The public realm should be upgraded to create a high amenity pedestrian environment connecting Bunjil Place to the activity hubs and public transport nodes.
- Intensified urban development is encouraged along Princes Highway, ensuring buildings address the highway and Narre Warren North Road.
- New buildings should frame views and create vistas from Princes Highway into the CBD and views of Brechin Gardens from adjacent areas.
- Subdivision and development should create street blocks with pedestrian connections, especially through to Brechin Gardens and along Princes Highway, to allow for direct pedestrian access to Narre Warren Train Station.
- Residential and large restricted retail developments are discouraged at ground floor level where activation of frontages to pedestrian areas cannot be achieved.

### 5.1-5 Any other requirements

None specified.
5.2 Precinct 2 - Retail core

5.2-2 Precinct objectives

- To encourage a wide range of uses, including retail, entertainment, office, leisure and hospitality, where appropriate.
- To facilitate the expansion of retail services through the provision of a second department store, an improved and expanded entertainment and hospitality precinct, and by accommodating new and emerging retail formats.
- To avoid standalone isolated buildings.
- To integrate the existing built form into new and adjacent street-based built form, where practicable, and encourage greater activation at the periphery of the shopping centre, emphasising interfaces to public open spaces.

- To enhance car parking areas through landscaping, covered walkways and integration into built form, providing convenient pedestrian access from parking areas to main building entrances.

- To provide a sensitive interface to residential development north of the CBD through a stepping down of the built form within close proximity to dwellings.

5.2-3 Precinct requirements

<table>
<thead>
<tr>
<th>Street</th>
<th>Preferred setback</th>
<th>Preferred maximum street wall height</th>
<th>Preferred maximum upper level setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Priority frontages</td>
<td>0 metres</td>
<td>11.5 metres</td>
<td>4 metres</td>
</tr>
<tr>
<td>(identified on Precinct map)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>All other streets</td>
<td>0 metres</td>
<td>14.5 metres</td>
<td>4 metres</td>
</tr>
</tbody>
</table>

5.2-4 Precinct guidelines

- Visual connections to the Civic and Mixed Use Precinct and activity hubs should be maximised to achieve a strong sense of place and orientation throughout the precinct.

- Vertical expansion of the internal mall is encouraged, where practicable.

- A greater mix of uses and active edges should be introduced at the mall entry points and building frontages.

- New buildings and the public realm should be designed to create a seamless transition from the internal malls to external streets, key pedestrian routes, pedestrian-only streets and plazas.

- Excellent urban design outcomes should be delivered through high quality building interfaces to the public realm and by reducing the visual dominance of car parks.

5.2-5 Any other requirements

None specified.
5.3 Precinct 3 - Narre Warren Village

5.3-1 Precinct map

To promote intensive, multi-storey transit-oriented use and development close to the Narre Warren Train Station, encompassing commercial, accommodation and community uses.

To reinforce the importance of the Narre Warren Train Station as a key transport node in the CBD and improve the bus interchange, cycle and pedestrian links to the area.

To reduce through traffic in the precinct and minimise existing risks at the level crossing.
- To support the established street-based character of Webb Street as a high amenity, higher density, mixed use, tree-lined boulevard while retaining the local convenience function of the village.

- To improve the amenity of the public realm in a manner that supports the ‘village’ atmosphere and creates more orderly, efficient and safe pedestrian and vehicle movement throughout the precinct.

- To avoid standalone isolated buildings.

- To support high density residential development integrated with other land uses, including fine-grain shop-top housing and Small Office Home Office (SOHO) development, while providing a sensitive interface to adjoining residential areas.

5.3-3 Precinct requirements

<table>
<thead>
<tr>
<th>Preferred maximum building height</th>
<th>Preferred street setbacks</th>
<th>Preferred maximum street wall height</th>
<th>Preferred minimum upper level setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>23 metres within the area identified on Precinct map</td>
<td>0 metres; or Where land adjoins Precinct 5, the standards for side and rear setbacks specified in Clause 55.04-1 are to be met</td>
<td>11.5 metres</td>
<td>4 metres</td>
</tr>
<tr>
<td>No maximum limit for all other areas</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5.3-4 Precinct guidelines

- The Narre Warren Creek drainage corridor should be integrated into any proposals along its length, to support greater usage of the open space along this corridor.

- The coordinated redevelopment of fragmented lots is encouraged to provide cohesive developments.

- Development should be designed to minimise the visual dominance of carparks.

- Small, intimate public spaces should be developed that connect to each other by a network of high quality laneways and pedestrian links.

- Individual tenancy/shop widths should be contained to not more than 10 metres along a main street.

- Development should include no more than 6 metres continuous glazing without a tenancy entry.

- New development should not compromise existing or future rail operations within the railway corridor, including the potential for future grade-separation of the Webb Street railway crossing.

5.3-5 Any other requirements

None specified.
5.4 Precinct 4 - Business Park

5.4-1 Precinct map

To promote employment and job creation, particularly with office and higher order employment functions.

To support a range of complementary land uses, including child care, food and drink premises, gymnasiums, and small-scale retailing.

To ensure any retail development is complementary to the office/commercial uses and designed to support the retailing function of Precincts 1, 2 and 3.
To develop a service road fronting Narre Warren North Road with adjacent multi-level development addressing the streetscape and framing view lines towards streets and open spaces.

To ensure that development that abuts the existing open space areas provides a well-considered built form interface that delivers appropriate activation, integration and passive surveillance to the open space.

To improve the amenity of the area through public realm improvements to streets, pedestrian links and open spaces, including street tree planting and landscaping.

### 5.4-3 Precinct requirements

<table>
<thead>
<tr>
<th>Street</th>
<th>Preferred setback</th>
<th>Preferred maximum street wall height</th>
<th>Preferred minimum upper level setback</th>
<th>Access and parking</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type 1</td>
<td>Minimum 16 metres and maximum 20 metres to Narre Warren North Road</td>
<td>14.5 metres</td>
<td>4 metres</td>
<td>Provision of 16 metre-wide service road adjacent to Narre Warren North Road with on street parking</td>
</tr>
<tr>
<td></td>
<td>Maximum 3 metres to all other streets</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Type 2</td>
<td>Preferred 0 metres to street</td>
<td>11.5 metres</td>
<td>4 metres</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Maximum 3 metres to street (except where not allowed by an easement or by curvilinear frontages)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 5.4-4 Precinct guidelines

- Development should be of a contemporary architectural style in keeping with the significant commercial role of the precinct.
- At-grade car parking or deck car parking should be provided behind proposed building frontages.

### 5.4-5 Any other requirements

None specified.
5.5 Precinct 5 - Residential Intensification

5.5-1 Precinct map

To provide a diverse mix of housing and increased density ensuring a range of housing options for future residents close to transport links, employment and services.

To encourage the development of the Princes Highway frontage for higher density housing and ancillary commercial uses, providing an active frontage facing the commercial areas of the CBD.

To promote a high standard of residential amenity for new development, including optimum solar access and privacy through design.

To encourage the consolidation of sites to facilitate a broader range of medium and higher density residential developments.
5.5-3  Precinct requirements

<table>
<thead>
<tr>
<th>Preferred maximum building height</th>
<th>Preferred street setbacks</th>
<th>Side and rear setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td>13.5 metres, or 16.8 metres where the site adjoins a road in a Road Zone or an associated service road</td>
<td>The construction of two or more dwellings on a lot should meet Clause 55 Standard B6 or 5 metres, whichever is lesser</td>
<td>All buildings and works (including non-residential buildings) sharing a property boundary with an existing residential dwelling should meet Clause 55 Standards B17, B21 and B22</td>
</tr>
</tbody>
</table>

5.5-4  Precinct guidelines

- Translucent elements such as balconies and glazing should provide building articulation.
- Consideration will be given to higher built form and residential density for consolidated sites.
- Larger developments should include a range of dwelling sizes and types to provide housing choices for future residents, including one- and two-bedroom dwellings.
- On-site parking should not be located forward of the front building alignment.
- Tree planting should form part of the front setback treatment, including canopy trees, for new residential developments.
- Tree planting buffers should be provided at the rear boundary on multi-level apartment developments.
- Front fences should be transparent to allow passive surveillance of the street.
- New residential development adjoining the Vesper Drive industrial and commercial precinct should include acoustic protection from these uses, where practicable.
- New residential development fronting Princes Highway should enhance pedestrian movement through the use of landscaping and low, transparent front fences.

5.5-5  Any other requirements

None specified.

6.0  Application requirements

The following application requirements apply to an application for a permit under Clause 37.08, in addition to those specified in Clause 37.08 and elsewhere in the planning scheme, and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- For applications four or more storeys in height, a 3D model that shows:
  - The potential overshadowing impact of the development on the open space and habitable rooms of adjoining properties and within the proposed development, and how the development design minimises impacts and ensures maximum solar access internally for dwellings, to neighbouring properties and the public realm.
  - The potential impact of the development on the public realm adjacent to the proposal, ensuring that overshadowing of major pedestrian routes, heritage sites, parks and other public spaces is minimised. Reasonable solar access should also be maintained to the ground floor of buildings opposite in winter, where practicable.

- For the construction or extension of a building:
A Sustainable Design Assessment for all non-residential developments with a gross floor area of between 500m² and 1,000m² or developments of 3-9 dwellings to include:

- a simple assessment of the development, which may use relevant tools such as BESS or STORM, or an assessment approach to the satisfaction of the responsible authority; and,
- the identification of environmentally sustainable development measures proposed, having regard to the site’s opportunities and constraints.

A Sustainable Management Plan for all non-residential developments with a gross floor area of more than 1,000m² or developments of 10 or more dwellings to include:

- a detailed assessment of building energy management, WSUD, construction materials, indoor environment quality, waste management, and transport, which may use relevant tools such as BESS, STORM, MUSIC or Green Star or an alternative assessment approach to the satisfaction of the responsible authority; and,
- the identification of achievable environmental performance outcomes, having regard to the site’s opportunities and constraints, documentation of the means by which they can be achieved, and demonstration that the building has the design potential to achieve these outcomes; and,
- a Green Travel Plan.

For all developments with a gross floor area over 5000m², in addition to a Sustainable Management Plan, it must be demonstrated that the development has the ability to achieve a 4-star rating or above under a current version of Green Star rating tool or equivalent.

For all mixed use developments, the above listed information is required as most applicable to each use component of the development.

The above ESD requirements will expire if superseded by equivalent assessment requirements in a Local Policy, the Victoria Planning Provisions or the Building Code of Australia Regulations.

A report which demonstrates that development will achieve the following:

- Reduction in the volume of stormwater runoff from new roof areas of 5% from the calculated annual runoff volume.
- Stormwater runoff and proposed drainage discharge rates to be equal or less than pre-development conditions, to minimise flood risks within the broader catchment.
- Response to designated 1% Annual Exceedance Probability (AEP) flood levels, where applicable, including heights of floor levels and access into basement carparks.
- Make provision for the safe and effective passage of stormwater flows up to and including the 1% AEP storm.

A transport assessment that includes the impact of generated traffic on the existing road network, parking generation rates and traffic management recommendations. The assessment must also include, where appropriate, a demonstration of how the proposal seeks to enhance the opportunities for increased public transport usage, addressing pedestrian accessibility, weather protection, safety measures and commuter information.

Where an application proposes a building that does not meet the minimum setbacks, maximum street wall height or overshadowing standards set out in this schedule, an Urban Context Report submitted with the application must demonstrate how the proposed development achieves the relevant objectives, requirements and guidelines of this schedule.

For applications in Precinct 1 on land shown on Precinct Map at Clause 5.1-1 as ‘road/link alignment subject to further planning’, an Access and Movement Strategy that demonstrates the development provides for, or contributes to, a cohesive road and pedestrian network.
Notice and review

An application to:

- Construct a building or construct or carry out works that exceed the preferred maximum building heights contained within Clause 5 of this schedule
- Use land or construct a building or construct or carry out works in Precinct 5
- Construct a building or construct or carry out works within 150 metres of the Residential Interface in Precinct 2 (identified on the Precinct map at Clause 5.2-1 to this schedule) in which the height of building or works is in excess of a 1:2 height-to-setback ratio from this boundary 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

The following decision guidelines apply to an application for a permit under Clause 37.08, in addition to those specified in Clause 37.08 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

General

- The interface with adjoining zones, especially the relationship with residential areas.

Subdivision

- The effect the subdivision will have on the potential of the area to accommodate future development opportunities and transport links.
- Whether the subdivision promotes lot consolidation, where practicable.

Design and built form

- The effect the proposed development will have on solar access to existing public spaces.
- Whether the scale and intensity of a development would result in the underdevelopment of the site.
- The extent to which the development prioritises walking, cycling and public transport use, and provides car parking that responds to anticipated demand, does not dominate the street frontage, and is functional and well-designed.
- The extent to which the development is consistent with the principles of Environmentally Sustainable Development.
- The extent to which the development is consistent with the principles of WSUD.
- The extent to which the development provides for the surveillance of public spaces and creates a safe environment.
- The extent to which the development encourages activity within public streets and spaces.

For properties designated as Gateway/EntryPoint on the Precinct maps contained within this schedule, whether future built form:

- Highlights the built form through the use of projections, detailing and massing that presents to the surroundings and street frontages.
- Complements rather than dominates the existing built form through height form and scale.
- Provides a key point of reference for users of the activity centre.
- Provides an iconic built form that differentiates itself from surrounding buildings.
9.0
25/07/2019
C224case

**Signs**
Advertising sign requirements are located at Clause 52.05. All land located within Precincts 1, 2, 3, 4A and 4B is in Category 1 and all land within Precinct 5 is in Category 3.

10.0
25/07/2019
C224case

**Other provisions of the scheme**
None specified.

11.0
25/07/2019
C224case

**Background documents**
*Fountain Gate-Narre Warren CBD Structure Plan* (City of Casey, 2018)
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>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Subdivide land into lots each containing an existing building or car parking space where:</th>
<th>Clause 59.02</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>
<td></td>
</tr>
</tbody>
</table>
Class of application

- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

Subdivide land into 2 lots if:

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

Construct a fence.

Remove, destroy or lop one tree.

Construct a building or construct or carry out works for:

- A carport, garage, pergola, verandah, deck, shed or similar structure.
- A rainwater tank.

The buildings and works must be associated with a dwelling.

### Table of exemptions

#### The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Emergency works</th>
<th>Vegetation that is to be removed, destroyed or lopped:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or</td>
</tr>
<tr>
<td></td>
<td>- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Extractive industry</th>
<th>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 and authorised by a work authority granted under that Act.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Fire protection</th>
<th>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- fire fighting;</td>
</tr>
<tr>
<td></td>
<td>- planned burning;</td>
</tr>
<tr>
<td></td>
<td>- making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;</td>
</tr>
<tr>
<td></td>
<td>- making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);</td>
</tr>
<tr>
<td></td>
<td>- is ground fuel within 30 metres of a building and is vegetation other than native vegetation;</td>
</tr>
<tr>
<td></td>
<td>- in accordance with a fire prevention notice issued under either:</td>
</tr>
</tbody>
</table>

The requirement to obtain a permit does not apply to:

- Section 65 of the *Forests Act 1958*; or
- Section 41 of the *Country Fire Authority Act 1958*.

- keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*;
- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*.

*Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*

<table>
<thead>
<tr>
<th>Geothermal energy exploration and extraction</th>
<th>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <em>Geothermal Energy Resources Act 2005</em>.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenhouse gas sequestration and exploration</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <em>Greenhouse Gas Geological Sequestration Act 2008</em>.</td>
</tr>
<tr>
<td>Land management or directions notice</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <em>Catchment and Land Protection Act 1994</em>.</td>
</tr>
<tr>
<td>Land use conditions</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <em>Catchment and Land Protection Act 1994</em>.</td>
</tr>
</tbody>
</table>
| Mineral exploration and mining             | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the *Mineral Resources (Sustainable Development) Act 1990*:

  - that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or
  - in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*.

*Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.*

<table>
<thead>
<tr>
<th>Noxious weeds</th>
<th>Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <em>Catchment and Land Protection Act 1994</em>. This exemption does not apply to Australian Dodder (<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>
<tr>
<td>Regrowth</td>
<td>Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:</td>
</tr>
</tbody>
</table>
### The requirement to obtain a permit does not apply to:

- bracken (*Pteridium esculentum*); or
- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.

This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.

### Road safety

Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

### Stone exploration

Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.

The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:

- 1 hectare of vegetation which does not include a tree.
- 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.
- 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

This exemption does not apply to costeanning and bulk sampling activities.

### Surveying

Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land.

### Traditional owners

Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:

- a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or
- an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017).

### Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The statement of 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.

COASTAL ENVIRONS

1.0

Statement of environmental significance

Western Port is noted for its ecological diversity in terms of terrestrial and marine species, some of which are protected by international agreements to which Australia is a party. These species occupy a wide range of habitats including salt marshes, mangroves, inter-tidal mudflats and seagrass beds. Western Port is also noted for its coastal landscapes and extensive areas of remnant coastal vegetation.

The conservation of these values is promoted by the MSS. This can be assisted by placing controls on the expansion of urban settlements, the removal of native vegetation, the treatment of waste water and on the extent and appearance of buildings and works.

2.0

Environmental objective to be achieved

To conserve and enhance the ecological values of environmentally sensitive land fringing Western Port.

To maintain and enhance the rural character of areas fringing Western Port.

3.0

Permit requirement

A permit is not required to remove, destroy or lop:

- exotic vegetation
- the following environmental weed species:
  - Coast Wattle (*Acacia longifolia subsp. Sophorae*).
  - Sweet Pittosporum (*Pittosporum undulatum*);
  - Sallow Wattle (*Acacia longifolia subsp. Longifolia*);

4.0

Application requirements

None specified.

5.0

Decision guidelines

Before deciding on an application, the responsible authority will consider:

- The need to ensure that the sensitive areas of open space along the edge of Western Port and the environmentally sensitive areas of the bay are not compromised by the use.
- The capacity of the soil and water to absorb wastes and the design of the effluent disposal system.
- The impact of plant life, animal habitats and the landscape.
- Whether the buildings or works will be detrimental to the natural physical features or resources of the area.
- The design, location and colour of proposed buildings and works and their impact on the landscape.
- The extent of any proposed removal of vegetation and in particular:
- The desirability of retaining or establishing a buffer of native vegetation adjoining watercourses and natural drainage lines and any existing vegetation along ridges, road and property boundaries.

- Whether the vegetation has been identified as being of landscape or environmental significance.

- The location, dimensions, and levels of any excavations or alterations to the natural surface including details or works to stabilise buffers in areas of fill or excavation. The works to control drainage and stormwater run-off from all buildings, access roads and driveways.

- The views, if any, of the Department of Environment, Land, Water and Planning.

- Whether the location of buildings and works take advantage of the topography and landscaping of the area to provide screening from adjoining properties and surrounding areas.

Background documents

Sites of Botanical Significance in the Western Port Region, (1984) A.M. Opie et al, Department of Conservation Forests and Lands

Sites of Zoological Significance in the Western Port Region, (1984) D.L. Andrew et al, Department of Conservation Forests and Lands

**SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY**

Shown on the planning scheme map as ESO2.

**CRANBOURNE GARDENS**

**1.0  Statement of environmental significance**

The Cranbourne Gardens is special because of its ecological integrity and its location. Within an area that has been extensively modified since European settlement, it is one of the last tracts of native bushland that has remained relatively intact.

It is noted for its diverse ecosystems found in tea tree heathlands, swamps, sedgelands and wet heathlands. Many species of native plants and animals not often seen in urbanised areas find refuge in the Cranbourne Gardens. The Gardens are also sited over ancient sand dunes which have geological and geomorphological significance.

The Cranbourne Gardens is valued by the community because of its accessibility and proximity to built up areas. It needs careful nurturing so that its special environmental qualities can be appreciated by future residents of the South Eastern Growth Area.

**2.0  Environmental objective to be achieved**

To protect sites of zoological, geological and botanical significance within the Cranbourne Gardens from inappropriate use and development.

**3.0  Permit requirement**

A permit is not required to remove, destroy or lop:

- vegetation associated with the maintenance of the Cranbourne Gardens;
- vegetation specifically grown and harvested for domestic or agricultural purposes;
- the following environmental weed species:
  - Sweet Pittosporum (*Pittosporum undulatum*);
  - Sallow Wattle (*Acacia longifolia subsp. Longifolia*);
  - Coast Wattle (*Acacia longifolia subsp. Sophorae*).

**4.0  Application requirements**

None specified.

**5.0  Decision guidelines**

Before deciding on an application for a permit the responsible authority will consider:

- The advice of the Department of Environment, Land, Water and Planning.
- The need to conserve and enhance sites of scientific and environmental significance.
- Alternative means of using land or locating buildings and works that ensure the integrity of sites of scientific and environmental significance is not compromised.

**Background documents**

- Sites of Botanical Significance in the Western Port Region, (1984) A.M. Opie et al, Department of Conservation Forests and Lands
- Sites of Zoological Significance in the Western Port Region, (1984) D.L. Andrew et al, Department of Conservation Forests and Lands
SCHEDULE 3 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO3.

CRANBOURNE GARDENS, CRANBOURNE

1.0

Statement of environmental significance

The Cranbourne Gardens is valued by the community because of its ecological integrity and its location close to built up areas. Within an area that has been extensively modified since European settlement, it is one of the last tracts of native bushland that has remained relatively intact.

It is noted for its diverse ecosystems found in tea tree heathlands, swamps, sedgelands and wet heathlands. Many species of native plants and animals not often seen in urbanised areas find refuge in the Cranbourne Gardens. Parts of the Cranbourne Gardens are elevated as they are sited over ancient sand dunes. This facilitates higher visual exposure of the gardens from surrounding areas and vice versa.

The proximity of the Cranbourne Gardens to built up areas provides strong justification for a buffer zone to be established on immediately surrounding land. Without this buffer, there is potential for visual intrusion into the Gardens and for the introduction of both feral animals and pest plants. Development within this buffer zone should be carefully assessed to ensure their compatibility with the Cranbourne Gardens.

2.0

Environmental objective to be achieved

To protect the biological values, landscape quality and amenity of the nearby Cranbourne Gardens for the purpose of scientific investigation and for the benefit and enjoyment of the public.

To ensure that development in the vicinity of the Cranbourne Gardens is compatible with the maintenance of the values referred to above.

3.0

Permit requirement

A permit is not required to remove, destroy or lop:

- exotic vegetation;
- the following environmental weed species:
  - Sweet Pittosporum (*Pittosporum undulatum*);
  - Sallow Wattle (*Acacia longifolia subsp. Longifolia*);
  - Coast Wattle (*Acacia longifolia subsp. Sophorae*).

4.0

Application requirements

None specified.

5.0

Decision guidelines

Before deciding on an application, the responsible authority will consider:

- The effect any development could have on the biological integrity and amenity of the Cranbourne Gardens by reason of noise, smell, dust, fumes, vermin, noxious weeds, polluted waters and changes to natural drainage flows.
- The effect of any development on visitors’ enjoyment of the Cranbourne Gardens in terms of the extent of visual impact of the use or development and or any significant change to the natural topography of the area.
The extent to which any building or works would be visible from within any part of the Cranbourne Gardens.

The desirability of maintaining a rural landscape and the need to limit fringe urban activities in the environs of the Cranbourne Gardens.

The need to retain natural vegetation in the environs of the Cranbourne Gardens as habitat for native fauna and as an important landscape element.

The desirability of using species of plants indigenous to the area in any landscaping works in the environs of the Cranbourne Gardens.

The effect of any development in terms of fire hazard.

The views of the Cranbourne Gardens and of any other agency the responsible authority considers relevant.

The views, if any, of the Department of Environment, Land, Water and Planning.

**Background documents**

Sites of Botanical Significance in the Western Port Region, (1984) A.M. Opie et al, Department of Conservation Forests and Lands

Sites of Zoological Significance in the Western Port Region, (1984) D.L. Andrew et al, Department of Conservation Forests and Lands

SCHEDULE 4 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO4**.

CRANBOURNE SOUTH CONSERVATION AREA

1.0

Statement of environmental significance

Cranbourne South is noted for its undulating landscape and its remnant woodland vegetation that provides a natural vegetation link and wildlife corridor extending from the urban areas of Cranbourne, particularly the Cranbourne Gardens to Western Port Bay.

The woodlands’ sandy soils support a variety of indigenous flora species including a range of eucalyptus and banksias as well as numerous grass species. The area also supports a number of fauna species, including the New Holland Mouse and the Grey-crowned Babble which are considered endangered in Victoria. A number of other species found in the area are also regarded as rare.

2.0

Environmental objective to be achieved

To conserve, enhance and extend the ecological values of environmentally sensitive land in Cranbourne South.

To maintain and enhance the rural character of the area.

3.0

Permit requirement

A permit is not required to remove, destroy or lop:

- exotic vegetation;

- the following environmental weed species:
  - Sweet Pittosporum (*Pittosporum undulatum*);
  - Sallow Wattle (*Acacia longifolia subsp. Longifolia*);
  - Coast Wattle (*Acacia longifolia subsp. Sophorae*).

A permit is not required for buildings more than 20 metres from any boundary of the land or the bank of any creek or watercourse.

4.0

Application requirements

None specified.

5.0

Decision guidelines

Before deciding on an application, the responsible authority will consider:

- The impact of the use or development on any environmentally sensitive areas.

- The capacity of the soil and water to absorb wastes and the design of the effluent disposal system.

- The impact on plant life, animal habitats and the landscape.

- Whether the use, buildings or works will be detrimental to the natural environment or resources of the area.

- The design, location and colour of proposed buildings and works and their impact on the landscape.

- The extent of any vegetation removal proposed, in particular:
The desirability of retaining or establishing a buffer of native vegetation adjoining watercourses and natural drainage lines and any existing vegetation along ridges, road and property boundaries.

Whether the vegetation has been identified as being of environmental significance.

- The location, dimensions, and levels of any excavations or alterations to the natural surface including details or works to stabilise buffers in areas of fill or excavation. The works to control drainage and stormwater run-off from all buildings, access roads and driveways.

- Whether the location of buildings and works take advantage of the topography and landscaping of the area to provide screening from adjoining properties and surrounding areas.

- The views, if any, of the Department of Environment, Land, Water and Planning.

**Background documents**

The Fauna and Flora Values of the City of Casey South of Ballarto Road (September 1997) Biosis Research Pty Ltd
CRANBOURNE GARDENS ENVIRONS (SETTLERS RUN AND BOTANIC RIDGE ESTATES)

Statement of environmental significance

The Cranbourne Gardens is valued by the community because of its ecological integrity and its location close to built up areas. Within an area that has been extensively modified since European settlement, it is one of the last tracts of native bushland that has remained relatively intact.

It is noted for its diverse ecosystems found in tea tree heathlands, swamps, sedgelands and wet healthlands. Many species of native plants and animals not often seen in urbanized areas find refuge in the Cranbourne Gardens. Parts of the Cranbourne Gardens are elevated as they are sited over ancient sand dunes. This facilitates higher visual exposure of the gardens from surrounding areas and vice versa.

The proximity of the Cranbourne Gardens to built up areas provides strong justification or a buffer zone to be established on immediately surrounding land. Without this buffer, there is potential for visual intrusion into the Gardens and for the introduction of both feral animals and pest plants. Development within this buffer zone should be carefully assessed to ensure their compatibility with the Cranbourne Gardens.

The sensitive development of the land to the south-west of the Cranbourne Gardens (Settlers Run and Botanic Ridge Estates) for urban and related purposes provides an opportunity to further enhance and reinforce the environmental attributes of the Cranbourne Gardens. Any development will incorporate a significant replanting program with locally indigenous vegetation to be incorporated into the residential, recreational and open space areas throughout the estate. It is expected that over time, this replanting will result in the extension and reinforcement of the significant biological values, landscapes quality and amenity of the Cranbourne Gardens.

Environmental objective to be achieved

To protect the biological values, landscape quality and amenity of the nearby Cranbourne Gardens for the purpose of scientific investigation and for the benefit and enjoyment of the public.

To ensure that development in the vicinity of the Cranbourne Gardens takes proper account of the opportunities to accommodate urban growth while at the same time ensuring that such development is compatible with the maintenance of the values referred to above.

To visually integrate the Cranbourne Gardens with the surrounding landscape and to screen and soften views of the precinct from the Cranbourne Gardens.

To protect and further develop the indigenous woodlands, grasslands, wetlands and significant habitat areas that link with the Cranbourne Gardens.

To encourage the planting and retention of locally indigenous native vegetation wherever possible, and to ensure native vegetation corridors within the estate are retained, particularly along ridgelines and drainage lines.

To establish and maintain a native vegetation buffer along the perimeters of the precinct.

To encourage and protect the planting of appropriate native vegetation within private property.

Permit requirement

A permit is not required to remove, destroy or lop any of the following vegetation:

- The removal, destruction or lopping of native vegetation which has a trunk circumference of less than 150 millimetres, measured at a height of 1 metre above ground level.
• The removal, destruction or lopping of native vegetation which presents an immediate risk of personal injury or damage to property (including vegetation overhanging a dwelling or within 2 metres of a dwelling).

• The pruning, removal or root pruning of vegetation to prevent damage to works when in the opinion of the responsible authority, damage to a pipeline, electricity or telephone transmission line, cable or other service has occurred or is likely to occur.

• The pruning of vegetation (including street trees) to maintain or improve their health or appearance.

• The removal of vegetation recognised by the City of Casey as an environmental weed.

A permit is not required for buildings and works associated with a dwelling, provided the following requirements are met:

• No more than one dwelling is constructed on the lot.

• The total area of outbuildings on the lot does not exceed 80 square metres.

• All external cladding of buildings and structures, including roofing is painted or finished in non-reflective muted natural tones which blend with the surrounding landscape to the satisfaction of the responsible authority.

• No building or structure (including an ancillary outbuilding, tennis court or swimming pool) is located within any Tree Planting Zone, as may be nominated on a section 173 Agreement on the title of the land.

• All buildings and works comply with any building and siting requirements of a section 173 Agreement that may be registered on the title of the land.

• If the land is within the Viewshed area defined on Map 1 to this schedule, and the buildings and works satisfy the following requirements:
  - Within Precinct 1, as shown on Map 1, any building or structure has a maximum height of 4 metres or one storey.
  - Within Precinct 2, as shown on Map 1 (being land known as 245S Smiths Lane, Botanic Ridge and described as Lot A on Plan of Subdivision No. 637134), the height of any dwelling does not exceed 8.5 metres and height of any outbuildings does not exceed 3.6 metres. Any excavation or filling results in a difference of 1 metre or less between existing and finished levels.
  - The total site coverage of all buildings and ancillary structures (including all outbuildings, tennis courts and swimming pools) does not exceed 40 per cent of the total site area within Precinct 1 and 60 per cent of the total site area in Precinct 2.

• If the land is outside the Viewshed area defined on Map 1 to this schedule, and the buildings and works satisfy the following requirements:
  - No building or other structure exceeds a maximum height of 7.5 metres or two storeys above natural ground level.

4.0

Application requirements

None specified.

5.0

Decision guidelines

Before deciding on an application for removal, destruction or lopping of vegetation, the responsible authority must consider:

• The scenic value of the native vegetation.

• The habitat value of the vegetation.
The views of the Cranbourne Gardens where the vegetation is located within the viewshed of the Cranbourne Gardens, or in the opinion of the responsible authority the removal, destruction or lopping of the vegetation may have some impact on the biological values, landscape quality or amenity of the Cranbourne Gardens.

- The views, if any, of the Department Environment, Land, Water and Planning.
- Whether the vegetation is located along a ridgeline or drainage line.
- Whether the vegetation is located within a designated planting zone, as identified on a section 173 Agreement registered on the title of the land.
- Alternative means of using the land or locating buildings and works so that the retention and protection of native vegetation is not compromised.
- The extent of replacement planting proposed.

Before deciding on an application for any buildings or works, the responsible authority must consider:

- The effect any development may have on the biological integrity and amenity of the Cranbourne Gardens by reason of noise, smell, dust, fumes, vermin, noxious weeds, polluted waters and changes to natural drainage flows.
- The effect of any development on visitors enjoyment of the Cranbourne Gardens in terms of the extent of visual impact of the use or development and any significant change to the natural topography of the area.
- The extent to which any building or works would be visible from within any part of the Cranbourne Gardens.
- The desirability of maintaining a rural landscape and the need to limit fringe urban activities in the environs of the Cranbourne Gardens.
- The suitability of Precinct 2, as shown on Map 1, to be developed for urban purposes in a manner which is compatible with the environmental objectives for development within the Botanic Ridge Precinct Structure Plan area.
- The need to retain natural vegetation in the environs of the Cranbourne Gardens as habitat for native fauna and as an important landscape element.
- The degree of compliance with any relevant siting and/or design guidelines, as identified on a section 173 Agreement registered on the title of the land.
- The desirability of using species of plants indigenous to the area in any landscaping works in the environs of the Cranbourne Gardens.
- The effect of any development in terms of fire hazard.
- The views of the Cranbourne Gardens and of any other agency the responsible authority considers relevant.

**Background documents**

Sites of Botanical Significance in the Western Port Region, (1984) A.M. Opie et al, Department of Conservation Forests and Lands

Sites of Zoological Significance in the Western Port Region, (1984) D.L. Andrew et al, Department of Conservation Forests and Lands

Map 1 to Schedule 5 to Clause 42.01
SCHEDULE 6 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO6.

URBAN 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 comprises one or more of the following environmental weed species:
    - Sweet Pittosporum (*Pittosporum undulatum)*;
    - Sallow Wattle (*Acacia longifolia subsp. Longifolia)*;
    - Coast Wattle (*Acacia longifolia subsp. Sophorae)*.
  - 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

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A 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.

**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.
SCHEDULE 7 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO7.

SIGNIFICANT RIVER RED GUMS IN CASEY

1.0

Statement of environmental significance

There are many significant old-growth River Red Gums (Eucalyptus camaldulensis) in the City of Casey, some which are hundreds of years old and pre-date European settlement. These tend to be located in the low-lying areas of the municipality, which form part of the Gippsland Plain Bioregion, and include Doveton, Eumemmerring, Hampton Park and Lynbrook along the Dandenong and Eumemmerring Creeks corridors.

River Red Gums are important to Casey, both individually and collectively, for their intrinsic environmental, scientific, landscape and cultural heritage values. Many of these large old trees are readily accommodated in Council’s parks, reserves and roadsides, while a small number are also located on private land, including small residential lots. Casey is experiencing rapid urban growth, being located in Casey-Cardinia Growth Area, and the pressures associated with this, along with limited planning controls to protect and conserve these trees, makes them vulnerable to degradation or even loss.

The Casey Significant Tree Strategy (incorporating The Significant Tree Register) City of Casey, 2014 identifies those large River Red Gums that should be protected. In particular are those older trees containing hollows which are rare and add to the genetic diversity of flora and fauna of the area. These River Red Gums play an important role in the survival of a wide range of native fauna by providing a food source, shelter, refuges and nesting sites. Some River Red Gums provide a link with our past and have intrinsic Aboriginal cultural heritage value. Collectively, these trees are recognised for their distinctive and attractive form that contributes to the landscape quality and identity of the area.

2.0

Environmental objective to be achieved

To protect and conserve all significant River Red Gums (Eucalyptus camaldulensis) for their intrinsic environmental, ecological, scientific, landscape and cultural heritage values.

To protect and enhance the River Red Gums to provide a source of genetic diversity, fauna habitat and to enhance habitat connectivity within the municipality.

To protect and enhance the environmental and landscape values of a local area where significant River Red Gums have been identified.

To ensure that any use or development of land within the identified Tree Protection Zone of a significant River Red Gum, as identified in the Casey Significant Tree Strategy (incorporating The Significant Tree Register) City of Casey, 2014, does not compromise its long-term conservation.

3.0

Permit requirement

Before deciding on a planning application, the responsible authority may require the applicant to provide a report from a suitably qualified arborist to the satisfaction of the responsible authority, detailing the reason and need for the proposed works, options for alternative treatments and any remedial or restorative action proposed.

All pruning and works must be carried out in accordance with the Australian Standard – Pruning of Amenity Trees, AS 4373-2007, to the satisfaction of the responsible authority.

All tree protection works must be carried out in accordance with the Australian Standard – Protection of Trees on Development Sites, AS 4970-2009, to the satisfaction of the responsible authority.
A permit is required for the construction of a building or the construction or carrying out of works listed in Clause 62.02-2 within three metres of the Tree Protection Zone of any significant tree identified in the *Casey Significant Tree Strategy (incorporating The Significant Tree Register)* City of Casey, 2014.

A permit is not required:

- To remove, destroy or lop any vegetation which is not listed in the *Casey Significant Tree Strategy (incorporating The Significant Tree Register)* City of Casey, 2014.
- To construct a building or construct or carry out works within three metres of the Tree Protection Zone of any significant tree identified in the *Casey Significant Tree Strategy (incorporating The Significant Tree Register)* City of Casey, 2014. The Tree Protection Zone is calculated by using the diameter at breast height (DBH), which is the diameter of the tree at 1.4 metres above ground level, multiplied by 12 to give a measurable distance from the tree.
- To construct a fence three metres or greater from the Tree Protection Zone of any significant tree identified in the *Casey Significant Tree Strategy (incorporating The Significant Tree Register)* City of Casey, 2014.
- To undertake maintenance of a significant tree(s), including dead wooding and broken limb removal, on public land by the public land manager to maintain the integrity of the tree or reduce the risk of personal injury or damage to property.
- To prune limbs less than 75 millimetres in diameter (measured at the pruning point), of any significant tree listed in the *Casey Significant Tree Strategy (incorporating The Significant Tree Register)* City of Casey, 2014 for:
  - reducing overhang to neighbouring properties.
  - clearing within two metres of an existing permanent structure;
  - maintaining access to existing roads, driveways and footpaths;
- Pruning works must be undertaken in accordance with the *Australian Standard- AS 4373-2007, (Pruning of Amenity Trees)*.
- For construction and maintenance works for municipal purposes within the Tree Protection Zone, subject to such works being carried out in accordance with a Tree Management Plan approved by a suitably qualified arborist.

### 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 impact of the proposal on the intrinsic, environmental, ecological, landscape or cultural heritage significance of any identified significant tree.
- The impact of the proposal on the health, appearance and stability of any identified significant tree.
- The habitat value for native fauna of any identified significant tree, including hollow bearing trees.
- Any recommendations or management guidelines relating to the relevant identified significant tree(s) contained in the *Casey Significant Tree Strategy*. 
The recommendations of any report provided by a suitably qualified arborist relating to the relevant identified significant tree(s).

Whether any proposed pruning of a significant tree(s) is in accordance with the *Australian Standard – Pruning of Amenity Trees, AS 4373-2007*.

Whether the minimum tree protection requirements of *Australian Standard – Protection of Trees on Development Sites, AS 4970-2009* are met.

Whether all alternative options, including the redesign or relocation of buildings has been considered to reduce impacts on the significant trees.

Whether the planting of appropriate replacement tree(s) or vegetation is warranted, and consistent with the *Guidelines for the removal, destruction or lopping of native vegetation*.

Whether a long-term maintenance program is required for any identified significant tree impacted by building works.

**Background documents**

*Australian Standard – Protection of Trees on Development Sites, AS 4970-2009*

*Australian Standard – Pruning of Amenity Trees, AS 4373-2007*

*Casey Significant Tree Strategy (incorporating The Significant Tree Register) City of Casey, 2014. Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017)*

*Assessor’s handbook – applications to remove, destroy or lop native vegetation (DELWP 2017).*
SCHEDULE 8 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as **ESO8**.

SIGNIFICANT EXOTIC AND NATIVE TREES IN CASEY

1.0

**Statement of environmental significance**

The City of Casey boasts many individual native and exotic trees and groups of trees with special significance. Collectively, these trees add to the diversity of vegetation in the municipality and have ecological importance, while on an individual level they may contribute to the character of a local area, or have particular cultural values. The *Casey Significant Tree Strategy (incorporating The Significant Tree Register)* City of Casey, 2014 identifies those exotic and native trees considered to be of most significance in the municipality. Their selection is attributed to one or more factors, including landscape context, aesthetic value, rarity, localised distribution, age, outstanding size or species example, curious growth form or cultural and heritage linkages.

Casey has lost many of its significant trees over the years as a result of urban development, either through direct vegetation removal or poor care and maintenance practices. This has been further exacerbated through limited controls protecting such vegetation. The application of planning controls to safeguard the future of Casey’s significant exotic and native trees provides a positive step that will benefit the environment and the community.

2.0

**Environmental objective to be achieved**

To protect and conserve significant exotic and native trees for their intrinsic, environmental, ecological, scientific, landscape and cultural heritage values.

To ensure that any use or development of land within the Tree Protection Zone of a significant tree, as identified in the *Casey Significant Tree Strategy (incorporating The Significant Tree Register)* City of Casey, 2014, does not compromise its long-term conservation.

3.0

**Permit requirement**

Before deciding on a planning application, the responsible authority may require the applicant to provide a report from a suitably qualified arborist to the satisfaction of the responsible authority, detailing the reason and need for the proposed works, options for alternative treatments and any remedial or restorative action proposed.

All pruning and works must be carried out in accordance with the *Australian Standard - Pruning of Amenity Trees, AS 4373-2007*, to the satisfaction of the responsible authority.

All tree protection works must be carried out in accordance with the *Australian Standard - Protection of trees on development sites, AS 4970-2009*, to the satisfaction of the responsible authority.

A permit is required for the construction of a building or the construction or carrying out of works listed in Clause 62.02-2 within three metres of the Tree Protection Zone of any significant tree identified in the *Casey Significant Tree Strategy (incorporating The Significant Tree Register)* City of Casey, 2014.

A permit is not required:

- To remove, destroy, or lop any vegetation which is not listed in the *Casey Significant Tree Strategy (incorporating The Significant Tree Register)* City of Casey, 2014.

- To construct a building or construct or carry out works three metres or greater outside the Tree Protection Zone of any significant tree identified in the *Casey Significant Tree Strategy (incorporating The Significant Tree Register)* City of Casey, 2014. The Tree Protection Zone is calculated by using the diameter at breast height (DBH), which is the diameter of the tree at 1.4 metres above ground level, multiplied by 12 to give a measurable distance from the tree.
To construct a fence three metres or greater from the Tree Protection Zone of any significant tree identified in the *Casey Significant Tree Strategy (incorporating The Significant Tree Register)* City of Casey, 2014.

To undertake maintenance of a significant tree(s) on public land by the public land manager, including dead wooding and broken limb removal, to maintain the integrity of the tree or reduce the risk of personal injury or damage to property.

To prune limbs less than 75 millimetres in diameter (measured at the pruning point) of any significant tree listed in the *Casey Significant Tree Strategy (incorporating The Significant Tree Register)* City of Casey, 2014 for:

- maintaining access to existing roads, driveways and footpaths;
- clearing within two metres of an existing permanent structure;
- reducing overhang to neighbouring properties.

Pruning works must be undertaken in accordance with the *Australian Standard- AS 4373-2007, (Pruning of Amenity Trees)*.

For construction and maintenance works for municipal purposes within the Tree Protection Zone, subject to such works being carried out in accordance with a Tree Management Plan approved by a suitably qualified arborist.

### Application requirements

None specified.

### Decision guidelines

Before deciding on an application for removal, destruction or lopping of vegetation, the responsible authority must consider as appropriate:

- The impact of the proposal on the intrinsic, environmental, ecological, landscape or cultural heritage significance of the identified significant tree.
- The impact of the proposal on the health, appearance and stability of the identified significant tree.
- The habitat value for native fauna of any identified significant tree, including hollow bearing trees.
- Any recommendations or management guidelines relating to the relevant identified significant tree(s) contained in the *City of Casey Significant Trees Strategy*, incorporating the *Casey Significant Tree Strategy (incorporating The Significant Tree Register)* City of Casey, 2014 and the *Register of Significant Trees in Victoria*, National Trust of Australia (Victoria).
- The recommendations of any report provided by a suitably qualified arborist relating to the relevant identified significant tree(s).
- Whether any proposed pruning of a significant tree(s) is in accordance with the *Australian Standard – Pruning of Amenity Trees, AS 4373-2007*.
- Whether the minimum tree protection requirements of *Australian Standard – Protection of Trees on Development Sites, AS 4970-2009* are met.
- Whether all alternative options, including the redesign or relocation of buildings has been considered to reduce impacts on the significant trees.
- Whether the planting of appropriate replacement tree(s) or vegetation is warranted, consistent with the principles of *Guidelines for the removal, destruction or lopping of native vegetation*.
- Whether a long-term maintenance program is required for any identified significant tree impacted by building works.
Background documents

Australian Standard – Protection of Trees on Development Sites, AS 4970-2009
Casey Significant Tree Strategy (incorporating The Significant Tree Register) City of Casey, 2014
Register of Significant Trees in Victoria, National Trust of Australia (Victoria)
Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017)
Assessor’s handbook – applications to remove, destroy or lop native vegetation (DELWP 2017).
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.

Extractive industry
- Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 and authorised by a work authority granted under that Act.
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Fire protection</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:</td>
</tr>
<tr>
<td></td>
<td>- fire fighting;</td>
</tr>
<tr>
<td></td>
<td>- planned burning;</td>
</tr>
<tr>
<td></td>
<td>- making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;</td>
</tr>
<tr>
<td></td>
<td>- making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);</td>
</tr>
<tr>
<td></td>
<td>- is ground fuel within 30 metres of a building and is vegetation other than native vegetation;</td>
</tr>
<tr>
<td></td>
<td>- in accordance with a fire prevention notice issued under either:</td>
</tr>
<tr>
<td></td>
<td>- Section 65 of the Forests Act 1958; or</td>
</tr>
<tr>
<td></td>
<td>- Section 41 of the Country Fire Authority Act 1958.</td>
</tr>
<tr>
<td></td>
<td>- keeping vegetation clear of, or minimising risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998;</td>
</tr>
<tr>
<td></td>
<td>- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of, that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the Road Management Act 2004.</td>
</tr>
<tr>
<td></td>
<td><em>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</em></td>
</tr>
<tr>
<td><strong>Geothermal energy exploration and extraction</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Geothermal Energy Resources Act 2005.</td>
</tr>
<tr>
<td><strong>Greenhouse gas sequestration and exploration</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008.</td>
</tr>
<tr>
<td><strong>Land management and directions notice</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td><strong>Land use conditions</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td><strong>Mineral exploration and extraction</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the Mineral Resources (Sustainable Development) Act 1990:</td>
</tr>
<tr>
<td></td>
<td>- that is low impact exploration within the meaning of Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990; or</td>
</tr>
<tr>
<td></td>
<td>- in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990.</td>
</tr>
<tr>
<td></td>
<td><em>Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</em></td>
</tr>
<tr>
<td><strong>Noxious weeds</strong></td>
<td>Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the Catchment and Land Protection Act 1994. This exemption does not apply to Australian Dodder (Cuscuta australis).</td>
</tr>
<tr>
<td><strong>Pest animal burrows</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.</td>
</tr>
</tbody>
</table>
### The requirement to obtain a permit does not apply to:

In the case of native vegetation the written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988* is required before the vegetation can be removed, destroyed or lopped.

<table>
<thead>
<tr>
<th>Category</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 <em>Conservation, Forests and Lands Act 1987</em>).</td>
</tr>
</tbody>
</table>
| **Regrowth**      | Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:  
  * bracken (*Pteridium esculentum*); or  
  * within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.  
  This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster. |
| **Road safety**   | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| **Stone exploration** | Vegetation is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.  
  The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:  
  * 1 hectare of vegetation which does not include a tree.  
  * 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.  
  * 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.  
  This exemption does not apply to costeanning and bulk sampling activities. |
| **Surveying**     | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land. |
| **Traditional owners** | Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:  
  * a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or  
  * an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017). |

### Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:
• The Municipal Planning Strategy and the Planning Policy Framework.

• 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.

**BROOKLAND GREENS – NATIVE VEGETATION**

**1.0**

**Statement of nature and significance of vegetation to be protected**

A number of significant stands of remnant vegetation exist on the “Brookland Greens” Estate, with the two Grassy Woodland communities in the south-east corner of the land having regional significance. The Grassy Woodland community further to the north west has high local significance and the Heathy Woodland community on the eastern boundary to the north of the drainage reserve also has high local significance.

**2.0**

**Vegetation protection objectives to be achieved**

To retain and protect remnant native vegetation so as to:

- Provide habitat and movement corridors for native fauna.
- Visually integrate the Cranbourne Gardens with the surrounding landscape and to screen and soften views of the site from the Cranbourne Gardens.

**3.0**

**Permit requirement**

A permit is required to remove, destroy or lop any native vegetation. This does not apply to the following environmental weed species:

- Sweet Pittosporum (*Pittosporum undulatum)*;
- Sallow Wattle (*Acacia longifolia subsp. Longifolia)*;
- Coast Wattle (*Acacia longifolia subsp. Sophorae)*.

**4.0**

**Application requirements**

None specified.

**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 significance of the vegetation.
- The habitat value of the vegetation.
- The advice of the Director of Cranbourne Gardens.
- Alternative means of using the land or locating buildings and works so that the retention and protection of native vegetation is not compromised.
SCHEDULE 2 TO THE VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as VPO2.

CARDINIA CREEK PARKLANDS ENVIRONS

1.0
19/01/2006
VC37

Statement of nature and significance of vegetation to be protected

A number of significant stands of remnant vegetation exist on the rear of the properties at 62-70 and 72-80 Manuka Road, Berwick. The valley slopes support remnants of Grassy Forest, while Swamp Riparian Woodland and Swamp Scrub are located along the tributary of Cardinia Creek and its associated floodplains. The highest quality examples of Swamp Riparian Woodland are upstream of the existing dam.

Swamp Riparian Woodland, Swamp Scrub and Grassy Forest are endangered ecological vegetation communities in the Gippsland Plains Bioregion (i.e. less than ten per cent of pre-European extent remains). In the case of Swamp Scrub, less than two per cent of pre-European extent remains.

2.0
19/01/2006
VC37

Vegetation protection objective to be achieved

To retain and protect remnant native vegetation so as to:

- Provide habitat and movement corridors for native fauna.
- Visually integrate the Cardinia Creek Parklands with the surrounding landscape and to screen and soften views of the site from the Parklands.

3.0
11/02/2016
C210

Permit requirement

A permit is required to remove, destroy or lop any native vegetation. This does not apply to the following environmental weed species:

- Sweet Pittosporum (*Pittosporum undulatum*);
- Sallow Wattle (*Acacia longifolia subsp. Longifolia*);
- Coast Wattle (*Acacia longifolia subsp. Sophorae*).

4.0
19/01/2006
VC37

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The significance of the vegetation.
- The habitat value of the vegetation.
- The advice of Parks Victoria.
- Alternative means of using the land or locating buildings and works so that the retention and protection of native vegetation is not compromised.
SIGNIFICANT LANDSCAPE OVERLAY
Shown on the planning scheme map as SLO with a number.

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify significant landscapes.
To conserve and enhance the character of significant landscapes.

Landscape character and objectives
A schedule to this overlay must contain:

- A statement of the nature and key elements of the landscape.
- The landscape character objectives to be achieved.

Permit requirement
A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - To the conduct of agricultural activities including ploughing and fencing (but not the construction of dams) unless a specific requirement for that activity is specified in a schedule to this overlay.

- Construct a fence if specified in the schedule to this overlay.

- Remove, destroy or lop any vegetation specified in a schedule to this overlay. This does not apply:
  - If the table to Clause 42.03-3 specifically states that a permit is not required.
  - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a fence.</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>Remove, destroy or lop one tree.</td>
<td>Clause 59.06</td>
</tr>
<tr>
<td>Construct a building or construct or carry out works for:</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>- A carport, garage, pergola, verandah, deck, shed or similar structure.</td>
<td></td>
</tr>
<tr>
<td>- A rainwater tank.</td>
<td></td>
</tr>
<tr>
<td>The buildings and works must be associated with a dwelling.</td>
<td></td>
</tr>
</tbody>
</table>
### Table of exemptions

<table>
<thead>
<tr>
<th><strong>The requirement to obtain a permit does not apply to:</strong></th>
<th><strong>Vegetation that is to be removed, destroyed or lopped:</strong></th>
</tr>
</thead>
</table>
| **Emergency works**                                      | - in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or
|                                                          | - where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption. |
| **Extractive industry**                                  | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority granted under that Act. |
| **Fire protection**                                      | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities: |
|                                                          | - fire fighting; |
|                                                          | - planned burning; |
|                                                          | - making or maintaining of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; |
|                                                          | - making of strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*); |
|                                                          | - 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 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 of a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*. |
| **Geothermal energy exploration and extraction**         | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with operation plan approved under the *Geothermal Energy Resources Act 2005*. |
| **Greenhouse gas sequestration and exploration**         | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Greenhouse Gas Geological Sequestration Act 2008*. |
| **Land management or directions notice**                | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the *Catchment and Land Protection Act 1994*. |
| **Land use conditions**                                 | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the *Catchment and Land Protection Act 1994*. |
| **Mineral exploration and extraction**                  | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the *Mineral Resources (Sustainable Development) Act 1990*: |

*Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*
### The requirement to obtain a permit does not apply to:

- 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>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Noxious weeds</td>
<td>Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <em>Catchment and Land Protection Act 1994</em>. This exemption does not apply to Australian Dodder (<em>Cuscuta australis</em>).</td>
</tr>
<tr>
<td>Pest animal burrows</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows. In the case of native vegetation the written agreement of an officer of the department responsible for administering the <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>
<tr>
<td>Regrowth</td>
<td>Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:</td>
</tr>
<tr>
<td></td>
<td>- bracken (<em>Pteridium esculentum</em>); or</td>
</tr>
<tr>
<td></td>
<td>- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.</td>
</tr>
<tr>
<td>Road safety</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with written agreement of the Secretary of the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>).</td>
</tr>
<tr>
<td>Stone exploration</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:</td>
</tr>
<tr>
<td></td>
<td>- 1 hectare of vegetation which does not include a tree.</td>
</tr>
<tr>
<td></td>
<td>- 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>- 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to costeaming and bulk sampling activities.</td>
</tr>
<tr>
<td>Surveying</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the <em>Surveying Act 2004</em>) using hand-held tools to establish a sightline for the measurement of land.</td>
</tr>
<tr>
<td>Traditional owners</td>
<td>Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or
- an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017).

### Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The statement of the nature and key elements of the landscape and the landscape character objective contained in a schedule to this overlay.
- The conservation and enhancement of the landscape values of the area.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- The impact of the proposed buildings and works on the landscape due to height, bulk, colour, general appearance or the need to remove vegetation.
- The extent to which the buildings and works are designed to enhance or promote the landscape character objectives of the area.
- The impact of buildings and works on significant views.
- Any other matters specified in a schedule to this overlay.
SCHEDULE 1 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO1.

CASEY FOOTHILLS

1.0

Statement of nature and key elements of landscape

The hilly terrain of the Casey Foothills provides breathtaking views to and from the ridges and other vantage points. The terrain offers topographical and scenic relief from the low-lying built up areas of Casey.

The rural nature, characterised by open pasture and hedge row plantings, as well as bush remnants, provide a green backdrop to the city that contributes to a positive image of the municipality as a desirable place to live.

2.0

Landscape character objectives to be achieved

To conserve and enhance the existing pattern of vegetation to maintain landscape quality and remaining natural ecosystems.

To encourage development that is in harmony with the hilly terrain and rural landscape of the Casey Foothills.

To encourage land management practices compatible with landscape conservation.

To protect the rural character of land surrounding the settlements of Harkaway and Narre Warren North.

3.0

Permit requirement

None specified.

4.0

Application requirements

Any application to construct a building or works must include the following information:

- A comprehensive site analysis plan with an emphasis on visual matters show the key influences on the site and the relationship of the proposed development to its immediate surroundings, giving consideration, where appropriate, to:
  - Access, driveway connection points and main roads.
  - Vegetation including indigenous species, exotic species and specimen trees.
  - Topography including contours, drainage, orientation/solar access, highpoints, ridge lines and valleys.
  - Services including easements, transmission lines, electricity and gas water mains.
  - Visual access including filtered views to and from the site, internal views, vistas/views from public viewing points and visually exposed areas.
  - Adjoining land uses.
  - Open space connections.
  - Fences and boundaries.
  - Notable features.
  - Microclimate.
  - Contaminated soils and filled areas.
- A professionally prepared landscape and management plan that demonstrates how the subject land can be revegetated over time, giving consideration, where appropriate, to:
  - A plant schedule including botanic name, common name, height and spread, quality and a key/legend.
  - Revegetation of slopes greater than 1-in-5 (20 per cent), drainage lines, hill tops and visually exposed areas.
  - Species that existed pre settlement.
  - Provision for fencing off a section land for revegetation.
  - Enhancement of existing and proposed public space areas and vegetation corridors.

- Development envelopes based on site analysis findings. In areas of high visual exposure proposals need to demonstrate that buildings within the proposed envelopes will be fully screened from external view, in particular from sensitive view corridors and points.

### 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:

- Whether the development will be detrimental to the natural physical features or resources of the area.
- Whether the proposal is located in an area of high fire risk or is flood prone.
- Whether the development will require significant earthworks.
- Whether buildings and works are suitable for a slope of greater than 1-in-5 (20 per cent).
- Whether the development will be visible from public roads and other vantage points.
- The impact on plant life, animal habitats and the landscape.
- The impact on the character and appearance of any area or feature of architectural, historic or scientific significance or of natural beauty, interest or importance.
- Whether vegetation will be removed, and the proximity of this vegetation to a watercourse.
- The need to revegetate or landscape the site.
SCHEDULE 2 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO2.

WESTERN PORT COAST

1.0

Statement of nature and key elements of landscape

The Western Port coastal area is one of 42 sites deemed to be a Wetland of International Significance in Australia. The Western Port coastal landscape is ecologically diverse supporting a variety of fauna and flora species. The wetlands consist of swamps, salt marshes, mangroves, mud flats, floodplains, deltas, inlets and deep channels. Inland there is a mix of rural landscapes some with pockets of remnant vegetation which provide an important pre-European settlement landscape.

There are two sites of international geological/geomorphological significance, 3 of national significance, 27 of state significance and 19 of regional significance along the coast. The quality of Western Port’s landscapes have been recorded and classified by the National Trust and by inclusion of some on the Register of the National Estate.

2.0

Landscape character objectives to be achieved

To conserve and enhance the existing pattern of vegetation to maintain landscape quality and remaining natural ecosystems.

To encourage development that is in harmony with the coastal landscape of Western Port.

To encourage land management practices compatible with landscape conservation.

To protect the coastal character of land surrounding the settlements of Blind Bight, Cannons Creek, Tooradin and Warnet.

3.0

Permit requirement

None specified.

4.0

Application requirements

Any application to construct a building should include the following information:

- Proposed external colours, materials and finishes.
- Any vegetation to be removed.
- Any earthworks to be carried out.
- Any existing buildings and works.

5.0

Decision guidelines

Before deciding on an application, the responsible authority will consider:

- Whether the development will be detrimental to the natural physical features or resources of the area.
- Whether the development will require significant earthworks
- Whether the development will be visible from public roads and other vantage points.
- The impact on plant life, animal habitats and landscape of the coastal environment (terrestrial and marine).

Background documents

Sites of Botanical Significance in the Western Port Region, (1984) A.M. Opie et al, Department of Conservation Forests and Lands
Sites of Zoological Significance in the Western Port Region, (1984) D.L. Andrew et al, Department of Conservation Forests and Lands

SCHEDULE 3 TO THE SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO3.

CARDINIA STRATEGY PLAN AREA

1.0

Statement of nature and key elements of landscape

The gently undulating topography of the area forms a transition from the Foothills in the north west to flatter land around Cardinia Creek to the south east.

It provides both a landscape context for the Foothills and a picturesque landscape setting for the Cardinia Creek Park.

The area is in part cleared for pasture and has in part a rural residential character.

2.0

Landscape character objective to be achieved

- To conserve and enhance the existing pattern of vegetation to maintain landscape quality and remaining natural ecosystems.
- To encourage development that is in harmony with the landscape of the Casey Foothills and compatible with protection of the picturesque landscape setting for Cardinia Creek Park.
- To encourage protection and enhancement of riparian vegetation.
- To encourage land management practices compatible with landscape conservation.
- To protect the landscape value of Cardinia Creek Park.

3.0

Decision guidelines

Before deciding on an application, the responsible authority will consider:

- Whether the development will be detrimental to the natural physical features or resources of the area, the Foothills or Cardinia Creek Park.
- Whether the development will detract from the views and landscape setting of Cardinia Creek Park.
- The impact on plant life, animal habitats and the landscape.
- The impact on the character and appearance of any area or feature of architectural, historic or scientific significance or of natural beauty, interest or importance.
- Whether vegetation will be removed.
- The need to revegetate or landscape the site.
- The views of the public land manager responsible for Cardinia Creek Park.

References

- Cardinia Strategy Plan, City of Casey (June 2002)
SCHEDULE 4 TO THE SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO4.

BERWICK TOWNSHIP AND ENVIRONS

1.0

Statement of nature and key elements of landscape

The Berwick Township and environs possess “a special landscape character”. The special landscape character of the Berwick Township and its environs is attributable to a predominance of tall, mature Australian and exotic trees on both private properties and the roadway. These trees are visually dominant in long distance views, streetscape views and views to private gardens. The boundary between private and public property is blurred in many areas due to the lack of front fences, with wide road verges blending with deep front setbacks and mature trees in front gardens and along the road reserves.

2.0

Landscape character objective to be achieved

- To ensure that the tree dominated landscape character of the Berwick Township and its environs is protected and enhanced.
- To ensure that new development is sited and designed to allow for the retention of existing trees that contribute to the character of the area and that provide wildlife habitat.
- To ensure that new buildings and works are designed to ensure they do not dominate the treed landscape character of the area.
- To ensure that new development is sympathetic to the natural characteristics of the area.
- To ensure that new development provides opportunities for additional tree and screen planting to enhance the treed character of the area.
- To ensure that the distinctive avenues of street trees are protected and retained.
- To ensure that front fences are sympathetic to the open, garden character of the area.

3.0

Permit requirement

A permit is required to:

- Remove, destroy or lop any tree if the trunk circumference is greater than 0.5m, or the trunk diameter is greater than 16cm, at one metre above ground level. This does not apply to the pruning of a tree for regeneration or ornamental shaping or the removal of dead trees or dead limbs or the partial removal of limbs and branches directly overhanging dwellings, garages and outbuildings.
- Construct a front fence.

A permit is not required to construct a building or construct or carry out works which are more than 5 metres from the drip line of any tree, or which are within 5 metres of the drip line of any tree with a trunk circumference that is less than 0.5m at one metre above ground level.

4.0

Decision guidelines

Before deciding on an application, Council must consider, as appropriate:

- Whether the proposed building and works are designed and sited to protect existing trees, both on the site or on adjoining land, that have trunk circumferences greater than 0.5m at one metre above ground level.
- Whether the proposed buildings and works are designed and sited to provide opportunities for additional tree planting on the site that contributes to the identified character of the area.
- Whether the proposed front fence is sympathetic to the open garden character of the area.
- Whether the proposed building or works retain a built form profile for the site as a whole that does not dominate the landscape.
- The tree species, its age, health and growth characteristics.
- The location of trees on the land and their contribution to the character of the site, streetscape and neighbourhood.
- Whether the tree is isolated or part of a grouping.
- The impact of the tree on the structural integrity of existing buildings including foundations.

References

Berwick Township Significant Landscape Strategy (2007)
HERITAGE OVERLAY

Shown on the planning scheme map as HO with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To conserve and enhance heritage places of natural or cultural significance.
To conserve and enhance those elements which contribute to the significance of heritage places.
To ensure that development does not adversely affect the significance of heritage places.
To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

Scope

The requirements of this overlay apply to heritage places specified in the schedule to this overlay.
A heritage place includes both the listed heritage item and its associated land. Heritage places may also be shown on the planning scheme map.

Permit requirement

A permit is required to:

- Subdivide land.
- Demolish or remove a building.
- Construct a building or construct or carry out works, including:
  - Domestic services normal to a dwelling if the services are visible from a street (other than a lane) or public park.
  - A solar energy system attached to a building that primarily services the land on which it is situated if the services are visible from a street (other than a lane) or public park.
  - A rainwater tank if the rainwater tank is visible from a street (other than a lane) or public park.
  - A fence, if the fence is visible from a street (other than a lane) or public park.
  - Roadworks which change the appearance of a heritage place or which are not generally undertaken to the same details, specifications and materials.
  - Street furniture other than:
    - traffic signals, traffic signs, fire hydrants, parking meters, post boxes and seating.
    - speed humps, pedestrian refuges and splitter islands.
  - A domestic swimming pool or spa and associated mechanical and safety equipment, if the swimming pool or spa and associated equipment are visible from a street (other than a lane) or public park.
  - A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
  - A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level, if the deck is visible from a street (other than a lane) or public park
  - Non-domestic disabled access, excluding a non-domestic disabled access ramp if the ramp is not visible from a street (other than a lane) or public park.
- An electric vehicle charging station if the charging station is visible from a street (other than a lane) or public park.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar, if the works are visible from a street (other than a lane) or public park.

- Externally alter a building by structural work, rendering, sandblasting or in any other way.
- Construct or display a sign.
- Externally paint a building if the schedule to this overlay specifies the heritage place as one where external paint controls apply.
- Externally paint an unpainted surface.
- Externally paint a building if the painting constitutes an advertisement.
- Internally alter a building if the schedule to this overlay specifies the heritage place as one where internal alteration controls apply.
- Carry out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials.
- Remove, destroy or lop a tree if the schedule to this overlay specifies the heritage place as one where tree controls apply. This does not apply:
  - To any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Section 86 of the *Electricity Safety Act 1998*.
  - If the tree presents an immediate risk of personal injury or damage to property.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where the area of either lot is reduced by less than 15 percent and the general direction of the common boundary does not change.</td>
<td>Clause 59.07</td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td></td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td></td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land is approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
</tbody>
</table>
### Class of application

- The construction or carrying out of the approved building or works on the land has started lawfully.
- The subdivision does not create a vacant lot.

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#### Information requirements and decision guidelines

- Demolish or remove an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to the Heritage Overlay.
- Demolish or remove a fence unless the fence is specified in the schedule to the Heritage Overlay.
- Externally alter a non-contributory building.
- External painting.
- Construct a fence.
- Construct a carport, garage, pergola, verandah, deck, shed or similar structure.
- Construct and install domestic services normal to a dwelling.
- Construct and install a non-domestic disabled access ramp.
- Construct a vehicle cross-over.
- Construct a domestic swimming pool or spa and associated mechanical equipment and safety fencing.
- Construct a rainwater tank.
- Construct or display a sign.
- Lop a tree.
- Construct or install a solar energy system attached to a dwelling.
- Construct and install an electric vehicle charging station.
- Construct and install services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.

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### Places in the Victorian Heritage Register

A heritage place which is included in the Victorian Heritage Register is subject to the requirements of the *Heritage Act 2017*.

#### Permit requirement

A permit is required under this overlay to subdivide a heritage place which is included in the Victorian Heritage Register. This includes the subdivision or consolidation of land including any building or airspace.

#### Referral of applications

An application to subdivide a heritage place which is included in the Victorian Heritage Register must be referred to the relevant referral authority under Section 55 of the Act in accordance with Clause 66 of this scheme.
No permit required

No permit is required under this overlay:

- For anything done in accordance with an incorporated plan specified in a schedule to this overlay.
- To internally alter a church for liturgical purposes if the responsible authority is satisfied that the alterations are required for liturgical purposes.
- For interments, burials and erection of monuments, re-use of graves, burial of cremated remains and exhumation of remains in accordance with the Cemeteries and Crematoria Act 2003.
- To develop a heritage place which is included in the Victorian Heritage Register, other than an application to subdivide a heritage place of which all or part is included in the Victorian Heritage Register.

Exemption from notice and review

An application under this overlay for any of the following classes of development is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act:

- Demolition or removal of an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to this overlay.
- Demolition or removal of a fence unless the fence is specified in the schedule to this overlay.
- External alteration of a building.
- External painting.
- Construction of a fence.
- Construction of a carport, garage, pergola, verandah, deck, shed or similar structure.
- Domestic services normal to a dwelling.
- Carry out works, repairs and routine maintenance.
- Internally alter a building.
- Non-domestic disabled access ramp.
- Construction of a vehicle cross-over.
- Construction of a domestic swimming pool or spa and associated mechanical equipment and safety fencing.
- Construction of a tennis court.
- Construction of a rainwater tank.
- Construction or display of a sign.
- Lopping of a tree.
- Construction of seating, picnic tables, drinking taps, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure, bollards, telephone boxes.
- Roadworks.
- An electric vehicle charging station.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.
Statements of significance

The schedule to this overlay must specify a statement of significance for each heritage place included in the schedule after the commencement of Amendment VC148. This does not apply to:

- A heritage place included in the schedule to this overlay by an amendment prepared or authorised by the Minister under section 8(1)(b) or section 8A(4) of the Act before or within three months after the commencement of Amendment VC148.
- A registered heritage place included in the Victorian Heritage Register established under Part 3 of the Heritage Act 2017.
- A heritage place included in the schedule to this overlay on an interim basis.

Heritage design guidelines

The schedule to this overlay may specify heritage design guidelines for any heritage place included in the schedule. A heritage design guideline must not contain any mandatory requirements.

Application requirements

An application must be accompanied by any information specified in the schedule to this overlay.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.
- Any applicable heritage design guideline specified in the schedule to this overlay.
- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.
- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.
- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed subdivision will adversely affect the significance of the heritage place.
- Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.
- Whether the lopping or development will adversely affect the health, appearance or significance of the tree.
- Whether the location, style, size, colour and materials of the proposed solar energy system will adversely affect the significance, character or appearance of the heritage place.
Use of a heritage place

A permit may be granted to use a heritage place (including a heritage place which is included in the Victorian Heritage Register) for a use which would otherwise be prohibited if all of the following apply:

- The schedule to this overlay specifies the heritage place as one where prohibited uses may be permitted.
- The use will not adversely affect the significance of the heritage place.
- The benefits obtained from the use can be demonstrably applied towards the conservation of the heritage place.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the effect of the use on the amenity of the area.

Aboriginal heritage places

A heritage place specified in the schedule to this overlay as an Aboriginal heritage place is also subject to the requirements of the *Aboriginal Heritage Act 2006*. 
SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

Application requirements
None Specified.

Heritage places
The requirements of this overlay apply to both the heritage place and its associated land.

<table>
<thead>
<tr>
<th>PS map ref</th>
<th>Heritage place</th>
<th>External paint controls apply?</th>
<th>Internal alteration controls apply?</th>
<th>Tree controls apply?</th>
<th>Outbuildings or fences not exempt under Clause 43.01-4</th>
<th>Included on the Victorian Heritage Register under the Heritage Act 2017?</th>
<th>Prohibited uses permitted?</th>
<th>Aboriginal heritage place?</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO1</td>
<td>“Roads End” 198-238 Beaumont Road, Berwick</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>HO2</td>
<td>Nerre Nerre Warren (Dandenong Police Paddocks) Churchill Park Drive, Endeavour Hills</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<td>Yes Ref: H2348</td>
<td>Yes</td>
<td>Yes</td>
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<td>HO3</td>
<td>“The Springs” 2 Stockyard Court, Narre Warren South</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO4</td>
<td>“Edrington” 6 Melville Park Drive, Berwick</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref: H653</td>
<td>Yes</td>
<td>No</td>
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<td>HO5</td>
<td>“Springfield Homestead” and The Old Cheese Factory 34-66 Homestead Road, Berwick</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO7</td>
<td>Narre Warren North Primary School 15-31 A’Beckett Road, Narre Warren North</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO8</td>
<td>“Wallerview” 101 A’Beckettt Road, Narre Warren North</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO10</td>
<td>Uniting Church 1-13 Main Street, Narre Warren North</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO11</td>
<td>Dwelling (former post office and store) 15 Main Street, Narre Warren North</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO13</td>
<td>“Balla Balla” 1300 Baxter-Tooradin Road, Cannons Creek</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO14</td>
<td>&quot;Fisherman’s Cottage&quot; 13 Mickle Street, Tooradin</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
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<td>HO15</td>
<td>“Tooradin Estate” 300 Lynes Road, Tooradin</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO16</td>
<td>&quot;St Germains&quot; 95 McCormacks Road, Clyde North</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO17</td>
<td>Cranbourne Shire Offices, Public Hall, Court House and Post Office (former) 156-160 Sladen Street, Cranbourne</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO18</td>
<td>St John’s Church of England 27 Childers Street, Cranbourne</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
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<td>HO20</td>
<td>“Isles View” 40 Bayview Road, Tooradin</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<td>HO21</td>
<td>Interim control Expiry date: 30/03/2021 “Quilly Park” Part 55 Craigs Lane, Pearcedale</td>
<td>No</td>
<td>No</td>
<td>Yes - Peppercorn and Olive trees</td>
<td>No</td>
<td>No</td>
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<td>HO22</td>
<td>Lyndhurst Primary School (former) 310 Dandenong-Hastings Road, Lyndhurst</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
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<td>HO23</td>
<td>Black Bean tree Rear of 43-45 High Street, Berwick</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO24</td>
<td>Rusty Gum Myrtle tree South side of Reserve Street, near corner Gloucester Avenue, Berwick</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO25</td>
<td>Rusty Gum Myrtle tree Near Clyde Road intersection with Reserve Street, Berwick</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO26</td>
<td>Row of Oak trees North side of Princes Highway, Narre Warren</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO27</td>
<td>Narre Warren North Avenue of Honour Memorial Drive and Main Street, Narre Warren North</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO28</td>
<td>Cardinia Creek Area Between Inglis Road, Berwick and Chadwick Road, Harkaway</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO29</td>
<td>Berwick Post Office and Courthouse (former)</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<td>HO30</td>
<td>Berwick Inn</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<td>1-9 High Street, Berwick</td>
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<td>HO32</td>
<td>“Kilfera”</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td></td>
<td>76-80 King Road, Harkaway</td>
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<td></td>
<td><strong>Mud and timber homestead and land within 10 metres of the perimeter of the dwelling, and Cupressus macrocarpa trees and land beneath and beyond the canopy edge, if within the property boundary, for a distance of five metres from the canopy edge or to the property boundary.</strong></td>
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<td>HO33</td>
<td>“Cloverdale Cottage”</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>4/324 Hallam North Road, Lysterfield South</td>
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<td></td>
<td><strong>Cloverdale Cottage and land within 10 metres of the perimeter of the cottage.</strong></td>
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<td>HO34</td>
<td>“Aranmore”</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>Part 19-21 Aranmore Crescent and part 94W Crawley Road, Narre Warren North</td>
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<td>HO35</td>
<td>The Studio</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>7-13 Baker Road, Harkaway</td>
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<td>HO36</td>
<td>“Burnbank”</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>64-72 Beaumont Road, Berwick</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO37</td>
<td>“Beaumont Farm” 115-129 Beaumont Road, Berwick The heritage place comprises: Beaumont Farm farmhouse and land within 10 metres of the perimeter of the building, the driveway and land within five metres of the driveway.</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO38</td>
<td>Mary Blackwood House 76-80 Brisbane Street, Berwick</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<td>HO39</td>
<td>St Margaret’s School 27-47 Gloucester Avenue, Berwick The heritage place comprises the following buildings:  - <em>Kippenross</em>;  - <em>Campbell House</em>;  - <em>the Doll’s House</em>;  - <em>the Cottage</em>; and,  - <em>Gloucester House</em>. The heritage place also comprises:  - <em>Four English Elm trees</em> (<em>Ulmus procera</em>) <em>west of the Cottage</em>;  - <em>Four Golden Elm trees</em> (<em>Ulmus procera “Louis Van Houtte”</em>) <em>south of Gloucester House</em>;</td>
<td>No</td>
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<td>Yes</td>
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<td>HO41</td>
<td>“Melrose” 137-163 Harkaway Road, Harkaway</td>
<td>Yes</td>
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<td>HO42</td>
<td>“Piney Ridge” 82 Heatherton Road, Endeavour Hills The heritage places comprises: All trees on the property.</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO43</td>
<td>“Westbourne” 315 Hessell Road, Harkaway</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO44</td>
<td>“Inveresk” 93 High Street and 2 Rutland Road, Berwick</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<td>HO46</td>
<td>St Andrew’s Uniting Church 105-109 High Street, Berwick</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO47</td>
<td>“Wickham” 37-39 King Road, Harkaway</td>
<td>No</td>
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<td>Yes</td>
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- One River Red Gum tree (Eucalyptus camaldulensis) east of the Dolls House;
- One English Oak tree (Quercus robur) and two River Red Gum trees (Eucalyptus camaldulensis) in the junior playground; and,
- One English Oak tree (Quercus robur) and two River Red Gum trees (Eucalyptus camaldulensis) north of the junior tennis courts.
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<td>HO48</td>
<td>&quot;Kingussie&quot; 42 Langmore Lane, Berwick</td>
<td>No</td>
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<td>HO49</td>
<td>&quot;Clover Cottage&quot; 54-60 Manuka Road, Berwick</td>
<td>Yes</td>
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<td>HO50</td>
<td>&quot;Minard&quot; 62-70 Manuka Road, Berwick</td>
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<td>HO51</td>
<td>&quot;Oatlands&quot; 15 The Elms and The Elms road reserve, Narre Warren</td>
<td>No</td>
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<td>Yes</td>
<td>No</td>
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<td>HO52</td>
<td>&quot;Araluen&quot; 38S London Crescent, Narre Warren</td>
<td>No</td>
<td>No</td>
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<td>HO53</td>
<td>“Kilkieran” 692 Princes Highway, Berwick</td>
<td>No</td>
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<td>The heritage place comprises: The Edwardian dwelling and the Magnolia grandiflora tree.</td>
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<td>HO54</td>
<td>“Dhuringa” 59 Peel Street, 4 Elgin Street, part 6 Elgin Street and part 17 Scanlan Street, Berwick</td>
<td>No</td>
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<td>Yes</td>
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<td>HO55</td>
<td>“Quarry Hills” 31 Quarry Hills Drive, Berwick</td>
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<td>“Glen Cairn” 21-27 Robinson Road, Narre Warren North</td>
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<tr>
<td></td>
<td>“Hillsley” homestead complex and garden</td>
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<td></td>
<td>Part 90-92 and part 94-104 Robinson Road, Narre Warren North</td>
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<td>HO58</td>
<td>Wilson Botanic Park 668 Princes Highway, Berwick</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>“Forres Farm” 186-190 A’Beckett Road, Narre Warren North</td>
<td>No</td>
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<td>Included on the Victorian Heritage Register under the Heritage Act 2017?</td>
<td>Prohibited uses permitted?</td>
<td>Aboriginal heritage place?</td>
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<td>“Essex Park Homestead” 13 Aquila Crescent and part 14-16 Essex Park Drive, Endeavour Hills</td>
<td>Yes</td>
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<td>Yes</td>
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<td>HO62</td>
<td>“The Grattons” 8-10 Bailey Road, Narre Warren North The heritage place comprises: The Grattons Edwardian brick farmhouse and land within 10 metres of the perimeter of the house.</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO63</td>
<td>“Glenlea” Part 42 Baker Road, Harkaway (Lot 1 TP513415)</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO65</td>
<td>“Caseldene” 31 Brisbane Street, Berwick</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO66</td>
<td>House and garden Part 8, 9 and 10/11-15 Brisbane Street, Berwick</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>House and garden 64-70 Brisbane Street, Berwick</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>HO68</td>
<td>“Glenfalloch” 88-92 Brisbane Street, Berwick</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO69</td>
<td>“Burr Hill”</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>Included on the Victorian Heritage Register under the Heritage Act 2017?</td>
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<td>HO70</td>
<td>Interim control</td>
<td>3 Burr Hill Court, Berwick</td>
<td>No</td>
<td>No</td>
<td>Yes - Oak trees</td>
<td>No</td>
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<td>Expiry date: 30/03/2021</td>
<td>&quot;Four Oaks&quot; homestead (former) and Oak trees</td>
<td>13 Cardigan Street and part 10 and 12 Aldridge Street, Endeavour Hills</td>
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<td>&quot;Four Oaks&quot; homestead (former) and Oak trees</td>
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<td>No</td>
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<td>HO72</td>
<td>Christ Church Vicarage</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO73</td>
<td>&quot;Clyde Cottage&quot;</td>
<td>Yes</td>
<td>No</td>
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<td>HO75</td>
<td>&quot;Doveton Heights&quot;</td>
<td>No</td>
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<td>No</td>
<td>No</td>
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<td>HO76</td>
<td>House</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO77</td>
<td>&quot;Alrose&quot;</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<td>HO78</td>
<td>&quot;Gloucester Cottage&quot;</td>
<td>Yes</td>
<td>No</td>
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<td>HO80</td>
<td>&quot;Wandeen Farm&quot;</td>
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<td>HO82</td>
<td>&quot;Willurah Park&quot;</td>
<td>No</td>
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<td>HO83</td>
<td>&quot;Greenacres&quot;</td>
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<td>No</td>
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<td></td>
<td>The existing bungalow built in the 1930s and land within 50 metres of the perimeter of this building.</td>
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<td>HO84</td>
<td>Mechanics Institute and Free Library</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>13-15 High Street, Berwick</td>
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<td>HO85</td>
<td>Shops</td>
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<td>71-75 High Street, Berwick</td>
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<td>HO87</td>
<td>Rechabite Hall</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>No</td>
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<td>106 High Street, Berwick</td>
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<td>HO88</td>
<td>House and garden</td>
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<td>Yes</td>
<td>No</td>
<td>No</td>
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<td></td>
<td>123 High Street, Berwick</td>
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159-165 Greaves Road, Narre Warren South

"Wandeen Farm"
191-207 Harkaway Road, Harkaway

"Willurah Park"
Part 300 and part 306-328 Harkaway Road, Harkaway

Statement of significance:
Statement of Significance: Willurah Park, Harkaway, March 2019

"Greenacres"
178 Hessell Road, Harkaway
The heritage place comprises:
The existing bungalow built in the 1930s and land within 50 metres of the perimeter of this building.

Mechanics Institute and Free Library
13-15 High Street, Berwick

Shops
71-75 High Street, Berwick

Rechabite Hall
106 High Street, Berwick

House and garden
123 High Street, Berwick

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<th>Tree controls apply?</th>
<th>Outbuildings or fences not exempt under Clause 43.01-4</th>
<th>Included on the Victorian Heritage Register under the Heritage Act 2017?</th>
<th>Prohibited uses permitted?</th>
<th>Aboriginal heritage place?</th>
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<tr>
<td>HO89</td>
<td>St Michaels Church and School 125 High Street, Berwick</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>The heritage place comprises: The 1934 Church only.</td>
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<td>“Lumeah” 163 High Street, Berwick</td>
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<td>No</td>
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<td>Berwick Cemetery 16 Inglis Road, Berwick</td>
<td>No</td>
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<td>“Quorn Cottage” 26-30 Inglis Road, Berwick</td>
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<td>HO93</td>
<td>“Grasmere” 27 Inglis Road, Berwick</td>
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<td>The heritage place comprises: All land and buildings included in a rectangle extending from the south-western corner of the 1950s implement shed, along the western edge of that building for a distance of 65 metres, and along the southern edge of that building for a distance of 85 metres. The heritage place also includes the Golden Oak tree and land beneath and beyond the canopy edge for a distance of five metres from the canopy edge.</td>
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<td>“Treverbyn” 38 King Road, Harkaway</td>
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<td>“Kalimna” 13-25 King Road, Harkaway</td>
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<td>“Harkaway Hall” 56-68 King Road, Harkaway</td>
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<td>“Nichol House” 63 King Road, Harkaway</td>
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<td>Post Office (former) 68-70 King Road and rear of 6-8 Olive Avenue, Harkaway</td>
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<td>“Pine Lodge” 146-168 King Road, Harkaway</td>
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<td>House and garden (former Doctor’s Surgery and Residence) 26-30 Langmore Lane, Berwick</td>
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<td>“Myuna Farm”</td>
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<td>&quot;Strathard&quot; 6 Oldhome Court, Narre Warren South</td>
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<td>The heritage place comprises: Strathard 1930 homestead and land within 10 metres of the building to the north, east and west and land within five metres to the south.</td>
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<td>182 Kidds Road, Doveton</td>
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<td>HO105</td>
<td>Christ Church (Anglican) (former)  Part 2-6 and 8 Palmerston Street and 9 Church Street, Berwick</td>
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<td>HO107</td>
<td>Berwick Primary School (former) 1-11 Peel Street, Berwick</td>
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<td>The heritage place comprises:  <em>The brick building on the south-western corner of the site, which includes the 1869-70 brick classroom and circa 1920 additions. The heritage place also includes the English Oak tree (Quercus robur), two Italian Cypress trees (Cupressus sempervirens) and the Arizona Cypress tree (Cupressus glabra) at the corner of Lyall and Peel Street, and land beneath the canopy edge of these trees for a distance of five metres from the canopy edge.</em></td>
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<td>House and garden (former &quot;Sunbury&quot;) 61 Peel Street, Berwick</td>
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</tr>
<tr>
<td>HO109</td>
<td>Hallam's Road Hotel 241-245 Princes Highway, Hallam</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO110</td>
<td>House and garden (former Treeby) 31-35 Robinson Road, Narre Warren North <strong>Incorporated plan:</strong> <em>Treeby Cottage Incorporated Plan, August 2019</em></td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>HO111</td>
<td>&quot;Harkaway Farm&quot; 2-30 Rowallan Avenue, Harkaway</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO112</td>
<td>&quot;Rowallan Farm&quot; 15-25 Rowallan Avenue, Harkaway</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO113</td>
<td>&quot;Sweeney House” 8-10 Scanlan Street, Berwick</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO114</td>
<td>Kensworth Cottage 8 Scotsgate Way, Berwick</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO115</td>
<td>House and garden (former 60-62 Shrives Road) Part 4 and part 5, 6, 7 and 9 Dargo Close and part Shrives Road reserve, Narre Warren South</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO116</td>
<td>Mechanics Institute 59 Webb Street, Narre Warren</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO117</td>
<td>House and garden (Chadwick Farm) 68-84 Chadwick Road, Harkaway</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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</tbody>
</table>
| HO118     | New Ardblair  
65 Beaumont Road, Berwick | No                             | No                                  | No                   | No                                                  | No                                              | No                          | No                          |
| HO119     | Robertson's property (former)  
456 Belgrave-Hallam Road, Narre Warren North | No                             | No                                  | No                   | No                                                  | No                                              | No                          | No                          |
| HO120     | Harkaway Cemetery and Bell Tower  
Hessell Road, Harkaway | No                             | No                                  | Yes                  | No                                                  | No                                              | No                          | No                          |
| HO122     | Lysterfield Lake Weir and Reservoir  
15 Reservoir Road, Narre Warren North  
The heritage place comprises:  
*The weir located within Lysterfield Lake Park.* | No                             | No                                  | No                   | No                                                  | No                                              | No                          | No                          |
| HO123     | “Wingilla”  
1-5 Bluff Road, Cannons Creek | No                             | No                                  | Yes                  | No                                                  | No                                              | No                          | No                          |
| HO124     | House and garden  
4 Central Road, Hampton Park | No                             | No                                  | Yes                  | No                                                  | No                                              | No                          | No                          |
| HO125     | Hill Farm  
415 Clyde-Fiveways Road, Clyde | No                             | No                                  | Yes                  | No                                                  | No                                              | Yes                         | No                          |
| HO126     | Menenia Park  
71 Craig Road, Cranbourne South | No                             | No                                  | Yes                  | No                                                  | No                                              | No                          | No                          |
| HO127     | Valentine Park Moreton Bay Fig tree  
17I Waterbush Crescent, Lyndhurst | No                             | No                                  | Yes                  | No                                                  | No                                              | No                          | No                          |
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<tr>
<td>HO128</td>
<td>Eclipse Park Stud 21S Biscay Grove, Lyndhurst The heritage place comprises: Eclipse Park Stud farmhouse and land within 10 metres of its perimeter.</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO129</td>
<td>“Eyre Court” 221S Grices Road, Clyde North</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO130</td>
<td>Southside Lodge (former “Kurrajong”) 465 Pattersons Road, Clyde</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO131</td>
<td>“Maratala” 130 Sladen Street, Cranbourne</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO133</td>
<td>“Willandra” 130 Tuckers Road, Clyde</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO134</td>
<td>“Fernlea” 75 Tuckers Road, Clyde</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO135</td>
<td>Heavenly Pancakes (former St Agatha’s Catholic Church)</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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</table>

The heritage place comprises: *The Moreton Bay Fig tree and land beneath and beyond the canopy edge for a distance of 10 metres from the canopy edge.*
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<tr>
<td>HO136</td>
<td>St Peter’s Tooradin South Gippsland Highway, Tooradin</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO137</td>
<td>“Springmont” 1450 Thompsons Road, Cranbourne East</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>HO138</td>
<td>Royal Botanic Gardens Cranbourne 1000 Ballarto Road, Cranbourne</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO139</td>
<td>McMorran’s Oak tree High Street (opposite Brunt Street), Cranbourne</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO140</td>
<td>Gum trees Near 71 Pound Road, Hampton Park</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO141</td>
<td>Cranbourne Cemetery and monuments 80 Sladen Street, Cranbourne</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO142</td>
<td>Avenue of Honour South Gippsland Highway, Cranbourne</td>
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<td>-</td>
<td>-</td>
<td>Yes Ref: H2345</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

150-156 South Gippsland Highway, Cranbourne

The heritage place comprises:

The Church (excluding 1980s addition), an eight-metre curtilage to the north and south as well as to the frontage of the site, and three cypress trees along the frontage of the site (including an allowance of four metres from the trunk if this area is within the property boundary).

Ref: H2345
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<tr>
<td>HO143</td>
<td>Part of Avenue of Honour (Flowering Gum trees) South Gippsland Highway, Tooradin</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO144</td>
<td>“Warren Park” 319 Hallam North Road, Lysterfield South</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO145</td>
<td>Churchill National Park (part of former Police Paddocks) Churchill Park Drive, Lysterfield The heritage place comprises: The northern boundary dam, aqueduct, siphon, the granite quarry located off Stonemasons Track, the Dandenong Shire Quarry located off Boundary Track and five metres of land surrounding these artifacts.</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO147</td>
<td>Cranbourne Church of England Vicarage (former) 34 Bakewell Street, Cranbourne</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO148</td>
<td>House 10 Ballarto Road, Clyde</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO149</td>
<td>Perry (Male) Cottage 103 Baxter-Tooradin Road, Pearcedale</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>No</td>
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<tr>
<td>HO150</td>
<td>St Peter’s Church of England 46 Baxter-Tooradin Road, Pearcedale</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO151</td>
<td>Farmhouse and trees 305 Berwick-Cranbourne Road, Cranbourne The heritage place comprises:</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO152</td>
<td>“Tulliallan” 1/805, Berwick-Cranbourne Road, Cranbourne North The heritage place comprises: The circa 1860 cottage and associated gardens, together with the avenue of English Elm trees along the former driveway extending to Berwick-Cranbourne Road <strong>Incorporated plan:</strong> Tulliallan Incorporated Plan, June 2013</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<tr>
<td>HO153</td>
<td>“Brechin Gardens” Brechin Drive, Narre Warren The heritage place comprises: All elements of particular significance, as identified in the Brechin Gardens Incorporated Plan. <strong>Incorporated plan:</strong> Brechin Gardens Incorporated Plan, April 2019</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO154</td>
<td>House 65-67 Brisbane Street, Berwick</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO155</td>
<td>Avenue of Honour (Berwick Boys Grammar School) Church Street, part common area 11 Church Street, part 1/11 Church Street, part 4/11 Church Street and part 72-74 Brisbane Street, Berwick The heritage place comprises:</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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The farmhouse and Italian Cypress and all land within the mapped overlay.
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<td></td>
<td>The memorial plaque and memorial row planning of seven oak trees comprising the Avenue, together with the land covered by each tree’s canopy and the land beyond the edge of each canopy for a distance of five metres.</td>
<td>No</td>
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</table>
| HO156      | “Anunaka Mansion”  
37 Churchill Park Drive, Endeavour Hills  
The heritage place comprises:  
*The circa 1945 house and land from a distance of metres behind the house to the street frontage and the property’s eastern boundary.* | No | No | No | No | No | No | No | No |
| HO157      | Graham family home  
119A Clarendon Street, Cranbourne | Yes | No | No | No | No | No | No | No |
| HO160      | House  
71 East Road, Pearcedale  
The heritage place comprises:  
*The 1922 house and land extending to East Road and on other sides for a distance of five metres from the walls of the house.* | No | No | No | No | No | No | No | No |
| HO161      | Tooradin Foreshore Reserve Precinct  
Foreshore Reserve, Tooradin | No | No | Yes | No | No | No | No | No |
| HO162      | Fountain Gate Estate Precinct  
The heritage place comprises: | No | No | No | No | No | No | No | No |
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<td>HO163</td>
<td>Hayton Park</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
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<td></td>
<td>2/660 Hall Road, Cranbourne</td>
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<td>HO164</td>
<td>Farm complex</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td></td>
<td>272 Hardys Road, Clyde North</td>
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<td>The heritage place comprises: The inter-war house, associated farm outbuildings, to a distance of five metres around the buildings, and the land between the buildings and the street.</td>
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<tr>
<td>HO165</td>
<td>Avenue of Honour</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>Harkaway Road, Harkaway</td>
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<tr>
<td>HO166</td>
<td>“Tandderwen”</td>
<td>No</td>
<td>No</td>
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<td>No</td>
<td>No</td>
<td>No</td>
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<td>369 Heatherton Road, Narre Warren North</td>
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<tr>
<td>HO167</td>
<td>House</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td></td>
<td>191 High Street, Berwick</td>
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<tr>
<td>HO168</td>
<td>Cranbourne War Memorial</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>High Street, Cranbourne</td>
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<tr>
<td>HO169</td>
<td>Motor Club Hotel</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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</tr>
<tr>
<td>38-56 High Street, Cranbourne</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>HO170</td>
<td>“Wilga” 40 King Road, Harkaway</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>HO172</td>
<td>Tooradin Railway Station Precinct (former) Off Langtree Road, Tooradin</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>HO174</td>
<td>Kernot’s house 23 Mickle Street, Tooradin</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>HO176</td>
<td>House 3 Mundaring Drive, Cranbourne</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>HO177</td>
<td>Pearcedale Public Hall 45 Pearcedale Road, Pearcedale</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>HO178</td>
<td>Henry Joseph Moran Reserve Pound Road, Hampton Park</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>HO179</td>
<td>House 3-5 Princes Domain Drive, Hallam</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>HO180</td>
<td>Pearcedale Methodist Church (former) 12 Queens Road, Pearcedale</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>HO181</td>
<td>Clyde Methodist Church (former) 26 Railway Road, Clyde</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>HO182</td>
<td>Clyde General Store and Post Office</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>PS map ref</td>
<td>Heritage place</td>
<td>External paint controls apply?</td>
<td>Internal alteration controls apply?</td>
<td>Tree controls apply?</td>
<td>Outbuildings or fences not exempt under Clause 43.01-4</td>
<td>Included on the Victorian Heritage Register under the Heritage Act 2017?</td>
<td>Prohibited uses permitted?</td>
<td>Aboriginal heritage place?</td>
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</tr>
</tbody>
</table>
| HO185      | Foreshore Pavilions  
Rutherford Parade, Warneet  
The heritage place comprises:  
The two foreshore pavilions, including the buildings and surrounding land to a minimum extent of five metres, together with the land between the pavilions and Rutherford Parade. | Yes | Yes | No | No | No | No | No |
| HO186      | House  
15 Rutland Road, Berwick | No | No | No | No | No | No | No |
| HO187      | Ayrhill (Former) (Hillcrest Christian College)  
500 Soldiers Road, Clyde North  
The heritage place comprises:  
To the extent of the homestead and surrounding land to a distance of five metres from the outer wall of the building. | No | No | No | Yes | No | Yes | No |
| HO188      | Hampton Park Primary School  
32 Somerville Road, Hampton Park  
The heritage place comprises:  
The 1922 school building and surrounding land to a minimum extent of five metres, extending to the frontage of the property. | No | No | Yes | No | No | No | No |
| HO189      | Christ Church of England  
61 South Gippsland Highway, Tooradin | No | Yes | Yes | No | No | No | No |
<table>
<thead>
<tr>
<th>PS map ref</th>
<th>Heritage place</th>
<th>External paint controls apply?</th>
<th>Internal alteration controls apply?</th>
<th>Tree controls apply?</th>
<th>Outbuildings or fences not exempt under Clause 43.01-4</th>
<th>Included on the Victorian Heritage Register under the Heritage Act 2017?</th>
<th>Prohibited uses permitted?</th>
<th>Aboriginal heritage place?</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO190</td>
<td>“Stella Maris” (former) Canary Island Palm trees 127-135 South Gippsland Highway, Tooradin The heritage place comprises: <em>The three Canary Island Palm trees and associated land extending to the edge of each tree’s canopy and beyond for a distance of five metres.</em></td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO191</td>
<td>Farm complex 2645 South Gippsland Highway, Tooradin The heritage place comprises: <em>To the extent of the house and interwar outbuildings and sheds and associated land upto the property boundary along the South Gippsland Highway and to a distance of 20 meters from the outer wall of the house on all other sides.</em></td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO193</td>
<td>House 17 Stawell Street, Cranbourne</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO194</td>
<td>Tooradin Public Hall Tooradin Station Road, Tooradin</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO195</td>
<td>Former Tooradin State School site and trees 50 Tooradin Station Road, Tooradin</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO196</td>
<td>Former Narre Warren Primary School 53-55 Webb Street, Narre Warren The heritage place comprises:</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>PS map ref</td>
<td>Heritage place</td>
<td>External paint controls apply?</td>
<td>Internal alteration controls apply?</td>
<td>Tree controls apply?</td>
<td>Outbuildings or fences not exempt under Clause 43.01-4</td>
<td>Included on the Victorian Heritage Register under the Heritage Act 2017?</td>
<td>Prohibited uses permitted?</td>
<td>Aboriginal heritage place?</td>
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</tr>
<tr>
<td>HO197</td>
<td>“Arborea”</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>1 Williamson Street, Berwick</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>The heritage place comprises:</td>
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<td></td>
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</tr>
<tr>
<td></td>
<td>The house and all the land as defined by the title boundaries excluding the rear shed, the spa enclosure and the cat enclosure.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO198</td>
<td>High Street Avenue of Honour</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>High Street (Old Princes Highway), Berwick</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td></td>
<td>The heritage place comprises:</td>
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</tr>
<tr>
<td></td>
<td>All trees comprising the row, together with the land covered by each tree’s canopy and the land beyond the edge of each tree for a distance of five metres insofar as the land is wholly contained within the High Street (Old Princes Highway) road reserve.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>HO199</td>
<td>Avenue of Honour</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Wilson and Scanlon Streets, Berwick</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>The heritage place comprises:</td>
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</tr>
<tr>
<td></td>
<td>All trees comprising the row, together with the land covered by each tree’s canopy and the land beyond the edge of each tree for a distance of five metres, insofar as this area is wholly contained within the Wilson and Scanlon Streets road reserve.</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>HO200</td>
<td>Fallen tree</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>PS map ref</td>
<td>Heritage place</td>
<td>External paint controls apply?</td>
<td>Internal alteration controls apply?</td>
<td>Tree controls apply?</td>
<td>Outbuildings or fences not exempt under Clause 43.01-4</td>
<td>Included on the Victorian Heritage Register under the Heritage Act 2017?</td>
<td>Prohibited uses permitted?</td>
<td>Aboriginal heritage place?</td>
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</tr>
<tr>
<td>HO201</td>
<td>Tree stump Council reserve, Durack Avenue, Lynbrook</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>HO202</td>
<td>Clyde Primary School Oroya Crescent, Clyde</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO203</td>
<td>32 Railway Road, Clyde</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO204</td>
<td>1755 Ballarto Road, Clyde</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>HO205</td>
<td>20 Railway Road, Clyde</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO206</td>
<td>14 Railway Road, Clyde</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO207</td>
<td>2 Railway Road, Clyde</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO208</td>
<td>Avenue of Honour (local significance) South Gippsland Highway, Cranbourne</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO209</td>
<td>“The Meadows” 10 Smiths Lane, Clyde North</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>HO210</td>
<td>&quot;Myer House&quot; 2-106 Soldiers Road, Berwick</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>
DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify areas which are affected by specific requirements relating to the design and built form of new development.

Design objectives

A schedule to this overlay must contain a statement of the design objectives to be achieved for the area affected by the schedule.

Buildings and works

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - To the construction of an outdoor swimming pool associated with a dwelling unless a specific requirement for this matter is specified in a schedule to this overlay.

- Construct a fence if specified in a schedule to this overlay.

Buildings and works must be constructed in accordance with any requirements in a schedule to this overlay. A schedule may include requirements relating to:

- Building setbacks.
- Building height.
- Plot ratio.
- Landscaping.
- Any other requirements relating to the design or built form of new development.

A permit may be granted to construct a building or construct or carry out works which are not in accordance with any requirement in a schedule to this overlay, unless the schedule specifies otherwise.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a fence.</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>Construct a building or construct or carry out works for:</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>A carport, garage, pergola, verandah, deck, shed or similar structure.</td>
<td></td>
</tr>
<tr>
<td>An outdoor swimming pool.</td>
<td></td>
</tr>
<tr>
<td>The buildings and works must be associated with a dwelling.</td>
<td></td>
</tr>
</tbody>
</table>
Information requirements and decision guidelines

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is in an industrial zone.</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is in a commercial zone or a Special Use, Comprehensive Development, Capital City, Docklands, Priority Development or Activity Centre Zone.</td>
<td>Clause 59.05</td>
</tr>
</tbody>
</table>

Exemption from notice and review

A schedule to this overlay may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Subdivision

Permit requirement

A permit is required to subdivide land.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

Subdivision must occur in accordance with any lot size or other requirement specified in a schedule to this overlay.

A permit may be granted to subdivide land which is not in accordance with any lot size or other requirement in a schedule to this overlay, unless the schedule specifies otherwise.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

---

CASEY PLANNING SCHEME

43.02-3
31/07/2018
VC148

Subdivision

Permit requirement

A permit is required to subdivide land.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

Subdivision must occur in accordance with any lot size or other requirement specified in a schedule to this overlay.

A permit may be granted to subdivide land which is not in accordance with any lot size or other requirement in a schedule to this overlay, unless the schedule specifies otherwise.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

---

Class of application | Information requirements and decision guidelines
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
</tbody>
</table>
Class of application

- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
- Has started lawfully.

- The subdivision does not create a vacant lot.

Exemption from notice and review

A schedule to this overlay may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

43.02-4
31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05 unless otherwise specified in a schedule to this overlay.

43.02-5
31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

43.02-6
31/07/2018
VC148

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The design objectives of the relevant schedule to this overlay.
- The provisions of any relevant policies and urban design guidelines.
- Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.
- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Any other matters specified in a schedule to this overlay.
SCHEDULE 1 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as  **DDO1**

**7-9 & 11 FULLARD ROAD, NARRE WARREN**

1.0  

**Design objectives**

To ensure that development integrates with the surrounding area and does not negatively impact on the aesthetic amenity of the Hallam Valley Floodplain, which currently provides for significant landscape values.

To provide for safe and efficient vehicular access/egress to/from the site off Fullard Road.

2.0  

**Building Design and Site Layout**

- Buildings must be setback from Fullard Road and Centre Road to provide for appropriate landscaping.
- Buildings must be setback from the Hallam Valley Floodplain to allow for the development of an appropriate landscape buffer.
- Buildings that front the Hallam Valley Floodplain should be designed with high quality building facades that complement the open landscape of the area.
- Building facades must be broken into smaller vertical sections using variations in wall articulation, window sizes, blank wall areas, materials, colours and textures.
- Building services and loading areas are to be visually screened from the public realm, including the Hallam Valley Floodplain.
- Front fencing must be integrated with the design of the building and/or screened with landscaping.
- Any fencing or walls erected for security purposes that front the Hallam Valley Floodplain must not have a negative visual impact on the landscape values of the area.

3.0  

**Carparking and Access**

- A maximum of one vehicle crossover will be allowed onto the site from Fullard Road.
SCHEDULE 2 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO2.

POUND - SHRIVES ROADS, HAMPTON PARK RESIDENTIAL AREA

1.0

Design objectives

- To ensure buildings are designed to respond to and integrate with the local character and built form in terms of building height, scale, built form and siting.
- To ensure that the traffic generated by medium density residential development does not detrimentally affect the safety, efficiency or amenity of the local road network.
- To provide for safe and efficient vehicular access/egress to/from properties adjoining Pound Road and Shrives Road.
- To protect the amenity of residents by providing substantive landscape buffers to adjoining arterial roads.

2.0

Buildings and works

No permit required

A permit is not required to construct a building or construct or carry out works for any of the following uses provided that it is set back at least 10 metres from the road frontage, which includes provision for a 6-metre-wide tree reserve across the property frontage:

- A single dwelling.
- Alterations or additions to an existing dwelling.
- A dependent person’s unit.

A permit is not required to construct a fence.

Permit required

An application to construct a building or construct or carry out works should meet the following requirements:

- Buildings that front Pound Road or Shrives Road should be set back at least 10 metres, which includes provision for a 6-metre-wide tree reserve across the property frontage.
- Any multi-dwelling development on lots with dual frontage to Pound and Shrives Roads, must restrict vehicular access to Shrives Road only.

3.0

Subdivision

A permit is required to subdivide land.

The subdivision of land that fronts Pound Road or Shrives Road must provide for a 6-metre-wide tree reserve.
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 2 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO2.

CARDINIA CREEK SOUTH 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 may be granted which is not generally in accordance with the Cardinia Creek South Precinct Structure Plan if the responsible authority and the Secretary to the Department of Environment, Land, Water and Planning are satisfied that the permit will not prejudice the orderly planning of the area having regard to the objectives of the Cardinia Creek South Precinct Structure Plan.

3.0 Conditions and requirements for permits

The requirements of the Cardinia Creek South Precinct Structure Plan must be included in a permit.

Any permit to subdivide land, construct a building or construct or carry out works must contain the following conditions and requirements:

Salvage and Translocation

The salvage and translocation of flora and fauna must be undertaken in the carrying out of works to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

Environmental Management Plans

A planning permit to subdivide land, construct a building or construct or carry out works on land shown as a conservation area in the Cardinia Creek South Precinct Structure Plan must include the following condition:

- Prior to certification of the plan of subdivision or the commencement of buildings or works an Environmental Management Plan for the relevant works must be approved to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning and responsible authority, unless otherwise agreed by the Secretary to the Department of Environment, Land, Water and Planning and responsible authority.

Protection of conservation areas and native vegetation during construction

Before the commencement of buildings or works within a conservation area shown in the Cardinia Creek South Precinct Structure Plan, the permit holder must erect a vegetation protection fence around any conservation area, patch of native vegetation or scattered tree identified for retention, or vegetation identified for salvage in the Cardinia Creek South Precinct Structure Plan. The fence must be:

- 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 occurring within 30m of the conservation area, patch of native vegetation or scattered tree
- located at a minimum distance from the identified elements in Table 1:
Table 1

<table>
<thead>
<tr>
<th>Element</th>
<th>Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation area</td>
<td>2 metres</td>
</tr>
<tr>
<td>Scattered tree</td>
<td>12 x DBH (Diameter at Breast Height)</td>
</tr>
<tr>
<td>Patch of native vegetation</td>
<td>2 metres</td>
</tr>
</tbody>
</table>

During the undertaking of buildings or works, all activities must be excluded from occurring within the protection fencing, unless otherwise agreed to by the Secretary to the Department of Environment, Land, Water and Planning.

Construction stockpiles, fill, machinery, vehicle parking, excavation and works or other activities associated with the buildings or works must be designed and constructed to ensure that the conservation area, scattered trees or patches of native vegetation identified for retention in the Precinct Structure Plan are protected from adverse impacts during construction.

Land Management Cooperative Agreement

A permit to subdivide land shown in the Cardinia Creek South 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 Cardinia Creek 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 a conservation area identified in the Cardinia Creek South Precinct Structure Plan that is:

- Identified the Cardinia Creek South 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

- Identified in the Cardinia Creek South 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

- 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.

All to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.
Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.03 which is not generally in accordance with the incorporated plan, in addition to those specified in Clause 43.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Any endorsed program report applying to the land under Part 10 of the Environmental Protection and Biodiversity Conservation Act 1999 (Cth).

- Design measures, construction techniques and environmental controls proposed to be implemented to minimise and manage the impacts of the construction or operation of the use and development on the biodiversity and other values of the land, including any proposals for revegetation and soil stabilisation.

- Why the use of development is necessary and whether alternative options to the development that do not require removal of native vegetation, habitat or cultural heritage values have been considered.

- The consistency of the use or development with the Conservation Area Concept Plan contained in the Cardinia Creek South Precinct Structure Plan and any management plan for the conservation of the land applying under an agreement under section 69 of the Conservation Forests and Lands Act 1987 or approved by a public land manager having responsibility for the care or management of the land.

- The impact of the use or development on:
  - Native vegetation, including the amount and quality proposed to be removed.
  - Flora and fauna listed under the Flora and Fauna Guarantee Act 1988 and matter of national environmental significance listed under the Environmental Protection and Biodiversity Conservation Act 1999 (Cth) including the amount and quality of ecological communities, habitat and number of individual species to be removed.
  - Other environmental values of the land, including soil, wetlands and waterways.

- The Cardinia Creek South Precinct Structure Plan.

Preparation of the incorporated plan

None specified.
SCHEDULE 3 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO3.

MINTA FARM PRECINCT STRUCTURE PLAN

1.0

Requirement before a permit is granted

None specified.

2.0

Permits not generally in accordance with incorporated plans

A permit granted must be generally in accordance with the incorporated plan 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 Minta Farm Precinct Structure Plan.

3.0

Conditions and requirements for permits

The following conditions and/or requirements apply to permits:

Salvage and translocation

- The Salvage and Translocation Protocol for Melbourne's Growth Corridors (Department of Environment, Land, Water and Planning, 2017) must be implemented in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

Environmental Management Plans

A planning permit to subdivide land, construct a building or construct or carry out works on land shown as a conservation area in the incorporated Minta Farm Precinct Structure Plan must include the following condition:

- Prior to certification of the plan of subdivision or the commencement of buildings or works, an Environmental Management Plan for the relevant works must be approved to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning and the responsible authority.

Protection of conservation areas and native vegetation during construction

- Before the commencement of buildings or works within a conservation area shown on Plan 5 of the Minta Farm Precinct Structure Plan, the permit holder must erect a vegetation protection fence around any conservation area, patch of native vegetation or scattered tree identified for retention, or vegetation identified for salvage in the incorporated Minta Farm Precinct Structure Plan. The fence must be:
  - 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 occurring within the conservation area, patch of native vegetation or scattered tree
  - located at a minimum distance from the identified elements in Table 1:
Table 1

<table>
<thead>
<tr>
<th>Element</th>
<th>distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation area</td>
<td>0.5 metres</td>
</tr>
<tr>
<td>Scattered tree</td>
<td>12 x Diameter at Breast Height</td>
</tr>
<tr>
<td>Patch of native vegetation</td>
<td>2 metres</td>
</tr>
</tbody>
</table>

During the undertaking of buildings or works, all activities must be excluded from occurring within the protection fencing, unless otherwise agreed to by the Secretary to the Department of Environment, Land, Water and Planning.

Construction stockpiles, fill, machinery, vehicle parking, excavation and works or other activities associated with the buildings or works must be designed and constructed to ensure that the conservation area, scattered trees or patches of native vegetation identified for retention in the Precinct Structure Plan are protected from adverse impacts during construction.

Land Management Co-operative Agreement – Conservation Areas

- A permit to subdivide land on land shown in the incorporated *Minta Farm Precinct Structure Plan* as including the conservation area shown on Plan 5 of the Precinct Structure Plan must ensure that, before the issue of a statement of compliance for the last stage of subdivision, the owner of the land:
  - Enters into a Land Management Co-operative 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; 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 area shown on Plan 5 of *Minta Farm Precinct Structure Plan* as BCS Conservation Reserve (Area 36) 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.
Decision Guidelines
The following decision guidelines apply to an application for a permit under Clause 43.03 which is not generally in accordance with the incorporated plan, in addition to those specified in Clause 43.03 and elsewhere in the Scheme which must be considered, as appropriate, by the responsible authority:

- Any endorsed program report applying to the land under Part 10 of the *Environmental Protection and Biodiversity Conservation Act 1999* (Cth).
- *The Minta Farm Precinct Structure Plan.*

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 THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO1

RESIDENTIAL AREAS

1.0 Requirement before a permit is granted

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority to subdivide land to create a lot for an existing building.

2.0 Requirements for development plan

The development plan should show:

- The existing and proposed road network;
- The location of existing and proposed open space including open space linkages; and
- The location of any existing or proposed community facilities including school sites.
SCHEDULE 2 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO2

INTERMEDIATE DENSITY RESIDENTIAL AREAS

1.0

Requirement before a permit is granted

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority to subdivide land to create a lot for an existing building.

2.0

Conditions and requirements for permits

The following requirements should be met before a permit may be granted:

- A lot size for the subdivision that appropriately reflects the low density residential character envisaged in the development plan; or
- A minimum lot size of 2,000 square metres for all residential lots.

3.0

Requirements for development plan

The development plan should show:

- The existing and proposed road network;
- The location of existing and proposed open space including open space linkages; and
- The location of any existing or proposed community facilities including school sites.
SCHEDULE 3 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO3.

BOTANIC RIDGE AREA - BROWNS ROAD, CRANBOURNE SOUTH

1.0

Objectives

None specified.

2.0

Requirement before a permit is granted

None specified.

3.0

Conditions and requirements for permits

In relation to Precinct 1 and Precinct 2 shown on Map 1 to this schedule:

Access

Before the issue of a Statement of Compliance for the subdivision of land the following requirements must be met:

- Access roads must be constructed to a standard so that they are accessible in all weather conditions and capable of accommodating a vehicle of 15 tonnes for the trafficable road width.

- The average grade of a road must be no more than 1 in 7 (14.4 per cent) (8.1 degrees) with a maximum of no more than 1 in 5 (20 per cent) (11.3 degrees) for no more than 50 metres and dips must have no more than a 1 in 8 (12 per cent) (7.1 degree) entry and exit angle.

- Constructed dead-end roads more than 60 metres in length from the nearest intersection must have a turning circle with a minimum radius of 8 metres (including roll-over kerbs when kerbs are provided)

- Constructed roads must provide a minimum trafficable width of 3.5 metres, be clear of encroachments 4 metres vertically and have no obstructions within 0.5 metres either side of the formed width of the road.

Water supply

Operable hydrants, above or below ground must be provided.

The maximum distance between these hydrants and the rear of all building envelopes (or in the absence of the building envelope, the rear of all lots) must be 120 metres and hydrants must be no more than 200 m apart.

Hydrants must be identified as specified in ‘Identification of Street Hydrants for Firefighting purposes’ available under publications on the Country Fire Authority web site (www.cfa.vic.gov.au).

In relation to Precinct 1 shown on Map 1 to this schedule:

Any permit for a subdivision which creates an additional lot should include a condition that requires:

- A lot size for the subdivision that appropriately reflects the low density residential character envisaged within the viewshed west of the electricity easement.

- Generally a width of about 35 metres for any lot that is adjacent to either Pearcedale Road or Browns Road in Cranbourne South or to reserves along these roads.

- The owner should enter into an agreement under section 173 of the Act to the satisfaction of the responsible authority to provide for:
  - The upgrade of Browns Road to a sealed (7.0 metres) rural standard road, with the work to relate only to the unssealed section.
- A contribution to the cost of intersection works (e.g. Pearcedale Road / Cranbourne Frankston Road).
- Traffic management works (including land acquisition costs if required, eg. at intersection of Browns Road and Pearcedale Road) and turn lanes as required.
- Enhanced setbacks and street lighting on Pearcedale Road (east side) and Browns Road (north side) in accordance with the responsible authority’s objectives for the area.
- The landscaping of all roads (including the east side of Pearcedale Road and the north side of Browns Road) to the satisfaction of the responsible authority and in accordance with the responsible authority’s objectives for the area.
- The landscaping of all public open space areas in accordance with the responsible authority’s objectives for the area, including the provision of playgrounds.
- A contribution on a proportional basis to a community facility.
- A contribution on a proportional basis to an ongoing environmental education program, including the employment of an environmental officer. In addition, in the short term, up to five years from the development of the first dwellings, an environmental officer be directly funded by the developer for approximately one day a week.
- The contribution for the community facility and the environmental education program to be equal to $450 per lot.
- The owner to gain agreement from Melbourne Water for the ongoing management of wetland areas.
- Any other relevant requirements.

In relation to Precinct 2 shown on Map 1 contained in this schedule:

- Before a permit is granted, the existing Section 173 Agreement (reference AC755822E registered on 23 March 2004) must be amended in relation to the land comprising Precinct 2 in accordance with the requirements set out in the Planning and Environment Act 1987 to remove:
  - The lot cap of 950 total lots within Section B as shown on the Lot Yield Plan at Schedule 5 to the existing Section 173 Agreement; and,
  - The 1,000 square metres average lot size from applying within Precinct 2 as shown on Map 1 contained in this Schedule.

- Subject to the Bushfire Management Area Provisions set out in this schedule, the landscaping of all roads and public open space areas must be to the satisfaction of the responsible authority. The Cranbourne Gardens must be consulted in the preparation of the landscape plan for the public open space areas for the purpose of promoting the ecological, landscape and amenity objectives of the Cranbourne Gardens, as relevant, to bushfire management issues.

- Any permit for a subdivision which creates an additional lot should include a condition that requires:
  - The landscaping of all public open space areas in accordance with the responsible authority’s objectives for the area, including the provision of playgrounds.
  - The owner to enter into an agreement under Section 173 of the Act to the satisfaction of the responsible authority to provide for:
    - A payment to the City of Casey of $900 per residential lot within Precinct 2 for community infrastructure;
    - An additional payment to the City of Casey in relation to each of the approved lots within Precinct 1 that increases their contribution from $450 to $900 per lot for community infrastructure; and
. Payment to the City of Casey of $14,000 (indexed against CPI from September 2013) in relation to each additional residential lot (over and above the 950 lot cap shown on the Lot Yield Plan at Schedule 5 to the existing Section 173 Agreement) created within Precinct 2 to be applied towards the cost of public development infrastructure.

Bushfire Management Area Provisions

Any subdivision creating a residential lot within the Bushfire Management Area (as shown on Map 2) must meet the following requirements:

Layout

- Incorporate an area of open space abutting the southern boundary of the Cranbourne Gardens between the western edge of the Smiths Lane road reserve and the electricity easement with a minimum depth taken from the property boundary of the Gardens of 70 metres including the perimeter road to provide a buffer between the Cranbourne Gardens and residential lots. The public open space must be shown on a landscape plan that is submitted to and approved by the responsible authority and the relevant fire authority prior to the issue of a Statement of Compliance. The plan must:
  - Demonstrate how the open space will be designed for the purpose of providing defendable space (and may include shared paths and occasional park furniture); and
  - How the open space will be managed and maintained for the purpose of providing defendable space; and
  - Be incorporated directly or indirectly into the Council’s Municipal Fire Prevention Plan.
  - When approved, the plans will be endorsed and then form part of the permit.
  - Incorporate a perimeter road along the southern edge of this open space area.

Defendable space (private land)

- The owner must enter into an agreement under section 173 of the Act to the satisfaction of the responsible authority to provide for notification to the owner of the lot on which the agreement is registered that:
  - The Cranbourne Gardens is a potential bushfire hazard; and
  - Any vegetation on the lot should be managed for the purpose of providing defendable space; and
  - Guidance on defendable space can be obtained from the relevant fire authority.

This agreement must be registered on the title.

The preparation and execution of the agreement must be at no cost to the responsible authority.

Guidelines

- Trees in streets and public spaces should be species capable of being pruned and managed to achieve clean trunks and raised canopies 4m or more from the ground at maturity.
- Ground level and shrub planting that is combined with street tree planting should generally be restricted to species with mature heights not more than 1 metre unless otherwise shown on cross-sections.
- Subdivision design should be informed by:
  - “CFA Guidelines for Water Supplies and Access for Subdivisions in Residential 1, 2 and Township Zones” - available under Publications on the CFA website (www.cfa.vic.gov.au),
- “Planning for Bushfire Victoria – Guidelines for meeting Victoria’s Bushfire Planning Requirement”, CFA, November 2012

4.0

Requirements for development plan

- A maximum of 1450 lots within Precinct 1.
- An average lot size of between 550 and 650 square metres for all residential lots within Precinct 2.
- Any lot that is adjacent to either Pearcedale Road or Browns Road in Cranbourne South or to reserves along these roads is to generally have a width of 35 metres to the satisfaction of the responsible authority.
- Any lot that is adjacent to either Pearcedale Road or Browns Road in Cranbourne South or to reserves along these roads is to generally have a minimum setback for buildings and works of 20 metres from the lot boundary that is closest to Pearcedale Road or Browns Road to the satisfaction of the Responsible authority. The owner should enter into an agreement under section 173 of the Act to place this requirement on the title of affected lots.
Map 1 to Schedule 3 to Clause 43.04
Map 2 to Schedule 3 to Clause 43.04
SCHEDULE 4 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO4

CARDINIA STRATEGY PLAN AREA

1.0

Requirement before a permit is granted

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority to subdivide land to create a lot for an existing building.

2.0

Conditions and requirements for permits

The following requirements should be met before a permit can be granted to subdivide land, to create an additional lot:

- A lot size for the subdivision that appropriately reflects the low density residential character envisaged in the development plan; or

- An average lot size of 1.2 hectares for all residential lots for land north of Grasmere Creek; and an average lot size of 0.7 hectares for all residential lots for land south of Grasmere Creek.

- All residential lots must be provided with reticulated sewerage, unless the land owner enters into a Section 173 Agreement under the Planning and Environment Act 1987 with the authority responsible for effluent disposal in the area, which agreement ensures that any costs of extending and connecting the reticulated sewer to allotments are borne by the owner, should any septic tank system on these allotments prove to be inadequate.

Note 1: No lot created north of Grasmere Creek must be less than 1.0 hectare in area.

Note 2: No lot created south west of Grasmere Creek must be less than 0.4 hectares in area or greater than 1.0 hectares in area

3.0

Requirements for development plan

The development plan should show:

- The existing and proposed road network.

- The location of existing and proposed open space including open space linkages.

- The location of any existing or proposed community facilities including school sites.
SCHEDULE 5 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO5.

NARRE WARREN NORTH STRATEGY PLAN AREA

1.0

Requirement before a permit is granted

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority to subdivide land to create a lot for an existing building.

2.0

Conditions and requirements for permits

The following requirement should be met before a permit can be granted:

- A lot size for the subdivision that appropriately reflects the low density residential character envisaged in the development plan; or, a minimum lot size of 1,000 square metres for all residential lots for land in the Township Zone.

3.0

Requirements for development plan

The development plan should show:

- The existing and proposed road network;
- The location of existing and proposed open space including open space linkages;
- The location of any existing or proposed community facilities including school sites;
SCHEDULE 8 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO8.

COMMERCIAL AREAS

1.0 Requirement before a permit is granted

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority to subdivide land to create a lot for an existing building.

2.0 Requirements for development plan

The development plan should show:

- The existing and proposed road network.
- The preferred land uses and land use objectives for different precincts within the plan.
- Streetscape concepts including road reserve widths and building and/or landscaping setbacks.
SCHEDULE 10 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO10

LYSTERFIELD SOUTH

1.0

Requirement before a permit is granted

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority to subdivide land to create a lot for an existing building.

2.0

Conditions and requirements for permits

The following requirements should be met before a permit can be granted:

- A lot size for the subdivision that appropriately reflects the low density residential character envisaged in the development plan; or,
- A minimum lot size of 2,000 square metres for all residential lots that do not abut Hallam North Road and Lysterfield Park; and
- A minimum lot size of 4,000 square metres for all residential lots abutting Hallam North Road and Lysterfield Park.
- An application for subdivision of land be referred to the Department of Natural Resources and Environment for comment.

3.0

Requirements for development plan

The development plan should show:

- Landscape buffers of planted indigenous vegetation of local provenance that surround proposed development, including to Lysterfield Park and the row of existing lots fronting Churchill Park Drive.
- A central ‘spine’ through the development that incorporating the extension of Churchill Park Drive to Hallam North Road, a public open space feature and significant landscaping on public land using indigenous vegetation of local provenance.
- The location of any existing or proposed community facilities including school sites.
SCHEDULE 11 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO11

GOLF LINKS ROAD RESIDENTIAL AREA

1.0

Conditions and requirements for permits

Any planning application for a subdivision that creates an additional lot should satisfy the following requirements:

- Does not create a lot that backs on to the Hallam Valley Flood Plain.
- Retains an open vista to the south across the Hallam Valley Flood Plain from Golf Links Road.
- Demonstrates that the subdivision will not result in additional land not subject of the application being made liable to flooding.
- Provides for development floor levels that are in accordance with Melbourne Water requirements.
- Does not result in any loss of flood storage volume, to the satisfaction of Melbourne Water.
- Provides a north-south drainage reserve through the residential subdivision linking the municipal reserve to the north and the proposed wetland area to the south, to the satisfaction of Melbourne Water and the responsible authority.

Any permit for a subdivision that creates an additional lot should include a condition that requires the owner to enter into an agreement under Section 173 of the Planning and Environment Act 1987, to provide for the following matters:

- The construction of Golf Links Road relative to the frontage of the subject land, or any realignment of the road, to be carried out by the owner of the land to the following standard:
  - 10.1m-wide sealed pavement.
  - Concrete footpath and kerb and channel on the northern side of the road.
  - 1.2m-wide gravel shoulder on the southern side of the road.
  - 2.3m-wide indented parking bays on the northern side of the road.
  - Any additional traffic management measures required by the responsible authority.
- The construction and landscaping of the proposed wetland area to the south, to the satisfaction of Melbourne Water and the responsible authority.
- The provision of a 20m-wide east-west cycle/pedestrian path corridor through the proposed wetland area, to the satisfaction of the responsible authority.
- All costs associated with any closure of Golf Links Road resulting from the subdivision to be borne by the owner of the land.
- Following the subdivision of the land, all costs associated with amending the Casey Planning Scheme to remove the Land Subject to Inundation Overlay to be borne by the owner of the land.
- All costs associated with the preparation of the agreement and its registration on title to be borne by the owner of the land.

2.0

Requirements for development plan

The development plan should show:
- The existing and approved surrounding development.
- The existing and future levels/contours of the land.
- An indicative local road network, including the closure and realignment of Golf Links Road as required.
- The location of existing and proposed open space, including appropriate open space linkages.
- The proposed wetland area and nominal cycle/pedestrian path corridor.
- The alignment of the remaining Urban Floodway Zone.
SCHEDULE 12 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO12

FORMER AMSTEL GOLF COURSE

1.0

Requirement before a permit is granted

A permit may be granted before a development plan has been prepared for:

- Minor buildings and works;
- Subdivision of the land into superlots or to realign property boundaries.

In considering an application, the responsible authority must have regard to whether:

- The proposal will prejudice the desired outcomes for the land and the surrounding land, as set out in this schedule and envisaged by the Local Planning Policy Framework;
- The proposal is generally consistent with the Amstel Concept Development Plan contained at Clause 4.0 of this schedule, except as agreed by the responsible authority;
- The proposal implements the recommendations of the Section 53V Environmental Audit of Risk of Landfill gas, EPA service order no. 8003972 (ERM, 2014) or recommendations contained within any subsequent update to the audit.

2.0

Conditions and requirements for permits

2.1

Application requirements

An application for the subdivision, use and development of land, must include, where relevant, the following:

- A report that demonstrates that the proposal is generally in accordance with the approved development plan.
- A Vegetation Management Plan which illustrates:
  - Structural Root Zones, Tree Protection Zones and tree protection fencing for all trees which are to be retained;
  - Detailed measures for the management and protection of any trees to be retained in line with Australian Standards and to the satisfaction of the responsible authority. This should include cross-section diagrams where natural surface levels are altered and where future roads, footpaths, crossovers or the like are located within the Tree Protection Zone of any tree to be retained. When approved, the plan will be endorsed and will then form part of the planning permit.
- A landscape master plan that shows, consistent with the Amstel Concept Development Plan at Clause 4.0 and the landscape concept plan forming part of the approved development plan:
  - The location of trees and any other vegetation proposed to be retained and removed;
  - The location and details of any new planting, including street trees;
  - The location and layout of areas of public open space, including details of any facilities to be incorporated into such areas;
  - The location and details of water bodies and topographic features to be retained.
- A development staging plan, showing:
  - The development of any previous relevant stage;
  - Proposed staging of development over the land;
- Appropriate connectivity between stages, having regard to completed stages, the local road network, public open space and the delivery of infrastructure;
- Early delivery of key infrastructure to meet the needs of the development.

- A Flora and Fauna Assessment.
- A copy of any approved Cultural Heritage Management Plan.
- A copy of any approved Environmental Audit for the site.
- A report demonstrating how the recommendations of the Section 53V Environmental Audit of Risk of Landfill Gas, EPA service order no. 8003972 (ERM, 2014), or recommendations contained within any subsequent update to the audit, will be implemented.
- In relation to Area 3, a report demonstrating how (any) recommendations of the most recent environmental audit will be implemented.

### Development requirements

A permit for the subdivision, use or development of land must ensure that:

- Where residential uses are proposed there is a mix of lot sizes and density, as shown or specified in the approved development plan.
- All public roads (including upgrades of any existing roads) must be provided and designed in accordance with the *Metropolitan Planning Authority Engineering Design and Construction Manual for Growth Areas* (as amended), except where otherwise agreed to by the responsible authority.
- Pedestrian paths and shared paths are provided within new public open space areas, to the satisfaction of the responsible authority.
- Any public land that is created is appropriately landscaped and provided with the relevant facilities, to the satisfaction of the responsible authority.
- Areas of identified environmental and heritage significance are protected and managed (including during any construction phase) in accordance with a management plan approved by the responsible authority.
- Trees and other vegetation to be retained, as shown on the landscape concept plan forming part of the approved development plan, are incorporated into public open space and other public land, consistent with the objectives of this schedule and to the satisfaction of the responsible authority.
- A storm water management plan is prepared to the satisfaction of Melbourne Water and the responsible authority.
- Land required for drainage purposes must be transferred to the drainage authority or municipal council at no cost.
- Where it is proposed to have a subdivisional road intersect with a declared main road, the intersection must be designed, constructed and controlled to the satisfaction of VicRoads and the responsible authority. The cost of any such intersection works are to be at the full cost of the developer.
- Any permit issued allowing subdivision which creates an additional residential lot for Areas 2 and 3, as shown within the Amstel Concept Development Plan at Clause 4.0 of this schedule, must include a condition that requires the owner of the land to enter into an agreement with the responsible authority under Section 173 of the *Planning and Environment Act 1987* in respect to this land to provide for the following:
  - A payment to Casey City Council of $900 per residential lot for community infrastructure;
- Payment to Casey City Council of $9,466 (subject to annual indexation by applying the Building Price Index as published in the latest edition of Rawlinson’s Australian Construction Handbook) per residential lot for funding towards public development infrastructure.

- In relation to that part of Area 1 shown as ‘Future Development’ on the Amstel Concept Development Plan at Clause 4.0 of this schedule:
  - Any permit must provide for the payment of a public open space contribution equivalent to 8 per cent of the site value of the land within the development plan area, as specified in this clause;
  - For the purposes of determining the public open space requirement, public open space does not include:
    1. land required by, or vested in, Melbourne Water for drainage-related purposes
    2. any encumbered land that forms part of land transferred to, or vested in, the municipal council that is otherwise intended for public open space purposes;
  - Where the amount of land shown as public open space on a proposed plan of subdivision is less than 8 per cent in respect of any particular stage of the development, then the shortfall in the public open space contribution must be made in cash as a percentage of the site value of the land comprising that stage, based on an agreed independent valuation prepared within three months of the release of the lots in that stage;
  - Where the amount of land shown as public open space in the approved development plan exceeds 8 per cent in respect of any particular stage of the development, such land must also be shown on a proposed plan of subdivision as a reserve for public open space and transferred to, or vested in, the municipal council, the developer/owner being entitled to be reimbursed or credited (at the owner's option) to the value of that excess land.

- Recommendations of the Section 53V Environmental Audit of Risk of Landfill Gas, EPA service order no. 8003972 (ERM, 2014), or recommendations contained within any subsequent update to the audit, will be implemented.

- In relation to Area 3, an environmental audit is undertaken by an appropriately qualified person in accordance with Part IXD of the Environment Protection Act 1970 to determine the risk of landfill gas and the suitability of the land to be developed for residential purposes, including that the outcome of completed remediation works demonstrate that methane and carbon dioxide levels are below the Environmental Protection Authority’s adopted criteria.

- In relation to Area 3, any recommendations of most recent environmental audit will be implemented.

- In relation to Areas 2 and 3, as designated on the Amstel Concept Development Plan at Clause 4.0:
  - A minimum of 20 per cent of the total area of Areas 2 and 3 (excluding the clubhouse expansion area but including both unencumbered and encumbered land) must be provided as public open space, including the provision of areas of unencumbered open space for formal and informal recreation;
  - Public open space should be located generally in accordance with the areas shown on the Amstel Concept Development Plan, except as agreed by the responsible authority.

- Any other matters as required in the development plan.
Requirements for development plan

The Development Plan must meet the following objectives:

- To encourage a range of dwelling densities and housing types that meet existing and future housing needs that takes advantage of the key landscape feature of the site.
- To provide built form and landscape outcomes that provide an appropriate transition that complements the amenity of existing residential properties abutting the site.
- To facilitate a high quality landscape outcome over the entire site by incorporating existing trees of high or moderate ‘retention value’ (and trees of low ‘retention value’, where practicable) into areas of public open space and other public land, in addition to new plantings that integrate with the overall layout and design of the site.
- To provide a safe, efficient and convenient road network that achieves a high level of connectivity based around walking and cycling.
- To provide for an interconnected and accessible public open space network that incorporates natural and cultural heritage features, including existing trees, remnant vegetation, habitat values and important infrastructure such as stormwater management facilities.
- To provide well designed subdivision and development that incorporates high architectural standards, implements innovative Environmentally Sustainable Design features, and demonstrates best practice in environmental management.

Procedure for approving or amending the development plan

Prior to approval or amendment (other than a minor amendment), the development plan must be publicly displayed for at least 21 days. The responsible authority must take account of any public comments received in response to the display of the development plan.

Consistency with Amstel Concept Development Plan

The development plan must be generally in accordance with the Amstel Concept Development Plan contained at Clause 4.0 of this schedule, except as agreed by the responsible authority.

Components of the Development Plan

The development plan must be accompanied by, or include details, in text or diagrammatic form, or both, of the following, as appropriate:

- Identification of Areas 1, 2 and 3 consistent with the Amstel Concept Development Plan contained at Clause 4.0 of this schedule.
- An Aboriginal Cultural Heritage Management Plan, or a cultural heritage assessment of the site prepared by an appropriately qualified person.
- A Flora and Fauna assessment of the site by a suitably qualified person that identifies any areas of biodiversity conservation significance.
- A report that assesses the ‘retention value’ (high, moderate, low) of all trees on the site prepared by an appropriately qualified person(s). Such a report should be based on and include a detailed arboricultural assessment that considers, among other things, a tree’s health, condition and longevity, together with an assessment of its landscape significance that considers a tree’s amenity and aesthetic values.
- A landscape concept plan that shows, consistent with the Amstel Concept Development Plan at Clause 4.0:
  - the location of trees and any other vegetation proposed to be retained and removed, having regard to a tree’s ‘retention value’ and the objectives of this schedule;
- water bodies and any other topographic features to be retained;
- the location and layout of areas of public open space.

- Urban design principles and guidelines that identify:
  - The development objectives and outcomes that apply to each area;
  - The preferred neighbourhood character over the development plan area;
  - The key elements of the public realm, with particular emphasis on its safety, legibility and usability;
  - A diversity of lot sizes, residential types and density;
  - The relationship between areas supporting varied land use and development outcomes.

- An Urban Structure Plan that identifies:
  - The nominated land uses and development outcomes;
  - The delivery of a safe, efficient and functional road network and hierarchy;
  - How allotments have been designed to maximise solar access;
  - Connectivity and responsiveness to adjoining and surrounding land, including the use of active frontages in accordance with the Amstel Concept Development Plan at Clause 4.0 of this schedule.

- The interim and longer term land use and built form outcomes for the Amstel Golf Club clubhouse.

- The interface treatment between the existing Amstel Golf Club clubhouse and the residential subdivision and development.

- A traffic impact assessment report which includes, but is not limited to, details of anticipated traffic volumes, the proposed local road hierarchy and layout, connection to the external road network, and typical cross sections of internal roads indicating provision for pedestrians, tree planting, emergency access and car parking, and including traffic calming devices.

- The proposed methods to achieve bicycle priority at intersections of minor streets and connector roads with dedicated off-road bicycle, paths which must be achieved through strong and consistent visual and physical cues and supportive directional and associated road signs.

- The proposed methods to deal with the site boundary interfaces, including:
  - The presentation of the development to Cranbourne-Frankston Road;
  - The relationship between the development and the Amstel Golf Club clubhouse and car parking areas;
  - The presentation of any development to the major electricity easement adjoining the eastern boundary and the existing residential land adjoining the southern boundary.

- Details of the land use and development relationship along the interface of Areas 1 and 2.

- Provision of a 12-metre-wide tree reserve along the Cranbourne-Frankston Road frontage of the site, or as otherwise approved by the responsible authority.

- A drainage and servicing assessment indicating how all relevant flooding, drainage and water quality issues are to be addressed, to the satisfaction of Melbourne Water, South East Water and the responsible authority.

- Details of infrastructure which is to be provided as part of the development, including timing, standards and funding.
4.0 Amstel Concept Development Plan

CASEY PLANNING SCHEME
SCHEDULE 13 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO13

FREEWAY SPORTS CENTRE

1.0

Requirements for development plan

The development plan must show:

- The location of existing buildings and car parking areas.
- Proposed building envelopes and car parking areas, including boundary setbacks.
- Preferred land uses and land use objectives for different areas within the site.
- Streetscape concepts for both Princes Highway and Doveton Avenue frontages, including building elevations and landscaping themes.
SCHEDULE 14 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO14.

CRANBOURNE NORTH DEVELOPMENT PLAN AREA

1.0 Requirements for development plan

1.1 Procedure for approving or amending the development plan

Prior to approval or amendment (other than a minor amendment), the development plan must be displayed for at least 14 days, but no longer than 28 days. The responsible authority must take account of any public comments received in response to the display of the development plan.

1.2 Components of the development plan

A development plan must be generally in accordance with the Cranbourne North Development Contributions Plan that is incorporated in the planning scheme.

The development plan must contain, or make provision for, the following to the satisfaction of the responsible authority:

- A local context and site analysis.
- A vision and an urban structure that identifies:
  - A concept layout of the preferred use and development.
  - Key community and development infrastructure.
- A land use budget.
- An element of housing that sets objectives and identifies the location of various housing densities.
- Planning and design guidelines for housing specifying:
  - Density requirements and distribution.
  - Building envelope restrictions as appropriate.
  - Development requirements for land encumbered by uses with adverse amenity potential along Thompsons Road.
- An element of community facilities that sets objectives and identifies the location of community facilities.
- An element of open space and natural systems that sets objectives and identifies:
  - The provision of public open space, including a preliminary indication of the spatial configuration of active and passive open space areas.
  - A public open space network which provides linkages to any neighbouring public open space.
  - A mechanism for equalisation of public open space contributions that are required by Clause 52.01.
- Planning and design guidelines for open space and natural systems specifying:
  - Environmentally sustainable design principles.
  - The key elements of the public realm, with particular emphasis on its safety, accessibility, legibility and usability.
• An element of transport and movement that sets objectives and identifies the road hierarchy and network, key intersections, tree reserves and networks of pedestrian, cycle and public transport.

• Planning and design guidelines for transport and movement specifying construction / design requirements of arterial roads, non-arterial roads, intersections, pedestrian and cycle paths and bus stops.

• An element of utilities and development staging that sets objectives and includes planning and design guidelines.

• Public infrastructure delivery strategies.

### Conditions and requirements for permits

#### Application requirements

The following information must be provided with any permit applications, as appropriate:

• A response as to how the permit application is consistent with the provisions set out in the approved development plan and the Cranbourne North Development Contributions Plan.

• A plan showing on the general layout of the proposed use, subdivision or development.

• An indicative staging layout plan.

• Details of the existing and proposed use and development of surrounding land and an assessment of interface issues with the subject land.

• A diversity of lot sizes, dwelling types and densities.

• Areas of existing vegetation, with identification of vegetation proposed to be retained and removed.

• An environmental management plan.

• A Public Infrastructure Plan describing how the application responds to the approved development plan and which addresses the following:
  - Staging, timing and provision of infrastructure, including traffic works and the provision of telecommunication infrastructure including optical fibre.
  - The provision, staging and timing of stormwater drainage works.
  - The timely provision of connector roads and/or any roads required to provide access to adjoining properties.
  - The landscaping of any land.
  - 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.

• A Traffic Impact Assessment Report to include the following:
  - An assessment of the compatibility of the proposal with the overall road hierarchy shown in the approved development plan.
  - The movement network showing the overall road hierarchy, local street network and proposed cross-sections for each street type.
  - The layout and treatment of all vehicle and pedestrian routes and access points to and from the land.
  - Indicative bus stop locations on the Local Bus Network and/or the Principal Public Transport Network (PPTN), if applicable.
Traffic management and control works in adjoining and nearby roads when the development or any stage of the development is completed.

Permit requirements

Any planning permit and the plans endorsed under that permit must show or require the following to the satisfaction of the responsible authority, as appropriate:

General

- A condition or conditions which ensure that any requirements or conditions set out in the approved development plan are implemented as part of the planning permit or the plans endorsed under the permit.

Building envelope restrictions

- Before a plan is certified for a subdivision (or a relevant stage of a subdivision) where building envelopes are proposed, each lot in area must contain a building envelope (in accordance with the approved development plan and Part 4 of the Building Regulations), to the satisfaction of the responsible authority.

- A restriction must be imposed in the form of the approved building envelopes on the plan of subdivision or through an agreement with the responsible authority 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 following:
  - The building envelope to apply to each relevant lot.
  - All buildings to conform to the building envelope on the relevant lot.
  - The construction of a building outside of a building envelope only with the 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 occupancy permit for the whole of a dwelling on the land.

Where the building envelope is to be applied to the land through an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987, the building envelope plan may be approved after the plan of subdivision is certified.

Water infrastructure, including third pipe

- Irrespective of whether the relevant water authority has entered into an agreement as contemplated, any plan of subdivision must contain a restriction which provides that no dwelling or commercial building may be constructed on any lot unless the building incorporates dual plumbing for recycled water supply for toilet flushing and garden watering use if it is to become available.

- Irrespective of whether the relevant water authority has entered into an agreement as contemplated, connection points for the third pipe are to be provided by the developer/landowner to all public open space at no cost to the relevant water authority or Council to facilitate irrigation of public open space using recycled water if it is to become available.

Electricity infrastructure

- All existing above ground electricity powerlines must be removed and placed underground before the issue of a Statement of Compliance.

- The design of electricity and other related infrastructure for the development abutting or in proximity to Thompsons Road must provide for alternative electricity transmission through the new development so as to render the existing above ground assets along the roadway on
the same side of the road as the development redundant and, subject to the relevant utility authority consenting, those assets must be removed as part of the development works for the relevant stage of the subdivision at no cost to the relevant utility authority or Council.

Tree reserves

- Upon the issue of a Statement of Compliance, land required for tree reserves, as set out in the approved Development Plan, must be transferred to or vested in Council at no cost to Council.
- Within 6 months of the issue of a Statement of Compliance, land required for tree reserves must be developed and landscaped to the satisfaction of the responsible authority. Tree planting to arterial roads is to be provided in accordance with the Casey Arterial Roads Tree Strategy.

Land for community facilities

Land required for community facilities, as set out in the approved development plan or the Cranbourne North Development Contributions Plan, must be transferred to or vested in Council at no cost to Council unless the land is funded by the Cranbourne North Development Contributions Plan. This must be completed prior to the issue of a Statement of Compliance to the satisfaction of responsible authority.

Land for road widening

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 referred to or vested in Council at no cost to the acquiring agency unless funded by the Cranbourne North Development Contributions Plan. Development and landscape of the land must be completed to the satisfaction of the responsible authority prior to it being transferred or vested.

Land for public open space

- Land required for public open space as a local or district park, as set out in the approved development plan or the Cranbourne North Development Contributions Plan, must be transferred to or vested in Council at no cost to Council unless the land is funded by the Cranbourne North Development Contributions Plan.
- All public land must be developed and landscaped in accordance with the approved development plan to the satisfaction of the responsible authority.

Public Open Space

- Land identified in the approved development plan as being required for public open space must be transferred to Council at no cost.
- In the event that a percentage of land required for public open space in the approved development plan is less than the amount specified in the Schedule to Clause 52.01, the residual amount of contribution required must be provided to Council by way of monetary contribution of the land value.
- Where the land required for public open space is more than the amount specified in the Schedule to Clause 52.01, Council will pay an amount equivalent to the additional land being provided by that property. Council will not pay an amount for land which is in excess of the land specified to be set aside in the development plan.
- For the purposes of this clause, the equalisation of open space and Clause 52.01, public open space does not include the following:
  - Land required by, or vested in, Melbourne Water for drainage-related purposes, where otherwise agreed by Council.
  - Any encumbered land transferred to, or vested in, Council.
Credits for stormwater facilities

Land required for drainage purposes must be transferred to the drainage authority or municipal council at no cost to the drainage authority or Council.
SCHEDULE 15 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO15.

RESIDENTIAL REDEVELOPMENT AREAS

1.0

Objectives
None specified.

2.0

Requirement before a permit is granted
A permit may be granted to use or subdivide land, construct a building or construct or carry out works before a development plan has been prepared provided the use, subdivision or development does not prejudice the future use and development of the land as envisaged by the Local Planning Policy Framework or any relevant strategic plan prepared and adopted by the Minister, public authority or municipal council for that area.

3.0

Conditions and requirements for permits

3.1 Application requirements
All applications for the use and development of land must be accompanied by the following information, to the satisfaction of the responsible authority:

- A land use budget that defines the range and location of uses proposed.
- A public open space budget that defines the amount and location of proposed public open space.
- A development staging plan.
- An Aboriginal cultural heritage assessment/archaeological survey.
- An environmental assessment prepared by an appropriately qualified person(s) that identifies any areas of environmental significance on the land.

The responsible authority may waive the need to provide any of the information detailed above that is not relevant to a particular application.

3.2 Development requirements
A permit for the subdivision or development of land must ensure that:

- wherever practicable, public land is fronted by housing;
- appropriate landscape buffers or edges are provided, as shown or specified in the development plan;
- on sites greater than one hectare, there is a mix of lot sizes as shown or specified in the development plan;
- new roads are designed having regard to the Casey Standard Drawings;
- pedestrian paths and bicycle lanes within road reserves are provided having regard to the Casey Standard Drawings;
- pedestrian paths are provided within new public open space areas;
- any public land that is created is appropriately landscaped;
- tree planting to key roads is provided having regard to the Casey Arterial Roads Tree Strategy;
- dual plumbing systems are introduced into the design of subdivisions over 250 lots;
there is pedestrian connectivity between activity centres, learning centres, community places and parkland, having regard to the Neighbourhood Principles contained in Melbourne 2030: Planning for sustainable growth (Department of Infrastructure, October 2002);

- soil erosion control measures are employed throughout the construction stage of the subdivision and/or development;
- electricity and telecommunications infrastructure (excluding satellite dishes and mobile phone towers) are placed underground;
- for a staged subdivision, a progressive total for the provision of public open space must be submitted to, and approved by, the responsible authority;
- any tree planting zones identified in the development plan are planted with trees, including large canopy trees, in accordance with a landscape plan approved by the responsible authority;
- areas of environmental significance identified by an environmental assessment are protected and managed (including during any construction phase), in accordance with a management plan approved by the responsible authority.

Requirements for development plan

The development plan must be generally in accordance with the Fountain Gate-Narre Warren CBD Incorporated Plan (City of Casey, 2018).

A development plan must include the following to the satisfaction of the responsible authority:

- Increased housing densities to take advantage of access to the Narre Warren Railway Station;
- A variety of housing choices;
- Development that takes advantage of the amenity of the Hallam Valley Floodplain;
- The general subdivisional layout and design, including:
  - a land use budget that defines the range and location of uses proposed;
  - a public open space budget that defines the amount and location of proposed public open space;
  - community places;
  - buffer areas between sensitive land uses and those uses with the potential to have an adverse impact on the amenity of those sensitive land uses;
  - urban and landscape design principles;
  - connections to the arterial and local road network;
  - public transport planning and design;
  - pedestrian connectivity;
  - entrance features;
  - major easements;
  - identification of any areas of environmental significance;
  - development sequencing;
- Surface water management measure, having regard to the City of Casey Stormwater Management Plan (City of Casey, 2004).

Background documents

Casey Arterial Roads Tree Strategy (City of Casey, 2003).
Casey Standard Drawings (City of Casey, 2003).
City of Casey Stormwater Management Plan (City of Casey, in association with Kellogg Brown & Root Pty Ltd., 2004).
Fountain Gate-Narre Warren CBD Structure Plan (City of Casey, 2018)
SCHEDULE 16 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO16.

HEATHERTON ROAD MIXED USE PRECINCT

1.0

12/03/2009  
C96

Requirement before a permit is granted

A permit may be granted before a development plan has been prepared for any of the following, to the satisfaction of the responsible authority:

- Subdivide land to create a lot for an existing building.
- Externally alter a building by structural work, rendering, sandblasting or in any other way, provided it does not result in an increase in leasable floor area.
- Remove, destroy or lop native vegetation.
- Construct, display or remove a sign.

2.0

12/03/2009  
C96

Conditions and requirements for permits

2.1

09/02/2017  
C250

Application requirements

In addition to any other requirements of the planning scheme, the following information must be provided with any permit application, as appropriate:

Traffic report

- A report, prepared by a suitably qualified person, that addresses, among other things:
  - traffic management and control works in adjoining and nearby roads when the development or any stage of the development is completed;
  - the means of vehicular ingress and egress to the existing arterial and/or local road network;
  - the means of internal circulation, including details of any internal access roads;
  - the timing of proposed traffic works relative to the staging of the development; and,
  - public transport arrangements and access routes.

Landscape plan

- A landscape plan that shows, in relation to the proposed development:
  - the provision of appropriate landscape buffers, including fencing where the land directly abuts a residential area;
  - the landscape treatment of any adjoining arterial roads, having regard to the City of Casey Arterial Roads Tree Strategy;
  - the treatment of car parking areas; and,
  - a staging strategy for the implementation of landscape works, including a detailed planting schedule and an ongoing management strategy.

2.2

12/03/2009  
C96

Permit Conditions

All permits to construct a building or construct or carry out works must include the following requirement as a condition:
Management plan

- A management plan must be prepared to the satisfaction of the responsible authority that provides for:
  - the proposed hours of construction of buildings and works;
  - measures to minimise and control noise from construction works;
  - measures to minimise the impact of construction vehicles arriving at and departing from the land;
  - measures to minimise the off-site effect of external lighting;
  - measures to minimise the creation of conditions liable to be a nuisance;
  - measures to minimise the impact upon local amenity of operations such as waste collection, vehicle loading and unloading times, management and maintenance of car parking areas, and collection and control of shopping trolleys (where relevant);
  - the management and maintenance of existing landscaped areas;
  - the operation of waste collection; and,
  - litter management.

Requirements for development plan

The development plan must include, in text or diagrammatic form, or both:

- An explanation of the strategic directions and planning principles of the proposal, addressing:
  - its hierarchical role in the context of Clause 22.01 - Retail Policy;
  - the urban design outcomes sought, including built form, streetscape, land use, ecologically sustainable development, the management of public space, and accessibility;
  - how it is proposed to achieve a diversity of land uses;
  - the integration of the centre with surrounding areas;
  - general constraints and opportunities;
  - the key elements of the public realm, with particular emphasis on its legibility and usability; and,
  - the integration of pedestrian, bicycle and vehicular routes on the land.
  - how landscaping, building massing, setbacks, and heights will avoid unreasonable impact on the amenity of the adjoining residential uses.
  - measures taken to ensure the proposed uses, particularly uses operating after 10:00pm, do not have an unreasonable impact on the amenity of adjoining residential uses.

- A physical framework plan that identifies the main elements of the development plan and shows:
  - the relationship between activities on the site;
  - the location of the internal and external pedestrian system and public spaces, including weather protection and safety measures, and accessibility to public transport facilities.
  - the location of active street frontage areas, where an ‘active street frontage’ is defined as a frontage that provides access, egress and views to and from internal active areas so as to enhance the public realm and provide a sense of comfort and safety;
  - the road network and car parking system, including the designation of a road hierarchy, where appropriate, and intersection requirements;
- general landscaping principles;
- the general built form/massing; and,
- an indication of how the activity system, vehicle and pedestrian network, connect to adjacent areas outside the land covered by the development plan.

- A staging plan, where relevant, that shows the sequence of major development on the land.
- The identification of floor space used, and proposed to be used, for retail purposes.

**Reference documents**


**SCHEDULE 17 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY**

Shown on the planning scheme map as DPO17.

**COMMERCIAL DEVELOPMENT - 55 KANGAN DRIVE, BERWICK**

### 1.0 Objectives

None specified.

### 2.0 Requirement before a permit is granted

A permit may be granted to use or subdivide land, construct a building or construct or carry out works before a development plan has been prepared provided the use, subdivision or development does not prejudice the future use and development of the land as envisaged by the Local Planning Policy Framework or any relevant strategic plan prepared and adopted by the Minister, public authority or municipal council for that area.

### 3.0 Conditions and requirements for permits

#### 3.1 Application requirements

The following information must be provided with any permit application, as appropriate:

**Development report**

- A report that demonstrates how the proposal meets the following:
  - The relevant policy context statements under Clause 21.02 of the Municipal Strategic Statement;
  - The relevant themes, objectives and strategies in Clause 21.03-21.07 – Thematic approach;
  - The relevant objectives and strategies of the Berwick Northern Area in Clause 21.09, including the designation of the land on the associated Local Area Map.
  - The requirements of the Retail Policy at Clause 22.01 and,
  - The approved development plan.

**Buildings and works**

- Details of the use and development of surrounding land and any inter-relationship with the subject land.
- Details of the location, height, dimensions, elevation, floor area and setbacks of all buildings and works.
- Details of the external finishes and design of all buildings and works, including the colours and details of materials to be used for external walls.
- The proposed uses within all buildings.
- The layout and treatment of all vehicle and pedestrian routes and access points to and from the land.
- The location and layout of all car parking areas, including proposed disabled spaces and bicycle parking areas.
- The location of public transport facilities, access to them and passenger facilities.
- Details of site drainage, including the nature and location of litter retention systems and measures and trapping devices, pollutant reduction effectiveness, flow attenuation measures and
identification of the flows within the site estimated to occur as a result of a 1-in-100-year storm event.

- Provision for loading and unloading facilities of vehicles and means of access to them.
- Details of the location of waste collection, storage and removal facilities and areas.
- The stages, if any, in which the land is to be developed.
- Measures to facilitate accessibility to and within the site for the elderly and disabled.

Traffic report

- A report, prepared by a suitably qualified person, that addresses, among other things:
  - Traffic management and control works in adjoining and nearby roads when the development or any stage of the development is completed;
  - The means of vehicular ingress and egress to the existing arterial and/or local road network;
  - The means of internal circulation, including details of any internal access roads;
  - The timing of proposed traffic works relative to the staging of the development; and,
  - Public transport arrangements and access routes.

Public transport plan

- For proposals greater than 5,000 square metres of gross floor area, a public transport plan that demonstrates how the proposal seeks to enhance the opportunities for increased public transport usage, addressing:
  - Any modifications or additions to infrastructure required for service provision;
  - Pedestrian accessibility, including weather protection and safety measures; and,
  - Commuter information.

Landscape plan

- A landscape plan that shows, in relation to the proposed development:
  - The provision of appropriate landscape buffers;
  - Traffic management and control works in adjoining and nearby roads to be completed by the time the development or any stage of the development is completed;
  - The treatment of car parking areas, including any rooftop and decked parking areas;
  - The provision of any outdoor areas for use by staff and customers;
  - All other proposed landscaping on the land;
  - Any landscaping proposed for streets, roads and public areas, including pedestrian and cycle paths;
  - A staging strategy for the implementation of landscape works, including a detailed planting schedule and an ongoing management strategy; and,
  - Any water sensitive urban design (WSUD) measures proposed for the development.

- The landscape plan must take into account the effects of shadowing on neighbouring areas.

3.2 Development requirements

A permit for the subdivision or development of land must ensure that:
- Appropriate landscape buffers or edges are provided, as shown or specified in the development plan;
- New roads are designed having regard to the Casey Standard Drawings;
- Pedestrian paths and bicycle lanes within road reserves are provided having regard to the Casey Standard Drawings;
- Pedestrian paths are provided within new public open space areas;
- Any public land that is created is appropriately landscaped;
- Tree planting to key roads is provided having regard to the Casey Arterial Roads Tree Strategy;
- There is pedestrian connectivity in the form of a pedestrian crossing between the subject land and hospital, having regard to neighbourhood principles;
- Electricity and telecommunication infrastructure (excluding satellite dishes and mobile phone facilities) are placed underground; and,
- Any tree planting zones identified in the development plan are planted with trees, including large canopy trees, in accordance with a landscape plan approved by the responsible authority.

3.3 Permit conditions

All permits to construct a building or construct or carry out works must include the following requirement as a condition:

Management plan

A management plan must be prepared to the satisfaction of the responsible authority that provides for:

- The proposed hours of construction of buildings and works;
- Measures to minimise and control noise from construction works;
- Measures to minimise the impact of construction vehicles arriving at and departing from the land;
- Measures to minimise the off-site effect of external lighting;
- Measures to minimise the creation of conditions liable to be a nuisance;
- Measures to minimise the impact of noise and traffic upon local amenity;
- Measures to minimise the impact upon local amenity of operations such as waste collection, vehicle loading and unloading times, management and maintenance of car parking areas, and collection and control of shopping trolleys (where relevant);
- The operation of waste collection;
- Site sediment control;
- Litter management; and,
- Any other matters the responsible authority may reasonably require.

4.0 Requirements for development plan

The development plan must provide for, in text or diagrammatic form, or both:

- An explanation of the strategic directions and planning principles of the proposal, addressing:
  - The urban design outcomes sought, including built form, streetscape, land use, ecologically sustainable development, social and civic/public space, safety and accessibility and liveability;
  - The activity outcomes sought;
- How it is proposed to achieve a diversity of land uses;
- The integration of the centre with surrounding areas;
- General constraints and opportunities;
- The role and composition of the public transport network;
- The key elements of the public realm, with particular emphasis on its legibility and usability;
- The integration and maximisation of pedestrian, bicycle and vehicular accessibility as part of the road network.

- A physical framework plan that identifies the main elements of the development plan and shows:
  - The relationship between activities, including the type and location of major and minor tenancies;
  - The location of the internal and external pedestrian system and public space, including the purpose of each space (e.g. play, social/family recreation, sport, visual amenity, etc.) and the setting (e.g. paved area, open parkland etc.);
  - The location of active street frontage areas where an ‘active street frontage’ is defined as a frontage that provides access, egress and views to and from internal active areas so as to enhance the public realm and provide a sense of comfort and safety;
  - The road network and car parking system, including the designation of a road hierarchy, where appropriate, intersection requirements and the cross-section of all roads;
  - General landscaping principles, including recommendations for street furniture, the location of public transport infrastructure and the identification of bus routes, both existing and proposed;
  - The general built form/massing; and,
  - An indication of how the activity system, pedestrian network, transport guidelines, open space network and urban design elements relate to adjacent areas outside the land covered by the development plan.

- A staging plan, where relevant, that shows the sequence of major development on the land.

- The identification of floorspace used, and proposed to be used, for retail purposes.

**Background documents**


SCHEDULE 18 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO18

POUND ROAD/SHRIVES ROAD, HAMPTON PARK RESIDENTIAL AREA

1.0 Requirement before a permit is granted

The Responsible Authority may grant a permit before a development plan has been prepared to:

- subdivide land located north of Shrives Road provided that each lot is not less than 10,000m² (1ha) in area (No’s. 175, 177, 1/179, 2/179, 181, 183 Pound Road, Hampton Park, No’s. 100, 102, 104 & 106 Shrives Road, Hampton Park and No’s. 2, 3, 4, 5, 5A, 6, 7 & 8 Wethersdane Drive, Hampton Park).
- Remove or lop native vegetation.
- Carry out minor extensions or alterations to existing buildings and works.

Any permit granted before a development plan has been prepared must not compromise the strategic objectives of the development plan.

2.0 Conditions and requirements for permits

2.1 Application requirements

The following information must be provided with any permit application for subdivision, as appropriate:

- A site analysis plan.
- The proposed subdivision layout for the development.
- A plan showing existing and proposed levels to Australian Height Datum (AHD), including levels at the top and base of any cut and fill.
- An assessment demonstrating that the proposal is generally in accordance with the approved development plan.
- An assessment against the requirements of Clause 56.
- A stormwater management plan, to the satisfaction of Melbourne Water and the responsible authority
- A traffic report.
- A landscape plan, which identifies existing vegetation proposed to be retained and removed.
- A Cultural Heritage Management Plan if required by the Aboriginal Heritage Act 2006.
- Any other relevant requirements.

2.2 Development requirements

The following development requirements should be achieved with a permit application for subdivision, as appropriate:

- The subdivision shall not create any lot that backs on to the Hallam Valley Floodplain.
- The subdivision shall not cause any land outside of the application area to be liable to flooding.
- The subdivision shall not result in any loss of flood storage volume in the Hallam Valley Floodplain, to the satisfaction of Melbourne Water.
- The subdivision shall provide for a 6-metre-wide tree reserve for lots that front Pound Road and Shrives Road, Hampton Park.
• Any land required for drainage purposes must be transferred to the drainage authority or municipal council at no cost and will not be credited as public open space.

• A suitable buffer, to the satisfaction of the responsible authority, must be provided between the subdivision and the Hallam Main Drain.

• Development should not encroach on the Hallam Valley Floodplain, and the edge of development must be set back at least 60m from the boundary of the Hallam Main Drain

2.3

Permit conditions

All permits to subdivide the land must include a condition to satisfy the following requirements:

Environmental Management Plan

• Provision of an Environmental Management Plan to the satisfaction of the responsible authority, that outlines methods to be adopted on site during the construction stage addressing public safety, amenity, site security, vegetation protection, threatened species protection, operating hours, noise and emission control, stormwater and sediment runoff, waste, material reuse, and traffic management.

Landscaping of public land

• Prior to the issue of a Statement of Compliance for any subdivision of the land, all public land (this includes public open space and tree, road and drainage reserves) is to be landscaped to a standard to the satisfaction of the responsible authority which includes, but is not limited to, the following:
  - earthworks to create the final form of the land;
  - seeding of grass on all exposed surfaces; and
  - tree planting and understory in accordance with a landscape plan approved by the responsible authority, and Melbourne Water where planting is proposed within the Hallam Valley Floodplain.

• Street tree planting is provided having regard to the Casey Arterial Roads Tree Strategy (or as amended) and the Casey Local Roads Tree Strategy (or as amended).

Bicycle and pedestrian paths

• Prior to the issue of a Statement of Compliance for any subdivision of the land, shared use paths (providing for bicycles and pedestrians) must be provided to the following specifications:
  - constructed of concrete with a minimum width of 2.5 metres and is to the satisfaction of the responsible authority; and
  - connect externally to other development in the area to avoid paths being isolated.
  - any shared use paths constructed within the Hallam Valley Floodplain must be designed and constructed to the satisfaction of Melbourne Water.

Requirements for development plan

Procedure for approving or amending the development plan

Prior to approval or amendment (other than a minor amendment), the development plan must be displayed for at least 28 days. The Responsible Authority must take account of any public comments received in response to display of the development plan.
Components of the development plan

The development plan should show:

- The opportunities and constraints of the land based on a site analysis, that gives consideration to:
  - topography and other natural features;
  - existing and new contours and levels;
  - existing easements including the overhead electricity transmission lines;
  - the Urban Floodway Zone and adjacent Hallam Main Drain and the Hallam Valley Floodplain to the north;
  - adjacent land use and development patterns;
  - views to and from the land; and
  - existing open space, road, bicycle and pedestrian networks.

- The proposed lot and layout pattern that demonstrates:
  - the provision of a safe and practical road hierarchy network showing connections to local and arterial roads;
  - a variety of lot sizes to cater for a diversity of housing type and design opportunities;
  - consideration of the existing Urban Floodway Zone located in the northern portion of the subject area;
  - the retention of primary view lines from various vantage points along Pound Road and Shrives Road looking north towards the Hallam Valley Flood Plain;
  - the provision of public open space;
  - the provision of a bicycle and pedestrian path network that is legible and permeable throughout the area; and
  - the location of any land required for drainage purposes.

- A road network which is supported by a Traffic Impact Assessment and gives consideration to the location of local roads, road access points onto arterial roads and vehicular access/egress points for properties fronting Pound Road and Shrives Road.

- Land that is to be set aside for road widening along Pound Road and Shrives Road generally in accordance with any proposed future upgrade to Pound-Shrives Road.

- A hydraulic report that identifies all flow paths, flood extents, flood levels and velocities for existing and proposed conditions.

- A geotechnical assessment of the land.

- An assessment of the Aboriginal heritage values of the land and evidence indicating the means by which any findings will be protected and managed.

- Urban and landscape design guidelines that include preferred siting, built form and landscape outcomes, to achieve:
  - streets that are safe and friendly for residents and users;
  - building setbacks that will allow for canopy tree planting within the front and rear areas of lots;
  - buildings located on corner lots that are designed to address both street frontages;
  - development that avoids solid front fencing on corner lots;
- planting themes that are suitable to the area and will help establish a local identity; and
- landscape design, buffers, and active frontages that preserve or enhance the safety and amenity of the Hallam Valley Floodplain.

- Consideration of the findings of a flora and fauna assessment for the land, including a consideration of Dwarf Galaxias.
- The staging of development.

4.0 Reference documents

SCHEDULE 19 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO19.

CRANBOURNE NORTH SERVICE BUSINESS PRECINCT

1.0

Requirement before a permit is granted

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority to subdivide land to create a lot for an existing building, or to construct or carry out minor building or works.

2.0

Requirements for development plan

2.1

Procedure for approving or amending the development plan

Prior to approval or amendment (other than a minor amendment), the development plan must be publicly exhibited for at least 14 days, but no longer than 28 days. The responsible authority must take into account any public comments received in response to the display of the development plan.

2.2

Components of the development plan

A development plan must be generally in accordance with the Cranbourne North Development Contributions Plan as an Incorporated Document in the planning scheme.

The development plan must contain or make provision for the following to the satisfaction of the responsible authority:

- A vision and outcomes statement indicating principles and guidance for planning outcomes sought, including key planning, design and infrastructure components.
- Identification of how industrial and service business uses of land will be accommodated and facilitated within the precinct.
- Development staging.
- A mechanism for equalisation of public open space contributions that are required by Clause 52.01.
- Urban design principles and guidelines that identify:
  - The development principles that apply to each part of the precinct.
  - The location of active street frontages.
  - Key building locations and the general built form/massing.
  - The key elements of the public realm, with particular emphasis on its safety, legibility and usability.
  - A diversity of lot sizes.
- An Urban Structure Plan that identifies:
  - Preferable uses for each part of the precinct.
  - Key elements of public open space and transport and movement.
- A Transport and Movement Plan that identifies:
  - Public transport.
  - A road network and hierarchy.
- Pedestrian and cycling networks which provide linkages to the public open space network within and adjoining the precinct.
- A tree reserve along Thompsons Road, except where access to Thompsons Road or a service road is proposed. The minimum width of a tree reserve must be 12 metres, in accordance with the Casey Arterial Roads Tree Strategy.

- An Open Space Plan that identifies:
  - A public open space network which provides linkages to any neighbouring public open space.
  - A linear reserve along the southern boundary of the sports facility identified in the Cranbourne North Development Contributions Plan. The minimum width of the reserve must range from 12 metres to 6 metres (west to east).

3.0 Requirements for permit application

Any planning permit application must be accompanied by, where appropriate:

- Details of the existing and proposed use and development of surrounding land and an assessment of interface issues with the subject land.
- An indicative Staging Plan.
- A diversity of lot sizes.
- An Infrastructure Plan describing how the application responds to the approved development plan and which addresses:
  - Staging and provision of infrastructure, including traffic works and the provision of telecommunication infrastructure including optical fibre.
  - Drainage and stormwater management
  - The timely provision of connector roads and/or any roads required to provide access to adjoining properties.
- A Traffic Impact Assessment Report to include:
  - An assessment of the compatibility of the proposal with the overall road hierarchy shown in the approved development plan.
  - The movement network showing the overall road hierarchy, local street network and proposed cross-sections for each street type.
  - The layout and treatment of all vehicle and pedestrian routes and access points to and from the land.
  - Indicative bus stop locations on the Local Bus Network and/or Principal Public Transport Network (PPTN), if applicable.
  - Traffic management and control works in adjoining and nearby roads when the development or any stage of the development is completed.
- A Geotechnical Report for the property located at 1545 Thompasons Road, Cranbourne North, confirming any works required to facilitate development of the land.
- A Landscape Concept Plan that shows:
  - Indicative design principles and a species palette.
  - Treatment of interfaces with residential areas, open space and any adjoining roads.
  - Any native vegetation to be retained within the public or private realm.
Conditions and requirements for permits

Any permit and the plans endorsed under that permit must show or require the following to the satisfaction of the responsible authority, where appropriate:

General requirement

- A planning permit must include a condition or conditions which ensure that any requirements or conditions set out in the approved development plan are implemented as part of the planning permit or the plans endorsed under the permit.

Electricity infrastructure

- All existing above ground electricity powerlines must be removed and placed underground before the issue of a Statement of Compliance.

- The design of electricity and other related infrastructure for the development abutting or in proximity to Thompsons Road must provide for alternative electricity transmission through the new development so as to render the existing above ground assets along the roadway on the same side of the road as the development redundant and, subject to the relevant utility authority consenting, those assets must be removed as part of the development works for the relevant stage of the subdivision at no cost to the relevant utility authority or the City of Casey.

Public open space

- The land identified in the approved development plan as being required for public open space must be transferred to Council at no cost, unless one of the following exceptions apply:
  - Where the land identified in the approved development plan is less than the amount specified in Clause 52.01, the residual amount of contribution required must be provided to Council by way of monetary contribution of the land value.
  - Where the land identified in the approved development plan is more than the amount specified in Clause 52.01, Council will pay an amount equivalent to the additional land being provided by that property. Council will not pay an amount for land provided which is in excess of the land identified in the development plan.

- For the purposes of this clause, the equalisation of open space and Clause 52.01, public open space does not include:
  - Land required by, or vested in, Melbourne Water for drainage-related purposes.
  - Any encumbered land transferred to, or vested in, Council.
SCHEDULE 20 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO20.

SURPLUS EDUCATION LAND

Site Description

This schedule applies to land generally known as:

- 58 Doveton Avenue, Doveton – Eumemmerring Primary School
- 25-35 Rowan Drive, Doveton – Doveton North Primary School

Requirement before a permit is granted

A permit may be granted before a development plan has been prepared for:

- Bulk excavation, site preparation and retention works including piling, footings, ground beams and ground slab, and minor buildings and works provided that interim treatments are to the satisfaction of the responsible authority and any works required to satisfy environmental clean up or audit requirements.
- Subdivision of the land into superlots or to realign property boundaries, or create a road, or create or remove easements.

Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land in an integrated manner.

Conditions and requirements for permits

Application Requirements

An application to subdivide or develop the land must be accompanied by the following information, as appropriate:

- Any subdivision plan.
- A development staging plan
- An Aboriginal cultural heritage assessment/archaeological survey.
- An environmental assessment prepared by an appropriately qualified person(s) that identifies any areas of environmental significance on the land.
- An arboricultural assessment of any significant native vegetation on the land.

The responsible authority may waive the need to provide any of the information detailed above that is not relevant to a particular application.

Development requirements

A permit for the subdivision or development of land must ensure that:

- Appropriate landscape buffers or edges are provided, as shown or specified in the development plan.
- Where residential uses are proposed, there is a mix of lot sizes as shown or specified in the development plan.
- New roads are designed having regard to the standard cross sections in the GAA Engineering Design and Construction Manual.
- Pedestrian paths are provided within new public open space areas.
- Any public land that is created is appropriately landscaped.
### Requirements for development plan

The development plan must be prepared for the whole site, and should:

- Where residential uses are proposed, provide a range of dwelling types to cater for a variety of housing needs.
- Where non-residential uses are proposed, details of the nature of the proposed use, including hours of operation, stall and visitor numbers, and traffic and parking management plan.
- Incorporate sustainable design features to address water and waste management, solar access and energy saving initiatives, to deliver lower living costs for future residents.
- Create a composition of varied building forms and heights across the site.
- Provide for a high quality of internal amenity for future residents.
- Respect the amenity of adjoining interfaces for providing for a maximum of 2 storey built form adjacent to or opposite any existing single storey residential development.
- Any taller buildings across the balance of the site should be carefully graduated with reference to analysis of shadow, visual amenity impacts and the character of the area.
- Apply appropriate buffer treatments at the interface with any non-residential uses on adjoining properties.
- Create a positive interface to adjacent public open space giving appropriate consideration to issues of safety and surveillance.
- Identify the location of any public open space and locate open space adjacent to pedestrian/cycle pathways.
- Create opportunities for improved local permeability through provision of new pedestrian/cycle pathways or new local street networks where appropriate that link to the existing networks.
- Incorporate any significant native vegetation into the design of the development including maintaining the long term, sustainable health and condition of existing vegetation.
- Ensure the layout and design of development avoids the ‘dripline’ of any retained River Red Gum trees.

### Development plan components

The development plan must include the following information:

- Existing conditions plan, showing surrounding land uses and development, adjoining roads and pedestrian links, public transport routes, topography, and infrastructure provision.

- Concept plans for the site which show:
  - New building orientation and location, indicative uses for each building, car parking areas, public roads, vehicle access locations, pedestrian and bike paths and areas and locations of private and public open space;
  - Three-dimensional building envelope plans including maximum building heights and setbacks.
  - The design philosophy for the site and indicative architectural themes including car parking areas and garages so that they do not dominate the street or any public open space.
  - Shadow diagrams of proposed building envelope conditions at 10.00am, 1.00pm and 3.00pm at 22 September.

- An indicative development schedule including the minimum number, type and density of dwellings and the floor area of any proposed non-residential uses.

- A traffic management report and car parking plan, which includes:
- Identification of roads, pedestrian, cyclist and vehicle access locations, including parking areas, both internal and external to the site.
- Any traffic management measures, where required.
- Location and linkages to public transport.
- Car parking rates for all uses, including visitor parking.
- Provision for bicycle facilities.

- A landscaping plan which shows:
  - The landscape concept for the site.

- An Environmentally Sustainable Design (ESD) statement which includes:
  - Proposed initiatives that demonstrate sustainable design features not limited to energy and greenhouse gas emissions reduction, integrated water management, waste and materials, and achievement towards best practice ESD.

The development plan for any part of the development area or for any stage of development may be amended from time to time to the satisfaction of the responsible authority.

### 4.0 Display of Development Plan

Before deciding to approve a development plan, the responsible authority must display the plan for public comment.

Notice of the development plan must be given to the owners and occupiers of adjoining land.

A development plan must be displayed or further information required within 28 days after the plan is received by the responsible authority. The plan must be displayed within 14 days of satisfactory further information being received.

The development plan must be displayed for at least 14 days but no longer than 28 days.

### 5.0 Decision Guidelines

Before deciding whether a development plan, or amendment to a development plan, is satisfactory, the responsible authority must consider:

- The provisions of this planning scheme including relevant local policies and the objectives set out in Clauses 54 and 55 of the scheme.
- The orderly development of land including management of traffic, car parking, the provision of pedestrian ways and open space.
- The overall objective for the land to achieve an integrated medium density residential development offering a choice and diversity of housing opportunities and types, appropriate to its setting and achieving a high quality of amenity and urban design.

### Reference documents

*Casey Housing Diversity Statement* (September 2012), City of Casey

SCHEDULE 21 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO21.

FORMER DOVETON SECONDARY COLLEGE

64-70 Box Street, Doveton

1.0

Requirement before a permit is granted

A permit may be granted before a development plan has been prepared for:

- Bulk excavation, site preparation and retention works including piling, footings, ground beams and ground slab, and minor buildings and works provided that interim treatments are to the satisfaction of the responsible authority and any works required to satisfy environmental clean up or audit requirements.

- Subdivision of the land into superlots or to realign property boundaries, or create a road, or to create or remove easements.

Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land in an integrated manner.

2.0

Conditions and requirements for permits

2.1

Application Requirements

An application to subdivide or develop the land must be accompanied by the following information, as appropriate:

- Any subdivision plan.

- A development staging plan

- An Aboriginal cultural heritage assessment/archaeological survey.

- An environmental assessment prepared by an appropriately qualified person(s) that identifies any areas of environmental significance on the land.

- An arboricultural assessment of any significant native vegetation on the land.

The responsible authority may waive the need to provide any of the information detailed above that is not relevant to a particular application.

2.2

Development requirements

A permit for the subdivision or development of land must ensure that:

- Appropriate landscape buffers or edges are provided, as shown or specified in the development plan.

- Where residential uses are proposed, there is a mix of lot sizes as shown or specified in the development plan.

- New roads are designed having regard to the standard cross sections in the GAA Engineering Design and Construction Manual.

- Pedestrian paths are provided within new public open space areas.

- Any public land that is created is appropriately landscaped.

3.0

Requirements for development plan

The development plan must be prepared for the whole site, and should:
- Where residential uses are proposed, provide a range of dwelling types to cater for a variety of housing needs.
- Where non-residential uses are proposed, provide details of the nature of proposed use.
- Incorporate any proposed non-residential uses along Box Street to the south of the site.
- Incorporate sustainable design features to address water and waste management, solar access and energy saving initiatives, to deliver lower living costs for future residents.
- Create a composition of varied building forms and heights across the site.
- Provide for a high quality of internal amenity for future residents.
- Respect the amenity of adjoining interfaces for providing for a maximum of 2 storey built form adjacent to or opposite any existing single story residential development.
- Any taller buildings across the balance of the site should be carefully graduated with reference to analysis of shadow, visual amenity impacts and the character of the area.
- Apply appropriate buffer treatments at the interface with any non-residential uses on adjoining properties.
- Create a positive interface to adjacent public open space giving appropriate consideration to issues of safety and surveillance.
- Identify the location of any public open space and locate open space adjacent to pedestrian/cycle pathways.
- Create opportunities for improved local permeability through provision of new pedestrian/cycle pathways and a new local street network that links to the existing networks and includes a north south road link with a connection to Ficifolia Drive.
- Incorporate any significant native vegetation into the design of the development including maintaining the long term, sustainable health and condition of existing vegetation.
- Ensure the layout and design of development avoids the ‘dripline’ of any retained River Red Gum trees.

**Development plan components**

The development plan must include the following information:

- Existing conditions plan, showing surrounding land uses and development, adjoining roads and pedestrian links, public transport routes, topography, and infrastructure provision.
- Concept plans for the site which show:
  - New building orientation and location, indicative uses for each building, car parking areas, public roads, vehicle access locations, pedestrian and bike paths and areas and locations of private and public open space;
  - Three-dimensional building envelope plans including maximum building heights and setbacks.
  - The design philosophy for the site and indicative architectural themes including car parking areas and garages so that they do not dominate the street or any public open space.
  - Shadow diagrams of proposed building envelope conditions at 10.00am, 1.00pm and 3.00pm at 22 September.
- An indicative development schedule including the minimum number, type and density of dwellings and the floor area of any proposed non-residential uses.
- A traffic management report and car parking plan, which includes:
- Identification of roads, pedestrian, cyclist and vehicle access locations, including parking areas, both internal and external to the site.
- Any traffic management measures, where required.
- Location and linkages to public transport.
- Car parking rates for all uses, including visitor parking.
- Provision for bicycle facilities.

- A landscaping plan which shows:
  - The landscape concept for the site.

- An Environmentally Sustainable Design (ESD) statement which includes:
  - Proposed initiatives that demonstrate sustainable design features not limited to energy and greenhouse gas emissions reduction, integrated water management, waste and materials, and achievement towards best practice ESD.

The development plan for any part of the development area or for any stage of development may be amended from time to time to the satisfaction of the responsible authority.

### 4.0 Display of Development Plan

Before deciding to approve a development plan, the responsible authority must display the plan for public comment.

Notice of the development plan must be given to the owners and occupiers of adjoining land.

A development plan must be displayed or further information required within 28 days after the plan is received by the responsible authority. The plan must be displayed within 14 days of satisfactory further information being received.

The development plan must be displayed for at least 14 days but no longer than 28 days.

### 5.0 Decision Guidelines

Before deciding whether a development plan, or amendment to a development plan, is satisfactory, the responsible authority must consider:

- The provisions of this planning scheme including relevant local policies and the objectives set out in Clauses 54 and 55 of the scheme.
- The orderly development of land including management of traffic, car parking, the provision of pedestrian ways and open space.
- The overall objective for the land to achieve an integrated medium density residential development offering a choice and diversity of housing opportunities and types, appropriate to its setting and achieving a high quality of amenity and urban design.

### 6.0 Reference documents

*Casey Housing Diversity Statement* (September 2012), City of Casey

SCHEDULE 22 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO22.

COLLISON ESTATE

1.0

Requirement before a permit is granted
A permit may be granted to use land, construct a building or construct or carry out works before a development plan has been prepared provided the use or development does not prejudice the future use and development of the land in an integrated manner.

2.0

Conditions and requirements for permits

2.1
Application Requirements
An application to subdivide or develop the land must be accompanied by the following information, as appropriate:

- A site analysis plan.
- The proposed subdivision layout for the development.
- An assessment demonstrating that the proposal is generally in accordance with the approved development plan.
- A Cultural Heritage Management Plan if required by the Aboriginal Heritage Act 2006.
- An environmental assessment prepared by an appropriately qualified person(s) that identifies any areas of environmental significance on the land.
- An arboricultural assessment of any significant native vegetation on the land.

The responsible authority may waive the need to provide any of the information detailed above that is not relevant to a particular application.

2.2
Development requirements
A permit for the subdivision or development of land must ensure that:

- Appropriate landscape buffers or edges are provided, as shown or specified in the development plan.
- Where residential uses are proposed, there is a mix of lot sizes as shown or specified in the development plan.
- Any land required for drainage purposes must be transferred to the drainage authority or municipal council at no cost and will not be credited as public open space.
- New roads are designed having regard to the standard cross sections in the GAA Engineering Design and Construction Manual.
- Pedestrian paths are provided within new public open space areas.
- Any public land that is created is appropriately landscaped.

3.0
Requirements for development plan
A development plan must either be prepared for the whole site or prepared in the following stages, in no particular order:

- Land north of Garden Street.
- Land between Heather Grove and Garden Street.
- Land between Berwick-Cranbourne Road and Heather Grove.
A development plan should:

- Where residential uses are proposed, provide a range of dwelling types to cater for a variety of housing needs.
- Where non-residential uses are proposed, provide details of the nature of proposed use.
- Incorporate sustainable design features to address water and waste management, solar access and energy saving initiatives, to deliver lower living costs for future residents.
- Create a composition of varied building forms and heights across the site.
- Provide for a high level of internal amenity for future residents.
- Respect the amenity of adjoining interfaces both outside the development plan area, areas of individual stages, by providing for a maximum of 2 storey built form adjacent to or opposite any existing single story 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.
- Apply appropriate buffer treatments at the interface with any non-residential uses on adjoining properties.
- Create a positive interface to adjacent public open space giving appropriate consideration to issues of safety and surveillance.
- Identify the location of any public open space and locate open space adjacent to pedestrian/cycle pathways.
- Create opportunities for improved access through provision of new pedestrian/cycle pathways and street network that links to the existing networks.
- Incorporate any significant native vegetation into the design of the development including maintaining the long term, sustainable health and condition of existing vegetation.
- Ensure that electricity and telecommunications infrastructure (excluding satellite dishes and mobile phone towers) are placed underground.

**Development plan components**

The development plan must include the following information:

- An indicative development schedule including the minimum number, type and density of dwellings and the floor area of any proposed non-residential uses.
- A landscape concept plan for the site.
- An Environmentally Sustainable Design (ESD) statement which includes:
  - Proposed initiatives that demonstrate sustainable design features not limited to energy and greenhouse gas emissions reduction, integrated water management, waste and materials, and achievement towards best practice ESD.
- A traffic management report and car parking plan, which includes:
  - Identification of roads, pedestrian, cyclist and vehicle access locations, including parking areas, both internal and external to the site.
  - Any traffic management measures, where required.
  - Location and linkages to public transport.
  - Car parking rates for all uses, including visitor parking.
  - Provision for bicycle facilities.

The following background reports must be produced to inform the development plan:
- An existing conditions plan identifying current land uses, ownership and tenure and subdivision patterns, surrounding land uses and development, adjoining roads and pedestrian links, public transport routes, topography, and infrastructure provision.

- An assessment against State and local planning policy and strategic frameworks.

- An Aboriginal cultural heritage assessment/archaeological survey.

- An arboricultural assessment of any significant native vegetation on the land.

- A biodiversity assessment identifying native vegetation and threatened species of flora and fauna.

- An environmental report identifying environmental quality, contamination and uses with adverse amenity potential.

- A hydraulic report that identifies existing drainage and groundwater conditions, flow paths, flood extents, flood levels and velocities for existing and proposed conditions.

- A geomorphological study of the land topography and stability.

- A landscape assessment identifying visual setting, features, quality, character, views and vistas.

- A post-contact heritage assessment.

- A social assessment of current and projected housing needs.

- A review of existing and proposed community facilities, services and local and regional infrastructure.

- A passive and active open space needs assessment.

- A transport assessment of existing and proposed roads, public transport routes and interchanges and pedestrian and bicycle paths.

- A utilities capacity assessment including existing and proposed water, sewerage, electricity, gas and telecommunications infrastructure and services.

The development plan for any part of the development area or for any stage of development may be amended from time to time to the satisfaction of the responsible authority.

### Display of Development Plan

**Before deciding to approve a development plan, the responsible authority must display the plan for public comment.**

Notice of the development plan must be given to the owners and occupiers of adjoining land.

A development plan must be displayed or further information required within 28 days after the plan is received by the responsible authority. The plan must be displayed within 14 days of satisfactory further information being received.

The development plan must be displayed for at least 14 days but no longer than 28 days.

### Decision Guidelines

**Before deciding whether a development plan, or amendment to a development plan, is satisfactory, the responsible authority must consider:**

- The provisions of this planning scheme including relevant local policies and the objectives set out in Clauses 54 and 55 of the scheme.

- The orderly development of land including management of traffic, car parking, the provision of pedestrian ways and open space.
The overall objective for the land to achieve an integrated medium density residential development offering a choice and diversity of housing opportunities and types, appropriate to its setting and achieving a high quality of amenity and urban design.

Reference documents

Casey Housing Diversity Statement (September 2012), City of Casey

Engineering Design and Construction Manual (November 2012), Growth Areas Authority.
LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as LSIO with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.

To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

Land subject to inundation objectives and statement of risk

A schedule to this overlay may contain:

- Land subject to inundation management objectives to be achieved.
- A statement of risk.

Buildings and works

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.
- A dependent person’s unit.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To flood mitigation works carried out by the responsible authority or floodplain management authority.
To the following works in accordance with plans prepared to the satisfaction of the responsible authority:

- The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
- The erection of telephone or power lines provided they do not involve the construction of towers or poles.

- To post and wire and post and rail fencing.

Subdivision

A permit is required to subdivide land.

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

Local floodplain development plan

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

Exemption from notice and review

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Referral of applications

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
- The flood warning time available.
- The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.

- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effect of the development on river health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality and sites of scientific significance.
- Any other matters specified in a schedule to this overlay.
SCHEDULE TO THE LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as LSIO.

Permit requirement

A permit is not required to construct or carry out:

- A dwelling on a lot of 1,500 square metres or less in a General Residential Zone, Residential Growth Zone, Urban Growth Zone (where a precinct structure plan applies to the land) or Township Zone shown on a plan of subdivision registered after 8 February 2007.

- If in the Koo Wee Rup Flood Mitigation District:
  - a new dwelling and ancillary outbuildings, provided the floor levels are at least 600mm and on a fill pad at least 150mm above the flood level;
  - an extension to an existing dwelling, provided the proposed floor level is at or above the existing floor level;
  - where the depth of flooding at the site of the proposed development is no greater than 500mm.

- Roadworks within the declared road boundary of the Princes Freeway, limited to routine repair and maintenance works, including resurfacing of the existing road, or any works agreed to in writing by the relevant Floodplain Management Authority.

- An extension to an existing dwelling, provided the floor level of the proposed extension is not less than the existing floor level and the gross floor area of the extension does not exceed 20 square metres.

- Works ancillary to an existing dwelling, including landscaping, a pergola, driveway, verandah, barbeques and water tank.

- An open building with no walls.

- An open-style fence.

- A tennis court at natural surface level with curtain fencing.

- A below-ground swimming pool.

- A non-habitable building or extension to a non-habitable building, with concrete floors, where floor levels are at least 300mm above the flood level.

- A non-habitable building or extension to a non-habitable building, with dirt floors, where floor levels are at least 150mm above the flood level.

- A footpath, bicycle path or elevated boardwalk, at 300 mm above the applicable flood level.

- A radio mast.

- Advertising signs on posts or attached to buildings.

- Upper storey extensions or alterations to existing buildings.

- Replacement fences of the same materials as the existing fence.

- Aviaries and other enclosures for domestic animals.

- Agricultural and farm buildings with permanent openings, such as hay sheds, cottlevards, covered horse stables or yards.

- Earthworks associated with the construction of a dam, where no fill is imported to the site and where no embankment is above ground level.

- A picnic shelter.
2.0 Application requirement

An application to construct a building or construct or carry out works must be accompanied by four sets of plans, drawn to scale, which show:

- The boundaries and dimensions of the site.
- Relevant ground levels, to Australian Height Datum, taken by or under the direction or supervision of a licensed land surveyor.
- The layout of existing and proposed buildings and works.
- Floor levels of any existing and proposed buildings, to Australian Height Datum, taken by a licensed surveyor.

3.0 Referral of Applications

An application to construct a building or construct or carry out works, or an application to amend a permit, does not have to be referred to the floodplain management authority if the application satisfies one of the following:

- Is accompanied by the relevant floodplain management authority's written approval, which must:
  - be granted not more than three months prior to lodging the application with the responsible authority;
  - quote the reference number of the approved plans; and
  - state the applicable flood level and any required floor levels.
- Is in accordance with an adopted local floodplain development plan.
- Complies with a building envelope, filling levels and floor levels specified by Melbourne Water in the previous six months.
44.05 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).

44.05-1 Flooding management objectives and statement of risk

A schedule to this overlay may contain:

- Flooding management objectives to be achieved.
- A statement of risk.

44.05-2 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 THE SPECIAL BUILDING OVERLAY

Shown on the planning scheme map as SBO.

1.0 Permit requirements

An application to construct a building or construct or carry out works must be accompanied by four sets of plans, drawn to scale, which show:

- The boundaries and dimensions of the site.
- Relevant ground levels, to Australian Height Datum, taken by or under the direction or supervision of a licensed land surveyor.
- The layout of existing and proposed buildings and works.
- Floor levels of any existing and proposed buildings, to Australian Height Datum, taken by a licensed surveyor.

2.0 Referral of Applications

An application to construct a building or construct or carry out works, or an application to amend a permit, does not have to be referred to the floodplain management authority if the application satisfies one of the following:

- Is accompanied by the relevant floodplain management authority's written approval, which must:
  - be granted not more than three months prior to lodging the application with the responsible authority;
  - quote the reference number of the approved plans; and
  - state the applicable flood level and any required floor levels.
- Is in accordance with an adopted local floodplain development plan.
- Complies with a building envelope, filling levels and floor levels specified by Melbourne Water in the previous six months.
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 substituted decision guidelines for the purposes of Clause 53.02.

**Mandatory condition**

**Subdivision**

A permit which creates a lot for a single dwelling on land zoned for residential or rural residential purposes must include the following condition:

“Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:

- State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the [insert name of applicable planning scheme] Planning Scheme.

- Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.

- State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.”
This does not apply:

- If a schedule to this overlay specifies that a Section 173 Agreement is not required.
- Where the relevant fire authority states in writing the preparation of an agreement under Section 173 of the Act is not required for the subdivision.
- For the subdivision of the land into lots each containing an existing dwelling or car parking space.

A permit to subdivide land must include any condition specified in a schedule to this overlay.

**Buildings and works**

A permit to construct a building or construct or carry out works must include the following condition:

> “The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.”

A permit allowing a dwelling to be constructed to the next lower bushfire attack level in accordance with AM1.2 in Clause 53.02-3 must include the following condition:

> “Before the development starts, the owner must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 to provide for the following:

- A dwelling constructed in accordance with planning permit [*insert planning permit reference] must not be occupied until a private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2006) is:
  - Constructed on the same land as the dwelling.
  - Available for use by the occupants of the dwelling at all times.
  - Maintained in accordance with the requirements of the building permit issued for that private bushfire shelter.

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.”

A permit to construct a building or construct or carry out works must include any condition specified in a schedule to this overlay.

**Referral of applications**

An application must be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03, unless a schedule to this overlay specifies otherwise.

**Notice and review**

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act, unless a schedule to this overlay specifies otherwise.

A schedule to this overlay may specify that notice be given to any person or body in accordance with section 52(1)(c) of the Act.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 53.02 and Clause 65, the responsible authority must consider, as appropriate:
- Any other matters specified in a schedule to this overlay.

44.06-9
19/09/2017
VC132

Transitional arrangements
The requirements of Clause 44.06 Bushfire Management Overlay do not apply to a single dwelling, or a dependent person's unit, when a permit under the Building Act 1993 was issued before the commencement of Amendment GC13, if:

- vegetation is managed to accord with the bushfire attack level assessment undertaken at the time the building permit was issued; and

- a static water supply of:
  - 2500 litres on lots of 500 square metres or less
  - 5000 litres on lots of more than 500 square metres, is provided to the satisfaction of the responsible authority.

- no permit was required for such development under Clause 44.06 before the commencement of Amendment GC13.
SCHEDULE 1 TO CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY

Shown on the planning scheme map as **BMO1**.

CRANBOURNE GARDENS AND SURROUND

1.0

Statement of the bushfire management objectives to be achieved

To locate new development in accordance with the bushfire management provisions of the Botanic Ridge Precinct Structure Plan where precinct structure plan applies.

To ensure the provision and adequate supply of water to facilitate fire fighting and property protection during and after the passage of a bushfire.

To ensure that the construction of a dwelling or dependent person’s unit has regard to the nature of the bushfire hazard of the site and surrounding area and that the necessary area of defendable space is provided.

2.0

Application

None specified.

3.0

Permit requirement

A permit is not required to subdivide land where the land is also shown as UGZ4 on the planning scheme maps.

A permit is not required to construct a building or carry out works associated with one dwelling on a lot where the land is also shown as UGZ4 on the planning scheme maps and the following requirements are met before a certificate of occupation is issued for the dwelling:

- The installation of a non-combustible static water supply for fire fighting purposes and meet the minimum size specified in Table 1 to this schedule; and
- The dwelling or extension to a dwelling is constructed to a Bushfire Attack Level as specified in Table 2 to this schedule that meets the requirements of the Building Act 1993 and Australian Standard 3959 Construction of building in bushfire prone areas; and
- For lots fronting a perimeter road adjacent to the Cranbourne Gardens, all dwellings and extensions are no less than 13 metres from the front of the lot.

**Table 1**

<table>
<thead>
<tr>
<th>Lot area (square metres)</th>
<th>Water supply size (litres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt; 500</td>
<td>2,000</td>
</tr>
<tr>
<td>500 or greater</td>
<td>5,000</td>
</tr>
</tbody>
</table>

**Table 2**

<table>
<thead>
<tr>
<th>Distance of closest part of dwelling from fire hazard identified on Plan 5 of the incorporated Botanic Ridge Precinct Structure Plan (metres)</th>
<th>Bushfire attack Level (BAL)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less then 69</td>
<td>19</td>
</tr>
<tr>
<td>69 or greater</td>
<td>12.5</td>
</tr>
</tbody>
</table>

4.0

Application requirements

None specified.
5.0
Requirements to be met
None specified.

6.0
Substitute approved measures for Clause 53.02

<table>
<thead>
<tr>
<th>Approved Measure</th>
<th>Substitute approved measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM2.1</td>
<td>None specified</td>
</tr>
<tr>
<td>AM2.2</td>
<td>None specified</td>
</tr>
<tr>
<td>AM2.3</td>
<td>None specified</td>
</tr>
<tr>
<td>AM3.1</td>
<td>None specified</td>
</tr>
<tr>
<td>AM3.2</td>
<td>None specified</td>
</tr>
<tr>
<td>AM4.1</td>
<td>None specified</td>
</tr>
<tr>
<td>AM4.2</td>
<td>None specified</td>
</tr>
<tr>
<td>AM5.1</td>
<td>None specified</td>
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<tr>
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</tr>
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<td>AM5.3</td>
<td>None specified</td>
</tr>
<tr>
<td>AM5.4</td>
<td>None specified</td>
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</tbody>
</table>

7.0
Additional alternative measures for Clause 53.02

<table>
<thead>
<tr>
<th>Clause</th>
<th>Additional alternative measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>

8.0
Mandatory Condition
None specified.

9.0
Referral of application not required
None specified.

10.0
Notice and review
None specified.

11.0
Decision guidelines
None specified.
SCHEDULE 2 TO CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY

Shown on the planning scheme map as BMO2.

BOTANIC RIDGE STAGE 1 ESTATE

Statement of the bushfire management objectives to be achieved

To locate new development in accordance with the bushfire management provisions where Schedule 3 to the Development Plan Overlay (DPO3) applies.

To ensure the provision and adequate supply of water to facilitate fire fighting and property protection during and after the passage of a bushfire.

To ensure that the construction of a dwelling or dependent person’s unit has regard to the nature of the bushfire hazard of the site and surrounding area and that the necessary area of defendable space is provided.

Application

None specified.

Permit requirement

A permit is not required to subdivide land where the land is also shown as subject to DPO3 on the planning scheme maps.

A permit is not required to construct a building or carry out works associated with one dwelling on a lot where the land is also shown as subject to DPO3 on the planning scheme maps and the following requirements are met before an occupancy permit is issued for the dwelling:

- The installation of a non-combustible static water supply for fire fighting purposes that meets the minimum size specified in Table 1 to this schedule; and

- The dwelling or extension to a dwelling is constructed to a Bushfire Attack Level as specified in Table 2 to this schedule that meets the requirements of the Building Act 1993 and Australian Standard 3959 Construction of building in bushfire prone areas; and

Table 1

<table>
<thead>
<tr>
<th>Lot area (square metres)</th>
<th>Water supply size (litres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>&lt; 500</td>
<td>2,000</td>
</tr>
<tr>
<td>500 or greater</td>
<td>5,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Distance of closest part of dwelling from the Cranbourne Gardens Fire Hazard identified on Map 2 of DPO3 (metres)</th>
<th>Bushfire Attack Level (BAL)</th>
</tr>
</thead>
<tbody>
<tr>
<td>29-41</td>
<td>29</td>
</tr>
<tr>
<td>42-56</td>
<td>19</td>
</tr>
<tr>
<td>57 or greater</td>
<td>12.5</td>
</tr>
</tbody>
</table>

Application requirements

None specified.

Requirements to be met

None specified.
6.0 Substitute approved measures for Clause 53.02
None specified.

7.0 Additional alternative measures for Clause 53.02
None specified.

8.0 Mandatory Condition
None specified.

9.0 Referral of application not required
None specified.

10.0 Notice and review
None specified.

11.0 Decision guidelines
None specified.
SCHEDULE 3 TO CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY

Shown on the planning scheme map as BMO3.

CASEY BAL-12.5 AREAS

1.0

Statement of the bushfire management objectives to be achieved
To specify bushfire protection measures to construct or extend one dwelling on a lot.
To specify referral requirements for applications to construct or extend one dwelling on a lot.

2.0

Application
An application to construct or extend one dwelling on a lot must include all the requirements set out in this schedule.
Clause 53.02 applies in all other circumstances.

3.0

Permit requirement
None specified.

4.0

Application requirements
An application must be accompanied by a bushfire management plan that:
- Shows all of the required bushfire protection measures specified in this schedule,
- Includes written conditions that implement the required bushfire protection measures,
- Identifies water supply including the location of any fire hydrant within 120 metres of the rear of the building, and
- Details vehicle access.

5.0

Requirements to be met
The following requirements apply to an application to construct a single dwelling on a lot:
- The dwelling must be constructed to BAL-12.5
- Defendable space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser and maintained in accordance with the vegetation management requirements of Clause 53.02 with the following variation:
  - The canopy of trees must be separated by at least 2 metres.
- A static water supply must be provided in accordance with Clause 53.02, and
- Vehicle access must be provided in accordance with Clause 53.02.
If these requirements are not met, the requirements of Clause 53.02 apply.

6.0

Substitute approved measures for Clause 53.02
None specified.

7.0

Additional alternative measures for Clause 53.02
None specified.

8.0

Mandatory Condition
An application must include the mandatory conditions as specified in Clause 44.06-5.
9.0
Referral of application not required
An application for a single dwelling on a lot meeting all of the required bushfire protection measures is not required to be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

10.0
Notice and review
None specified.

11.0
Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider whether all of the bushfire protection measures in this schedule have been met.
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.
### 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 purposes</td>
</tr>
<tr>
<td>PAO2</td>
<td>Department of Education</td>
<td>Construction of a primary school or a secondary school or a combination of both</td>
</tr>
<tr>
<td>PAO3</td>
<td>Casey City Council</td>
<td>Municipal purposes</td>
</tr>
<tr>
<td>PAO4</td>
<td>Melbourne Water</td>
<td>Drainage purposes</td>
</tr>
<tr>
<td>PAO5</td>
<td>The Minister responsible for administering Part 2 of the Crown Land (Reserves) Act 1978</td>
<td>Provision of regional open space</td>
</tr>
<tr>
<td>PAO6</td>
<td>South East Water Corporation</td>
<td>Water supply purposes</td>
</tr>
<tr>
<td>PAO7</td>
<td>Minister for Energy, Environment and Climate Change</td>
<td>Delivery of the Clyde Regional Park</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 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 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 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- That the road is closed.
DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as **DCPO** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

**Development contributions plan**

A permit must not be granted to subdivide land, construct a building or construct or carry out works until a development contributions plan has been incorporated into this scheme.

This does not apply to the construction of a building, the construction or carrying out of works or a subdivision specifically excluded by a schedule to this overlay.

A permit granted must:

- Be consistent with the provisions of the relevant development contributions plan.
- Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.

**Preparation of a development contributions plan**

The development contributions plan may consist of plans or other documents and may, with the agreement of the planning authority, be prepared and implemented in stages.

The development contributions plan must:

- Specify the area to which the plan applies.
- Set out the works, services and facilities to be funded through the plan, including the staging of the provision of those works, services and facilities.
- Relate the need for the works, services or facilities to the proposed development of land in the area.
- Specify the estimated costs of each of the works, services and facilities.
- Specify the proportion of the total estimated costs of the works, services and facilities which is to be funded by a development infrastructure levy or community infrastructure levy or both.
- Specify the land in the area and the types of development in respect of which a levy is payable and the method for determining the levy payable in respect of any development of land.
- Provide for the procedures for the collection of a development infrastructure levy in respect to any development for which a permit is not required.

The development contributions plan may:

- Exempt certain land or certain types of development from payment of a development infrastructure levy or community infrastructure levy or both.
- Provide for different rates or amounts of levy to be payable in respect of different types of development of land or different parts of the area.
SCHEDULE 3 TO THE DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO3

LOCAL STRUCTURE PLAN 1 (LYNDHURST) DEVELOPMENT CONTRIBUTIONS PLAN

Area covered by this development contributions plan
Land in Lyndhurst and Lynbrook within the DCPO3 area.

Summary of costs

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision (years after beginning of development)</th>
<th>Cost contribution to development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Distributor roads</td>
<td>13,694,952</td>
<td>20 yrs</td>
<td>13,694,952</td>
<td>100%</td>
</tr>
<tr>
<td>Traffic management works</td>
<td>4,265,140</td>
<td>20 yrs</td>
<td>4,265,140</td>
<td>100%</td>
</tr>
<tr>
<td>Streetscape &amp; environment</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Parks</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Active open space</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Community activity centres</td>
<td>2,098,656</td>
<td>20 yrs</td>
<td>2,098,656</td>
<td>100%</td>
</tr>
<tr>
<td>Railway infrastructure</td>
<td>1,795,100</td>
<td>None specified</td>
<td>1,795,100</td>
<td>100%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>21,853,848</td>
<td>20 yrs</td>
<td>21,853,848</td>
<td>100%</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>Non-residential</th>
<th>Residential</th>
<th>All Infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
<td>Residential</td>
<td>Community</td>
<td>Non-residential</td>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Non-residential $</td>
<td>Non-residential</td>
<td>Non-residential</td>
<td>Non-residential</td>
<td>Non-residential</td>
<td></td>
</tr>
<tr>
<td>Distributor roads</td>
<td>1,906</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>1,906</td>
<td>Non specified</td>
</tr>
<tr>
<td>Traffic management works</td>
<td>593</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>593</td>
<td>Non specified</td>
</tr>
<tr>
<td>Streetscape &amp; environment</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>Non specified</td>
</tr>
<tr>
<td>Parks</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>Non specified</td>
</tr>
<tr>
<td>Active open space</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>Non specified</td>
</tr>
<tr>
<td>Community activity centres</td>
<td>292</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>292</td>
<td>None specified</td>
</tr>
<tr>
<td>Railway infrastructure</td>
<td>250</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>250</td>
<td>None specified</td>
</tr>
<tr>
<td>TOTAL</td>
<td>3,041</td>
<td>20,040/ha</td>
<td>None specified</td>
<td>None specified</td>
<td>3,041</td>
<td>20,040/ha</td>
</tr>
</tbody>
</table>

The levies payable by the development are specified in dollars per lot of all the land in the subdivision.

The amounts in this schedule are in September 2002 dollars. The responsible authority will adjust these amounts quarterly for inflation, starting on 1 October 2002, based on the General Consumer Price Index for Capital Cities.

### Land or development excluded from the development contributions plan

Nil

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 THE DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO4.

LOCAL STRUCTURE PLAN 3 (CRANBOURNE EAST) DEVELOPMENT CONTRIBUTIONS PLAN

Area covered by this development contributions plan

Land in Cranbourne East shown on the Planning Scheme maps as within Schedule 4 to the Development Contributions Plan Overlay.

Summary of costs in 2008 dollars

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $M</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $M</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Distributor roads</td>
<td>3.5</td>
<td>20 years</td>
<td>3.5</td>
<td>100</td>
</tr>
<tr>
<td>Traffic management works</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Streetscape &amp; environment</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Parks</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Active open space</td>
<td>2.4*</td>
<td>20 years</td>
<td>2.4*</td>
<td>100</td>
</tr>
<tr>
<td>Community activity centres</td>
<td>2.0</td>
<td>20 years</td>
<td>2.0</td>
<td>100</td>
</tr>
<tr>
<td>Drainage</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Railway infrastructure</td>
<td>2.9</td>
<td>None specified</td>
<td>2.9</td>
<td>100</td>
</tr>
<tr>
<td>State road infrastructure</td>
<td>2.3</td>
<td>None specified</td>
<td>2.3</td>
<td>100</td>
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<tr>
<td>TOTAL</td>
<td>13.1</td>
<td>20 years</td>
<td>13.1</td>
<td>100</td>
</tr>
</tbody>
</table>

Note *This figure is in 2015 dollars

Summary of contributions in 2008 dollars

<table>
<thead>
<tr>
<th>FACILITY</th>
<th>LEVIES PAYABLE BY THE DEVELOPMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
</tr>
<tr>
<td></td>
<td>Residential $ per lot</td>
</tr>
<tr>
<td>Distributor roads</td>
<td>1,709</td>
</tr>
<tr>
<td>Traffic management works</td>
<td>None specified</td>
</tr>
<tr>
<td>Streetscape &amp; environment</td>
<td>None specified</td>
</tr>
</tbody>
</table>
### FACILITY

<table>
<thead>
<tr>
<th>Development Infrastructure</th>
<th>Community infrastructure</th>
<th>All infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Residential $ per lot</td>
<td>Non-residential $ per hectare</td>
</tr>
<tr>
<td>Parks</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Active open space</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Community activity centres</td>
<td>977</td>
<td>None specified</td>
</tr>
<tr>
<td>Drainage</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Railway infrastructure</td>
<td>722</td>
<td>None specified</td>
</tr>
<tr>
<td>State road infrastructure</td>
<td>601</td>
<td>None specified</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>4,009</strong></td>
<td><strong>24,053</strong></td>
</tr>
</tbody>
</table>

The levies payable by the development are specified in dollars per lot for all the land in the subdivision.

The amounts in this schedule are in December 2008 dollars. The Collecting Agency will adjust these amounts quarterly for inflation, starting on 1 January 2009, based on the Consumer Price Index – All Groups Melbourne, published by the Australian Bureau of Statistics.

**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 8 TO THE DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme maps as DCPO8.

BERWICK SOUTH DEVELOPMENT CONTRIBUTIONS PLAN

Area covered by this development contribution plan

Land in Berwick South within the DCPO8 area.

Summary of costs

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision (years after beginning of development)</th>
<th>Cost contribution to development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Distributor roads</td>
<td>1,045,500</td>
<td>20 yrs</td>
<td>1,045,500</td>
<td>100%</td>
</tr>
<tr>
<td>Traffic management works</td>
<td>1,900,000</td>
<td>20 yrs</td>
<td>1,145,200</td>
<td>60%</td>
</tr>
<tr>
<td>Streetscape &amp; environment</td>
<td>None specified</td>
<td>None Specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
<tr>
<td>Parks</td>
<td>1,758,000</td>
<td>20 yrs</td>
<td>1,758,000</td>
<td>100%</td>
</tr>
<tr>
<td>Active open space</td>
<td>950,000</td>
<td>20 yrs</td>
<td>950,000</td>
<td>100%</td>
</tr>
<tr>
<td>Community activity centres</td>
<td>410,000</td>
<td>20 yrs</td>
<td>410,000</td>
<td>100%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>6,063,500</td>
<td>20 yrs</td>
<td>5,308,700</td>
<td>88%</td>
</tr>
</tbody>
</table>

Summary of contributions

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levy Payable By The Development</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
</tr>
<tr>
<td></td>
<td>Residential $</td>
</tr>
<tr>
<td>Distributor roads</td>
<td>3,788</td>
</tr>
<tr>
<td>Traffic management works</td>
<td>4,149</td>
</tr>
<tr>
<td>Streetscape &amp; environment</td>
<td>None specified</td>
</tr>
<tr>
<td>Parks</td>
<td>6,370</td>
</tr>
<tr>
<td>Active open space</td>
<td>None specified</td>
</tr>
<tr>
<td>Community activity centres</td>
<td>None specified</td>
</tr>
<tr>
<td>TOTAL</td>
<td>14,307</td>
</tr>
</tbody>
</table>
The levies payable by the development for development infrastructure are specified in dollars per hectare of all the land in the subdivision.

The levies payable by the development for community infrastructure are specified in dollars per lot/dwelling.

The total levies payable by development are also specified in dollars per hectare of all the land in the subdivision.

The amounts in this Schedule are in 1998 dollars. The responsible authority will adjust these amounts quarterly for inflation, starting on 1 October 1998, based on the General Consumer Price Index for Capital Cities.

4.0 19/01/2006 VC37

Land or development excluded from the development contributions plan

Nil

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 10 TO THE DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO10

CRANBOURNE EAST PRECINCT STRUCTURE PLAN DEVELOPMENT CONTRIBUTIONS PLAN

Area covered by this development contributions plan
Land in Cranbourne East and Clyde North within the DCPO10 area.

Summary of costs in 1 January 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</td>
<td>$20,116,736</td>
<td>As required.</td>
<td>$16,459,534</td>
<td>82%</td>
</tr>
<tr>
<td>Intersections</td>
<td>$24,218,004</td>
<td>As required.</td>
<td>$22,512,031</td>
<td>93%</td>
</tr>
<tr>
<td>Community Facilities</td>
<td>$9,713,490</td>
<td>As required.</td>
<td>$8,540,616</td>
<td>88%</td>
</tr>
<tr>
<td>Land for Active Open Space</td>
<td>$10,935,000</td>
<td>As required.</td>
<td>$7,219,190</td>
<td>66%</td>
</tr>
<tr>
<td>Outdoor Active Recreation</td>
<td>$10,356,838</td>
<td>As required.</td>
<td>$10,356,838</td>
<td>100%</td>
</tr>
<tr>
<td>Local Town Centre Square</td>
<td>$1,396,560</td>
<td>As required.</td>
<td>$1,396,560</td>
<td>100%</td>
</tr>
<tr>
<td>Structure Planning</td>
<td>$1,234,000</td>
<td>As required.</td>
<td>$1,234,000</td>
<td>100%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$77,970,628</strong></td>
<td>As required.</td>
<td><strong>$67,646,434</strong></td>
<td><strong>87%</strong></td>
</tr>
</tbody>
</table>

Summary of contributions in 1 January 2010 dollars

<table>
<thead>
<tr>
<th>FACILITY</th>
<th>Development Infrastructure</th>
<th>Community Infrastructure</th>
<th>Residential</th>
<th>Non-Government Education</th>
<th>Employment Land South of Ballarto Rd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads</td>
<td>$41,593</td>
<td>$10,398</td>
<td>$41,593</td>
<td>$ -</td>
<td></td>
</tr>
<tr>
<td>Intersections</td>
<td>$56,888</td>
<td>$14,222</td>
<td>$56,888</td>
<td>$ -</td>
<td></td>
</tr>
<tr>
<td>Community Facilities</td>
<td>$23,608</td>
<td>$5,902</td>
<td>$23,608</td>
<td>$ -</td>
<td></td>
</tr>
<tr>
<td>Land for Active Open Space</td>
<td>$19,956</td>
<td>$4,989</td>
<td>$19,956</td>
<td>$ -</td>
<td></td>
</tr>
<tr>
<td>Outdoor Active Recreation</td>
<td>$17,458</td>
<td>$4,365</td>
<td>$17,458</td>
<td>$735.00 per dwelling</td>
<td></td>
</tr>
<tr>
<td>Local Town Centre Square</td>
<td>$3,829</td>
<td>$957</td>
<td>$3,829</td>
<td>$ -</td>
<td></td>
</tr>
<tr>
<td>Structure Planning</td>
<td>$3,093</td>
<td>$773</td>
<td>$3,093</td>
<td>$ -</td>
<td>$735.00 per dwelling</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$166,426</strong></td>
<td><strong>$41,607</strong></td>
<td><strong>$101,575</strong></td>
<td><strong>$735.00 per dwelling</strong></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 cost of the strategic planning for the preparation of the Cranbourne East Precinct Structure Plan and the Development Contributions Plan will be indexed quarterly in line with the Commonwealth Statisticians’ Consumer Price Index (All Groups) for Melbourne (CPI).

### Land or development excluded from development contributions plan

Land required for the following (as set out in the Cranbourne East Precinct Structure Plan):

- 6 and 4 lane arterial roads, railway reservations, municipal community facilities, Government schools.
- Melbourne Water drainage reserves and retarding basins.
- Heritage and conservation areas.
- Open space (active and passive).

---

**Note:** This schedule sets out a summary of the costs and contributions prescribed in the Cranbourne East Precinct Structure Plan Development Contributions Plan incorporated document. Refer to this document for full details.
SCHEDULE 11 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme maps as DCPO11.

CRANBOURNE NORTH PRECINCT STRUCTURE PLAN DEVELOPMENT CONTRIBUTIONS PLAN

1.0

18/08/2011

Area covered by this development contributions plan

Land in Cranbourne North within the DCPO11 area.

2.0

Summary of costs

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $ (2010 dollars)</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $ (2010 dollars)</th>
<th>Proportion of cost attributable to development</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads and Intersections (including land for roads)</td>
<td>48,043,494</td>
<td>As Required</td>
<td>43,929,645</td>
<td>91.44%</td>
</tr>
<tr>
<td>Land Acquisition (active open space and community facilities)</td>
<td>29,143,000</td>
<td>As Required, generally as the relevant land is subdivided</td>
<td>29,143,000</td>
<td>100%</td>
</tr>
<tr>
<td>Active Open Space (construction)</td>
<td>20,052,058</td>
<td>As Required</td>
<td>20,052,058</td>
<td>100%</td>
</tr>
<tr>
<td>Community Facilities (construction)</td>
<td>3,218,158</td>
<td>As Required</td>
<td>3,218,158</td>
<td>100%</td>
</tr>
<tr>
<td>Precinct Structure Plan and Development Contributions Plan</td>
<td>1,225,000</td>
<td>As Required</td>
<td>1,225,000</td>
<td>100%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>101,681,710</td>
<td></td>
<td>97,567,861</td>
<td></td>
</tr>
</tbody>
</table>
### Summary of contributions for Charge Area 1 (Residential)

<table>
<thead>
<tr>
<th>Facility</th>
<th>LEVIES PAYABLE BY THE DEVELOPMENT</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
<td>Community Infrastructure</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Per Developable Hectare (in 2010 dollars)</td>
<td>Per Developable Hectare (Per Dwelling)</td>
<td></td>
</tr>
<tr>
<td>Roads</td>
<td>$100,580</td>
<td>None Specified</td>
<td></td>
</tr>
<tr>
<td>Open Space</td>
<td>$97,160</td>
<td>None Specified</td>
<td></td>
</tr>
<tr>
<td>Community Facilities</td>
<td>$21,502</td>
<td>$1,150 Per Dwelling</td>
<td></td>
</tr>
<tr>
<td>Plan Preparation</td>
<td>$2,795</td>
<td>None Specified</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>$222,037</td>
<td>$1,150 Per Dwelling</td>
<td></td>
</tr>
</tbody>
</table>

### Summary of contributions for Charge Area 2 (Employment)

<table>
<thead>
<tr>
<th>Facility</th>
<th>LEVIES PAYABLE BY THE DEVELOPMENT</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
<td>Community Infrastructure</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Per Developable Hectare (in 2010 dollars)</td>
<td>Per Developable Hectare (Per Dwelling)</td>
<td></td>
</tr>
<tr>
<td>Roads</td>
<td>$100,580</td>
<td>None Specified</td>
<td></td>
</tr>
<tr>
<td>Open Space</td>
<td>None Specified</td>
<td>None Specified</td>
<td></td>
</tr>
<tr>
<td>Community Facilities</td>
<td>None Specified</td>
<td>None Specified</td>
<td></td>
</tr>
<tr>
<td>Plan Preparation</td>
<td>None Specified</td>
<td>None Specified</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>$100,580</td>
<td>None Specified</td>
<td></td>
</tr>
</tbody>
</table>

### Summary of contributions for Charge Area 3 (Stage 1 - Developed)

<table>
<thead>
<tr>
<th>Facility</th>
<th>LEVIES PAYABLE BY THE DEVELOPMENT</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
<td>Community Infrastructure</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Per Developable Hectare (in 2010 dollars)</td>
<td>Per Developable Hectare (Per Dwelling)</td>
<td></td>
</tr>
<tr>
<td>Roads</td>
<td>None Specified</td>
<td>None Specified</td>
<td></td>
</tr>
<tr>
<td>Open Space</td>
<td>None Specified</td>
<td>None Specified</td>
<td></td>
</tr>
<tr>
<td>Community Facilities</td>
<td>None Specified</td>
<td>$1,150 Per Dwelling</td>
<td></td>
</tr>
<tr>
<td>Plan Preparation</td>
<td>None Specified</td>
<td>None Specified</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>None Specified</td>
<td>$1,150 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 cost of the strategic planning for the preparation of the Cranbourne North and Cranbourne North Stage 2 Precinct Structure Plan and the Development Contributions Plan will be indexed quarterly in line with the Commonwealth Statisticians’ Consumer Price Index (All Groups) for Melbourne (CPI).

**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 Cranbourne North Stage 2 Precinct Structure Plan):

- 6 and 4 lane arterial roads, railway reservations, municipal community facilities, government schools.
- Melbourne Water drainage reserves and retarding basins.
- Heritage areas.
- Open space (active and passive).
- Buildings and works that do not increase the floor space or storage area associated with the existing concrete batching plant on 1545 and 1575 Thompsons Road, Cranbourne North.

*Note:* This schedule sets out a summary of the costs and contributions prescribed in the Cranbourne North Development Contributions Plan incorporated document. Refer to this document for full details.
## SCHEDULE 12 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as **DCPO12**.

### CRANBOURNE WEST DEVELOPMENT CONTRIBUTIONS PLAN

**Area covered by this development contributions plan**

Land in Cranbourne West within the DCPO12 area.

### Summary of costs for Charge Area 1 to 3

<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 Works</td>
<td>$34,256,988</td>
<td>Refer to Development Contributions Plan</td>
<td>$17,379,634</td>
<td>51%</td>
</tr>
<tr>
<td>Roads Land</td>
<td>15,760,449</td>
<td>Refer to Development Contributions Plan</td>
<td>14,427,063</td>
<td>92%</td>
</tr>
<tr>
<td>Planning</td>
<td>$2,172,500</td>
<td>Refer to Development Contributions Plan</td>
<td>$2,172,500</td>
<td>100%</td>
</tr>
<tr>
<td>Open Space Works</td>
<td>$12,673,625</td>
<td>Refer to Development Contributions Plan</td>
<td>$12,355,411</td>
<td>97%</td>
</tr>
<tr>
<td>Open Space Land</td>
<td>24,375,000</td>
<td>Refer to Development Contributions Plan</td>
<td>23,781,250</td>
<td>98%</td>
</tr>
<tr>
<td>Community Facilities Land</td>
<td>1,656,525</td>
<td>Refer to Development Contributions Plan</td>
<td>1,656,525</td>
<td>100%</td>
</tr>
<tr>
<td>Community Facilities (Development Infrastructure)</td>
<td>4,385,888</td>
<td>Refer to Development Contributions Plan</td>
<td>4,385,888</td>
<td>100%</td>
</tr>
<tr>
<td>Community Facilities (Community Infrastructure)</td>
<td>4,349,165</td>
<td>Refer to Development Contributions Plan</td>
<td>3,913,489</td>
<td>90%</td>
</tr>
</tbody>
</table>

**TOTAL** 99,630,141 80,071,760 88%

Note: These figures exclude GST.

### Equivalence Ratios for Charge Area 1 to 3

As the Development Contributions Plan relates to four development types, it is necessary to express non-residential development in terms of equivalent developable hectares of residential land.

<table>
<thead>
<tr>
<th>Development type</th>
<th>Equivalent to one developable hectare of residential land (demand unit)</th>
</tr>
</thead>
<tbody>
<tr>
<td>For Roads</td>
<td></td>
</tr>
<tr>
<td>Activity Centre</td>
<td>0.2 developable hectare</td>
</tr>
<tr>
<td>Business Activity Centre</td>
<td>0.164 developable hectare</td>
</tr>
<tr>
<td>Industrial</td>
<td>0.307 developable hectare</td>
</tr>
<tr>
<td>Development type</td>
<td>Equivalent to one developable hectare of residential land (demand unit)</td>
</tr>
<tr>
<td>------------------</td>
<td>---------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>For Roads Land</strong></td>
<td></td>
</tr>
<tr>
<td>Activity Centre</td>
<td>0.2 developable hectare</td>
</tr>
<tr>
<td>Business Activity Centre</td>
<td>0.164 developable hectare</td>
</tr>
<tr>
<td>Industrial</td>
<td>0.307 developable hectare</td>
</tr>
<tr>
<td><strong>For Open Space Land</strong></td>
<td></td>
</tr>
<tr>
<td>Activity Centre</td>
<td>1 developable hectare</td>
</tr>
<tr>
<td>Business Activity Centre</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Industrial</td>
<td>1 developable hectare</td>
</tr>
<tr>
<td><strong>For Open Space Works</strong></td>
<td></td>
</tr>
<tr>
<td>Activity Centre</td>
<td>1 developable hectare</td>
</tr>
<tr>
<td>Business Activity Centre</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Industrial</td>
<td>1 developable hectare</td>
</tr>
<tr>
<td><strong>For Planning</strong></td>
<td></td>
</tr>
<tr>
<td>Activity Centre</td>
<td>1 developable hectare</td>
</tr>
<tr>
<td>Business Activity Centre</td>
<td>1 developable hectare</td>
</tr>
<tr>
<td>Industrial</td>
<td>1 developable hectare</td>
</tr>
<tr>
<td><strong>For Community Facilities Land</strong></td>
<td></td>
</tr>
<tr>
<td>Activity Centre</td>
<td>1 developable hectare</td>
</tr>
<tr>
<td>Business Activity Centre</td>
<td>1 developable hectare</td>
</tr>
<tr>
<td>Industrial</td>
<td>1 developable hectare</td>
</tr>
<tr>
<td><strong>For Community Facilities (DI)</strong></td>
<td></td>
</tr>
<tr>
<td>Activity Centre</td>
<td>1 developable hectare</td>
</tr>
<tr>
<td>Business Activity Centre</td>
<td>1 developable hectare</td>
</tr>
<tr>
<td>Industrial</td>
<td>1 developable hectare</td>
</tr>
<tr>
<td><strong>For Community Facilities (CI)</strong></td>
<td></td>
</tr>
<tr>
<td>Activity Centre</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Business Activity Centre</td>
<td>Not applicable</td>
</tr>
<tr>
<td>Industrial</td>
<td>Not applicable</td>
</tr>
</tbody>
</table>
Summary of Contributions for Charge Area 1 to 3

Notes: Residential developments are subject to all levies below.
Non-residential developments are exempt from charges relating to Community Infrastructure.

Levies per demand unit payable by the development

<table>
<thead>
<tr>
<th>Community infrastructure</th>
<th>Development infrastructure</th>
<th>Roads (works &amp; land)</th>
<th>Planning</th>
<th>Open space works</th>
<th>Open space land</th>
<th>Community facilities (per dwelling)</th>
<th>Community facilities land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area 001</td>
<td>$0.00</td>
<td>$1,101.32</td>
<td>$61.55</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Area 002</td>
<td>$15,406.22</td>
<td>$15,749.69</td>
<td>$6,436.50</td>
<td>$93,619.60</td>
<td>$54,826.96</td>
<td>$3,554.54</td>
<td>$24,897.83</td>
</tr>
<tr>
<td></td>
<td>($794.54 per dwelling)*</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Area 003</td>
<td>$15,012.00</td>
<td>$15,749.69</td>
<td>$6,436.50</td>
<td>$93,619.60</td>
<td>$45,301.88</td>
<td>$3,554.54</td>
<td>$22,433.32</td>
</tr>
<tr>
<td></td>
<td>($923.63 per dwelling)**</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: These figures exclude GST.
*Based on an average density of 19.4 dwellings per hectare in Area 002
**Based on a density of 16.6 dwellings per developable hectare in Area 003.

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 for Charge Area 1 to 3

Exemptions from payment of development contributions apply in the following circumstances:

- Land required by Melbourne Water for drainage purposes
- Land at Merinda Park Station owned by the Department of Transport and developed predominantly for public transport purposes
- Construction of a building or the construction or carrying out of works or subdivision by or on behalf of Casey City Council that implements infrastructure funded by the Development Contributions Plan.
### Summary of Costs and Contributions for Charge Area 1.1

<table>
<thead>
<tr>
<th>Project Category</th>
<th>Total cost</th>
<th>Indicative provision trigger</th>
<th>% Apportioned to DCP (Internal Use)</th>
<th>Total cost recovered by DCP</th>
<th>$ Contribution per NDHa</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transport</td>
<td>$20,517,860</td>
<td>Refer to Development Contributions Plan</td>
<td>100%</td>
<td>$20,517,860</td>
<td>$251,167</td>
</tr>
<tr>
<td>Planning</td>
<td>$70,000</td>
<td>Refer to Development Contributions Plan</td>
<td>100%</td>
<td>$70,000</td>
<td>$857</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$20,587,860</strong></td>
<td></td>
<td><strong>100%</strong></td>
<td><strong>$20,587,860</strong></td>
<td><strong>$252,024</strong></td>
</tr>
</tbody>
</table>

*Notes: These figures exclude GST. This schedule sets out a summary of the costs and contributions prescribed in the Cranbourne West Development Contributions Plan incorporated document. Refer to this document for full details.*
Charge Areas
SCHEDULE 13 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO13.

CLYDE NORTH PRECINCT STRUCTURE PLAN DEVELOPMENT CONTRIBUTIONS PLAN

1.0

Area covered by this development contributions plan

Land in Clyde North within the DCPO13 area as shown 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 and Intersections (including land for roads)</td>
<td>$45,887,818</td>
<td>Refer to DCP.</td>
<td>$45,887,818</td>
<td>100%</td>
</tr>
<tr>
<td>Land Acquisition (active open space and community facilities)</td>
<td>$39,584,000</td>
<td>Refer to DCP.</td>
<td>$39,584,000</td>
<td>100%</td>
</tr>
<tr>
<td>Active open space (construction)</td>
<td>$21,331,404</td>
<td>Refer to DCP.</td>
<td>$21,331,404</td>
<td>100%</td>
</tr>
<tr>
<td>Community Facilities (construction)</td>
<td>$10,850,945</td>
<td>Refer to DCP.</td>
<td>$10,416,907</td>
<td>96%</td>
</tr>
<tr>
<td>Precinct Plan and Development Contributions Plan</td>
<td>$1,100,000</td>
<td>Refer to DCP.</td>
<td>$1,100,000</td>
<td>100%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$118,754,167</td>
<td></td>
<td>$118,320,129</td>
<td></td>
</tr>
</tbody>
</table>

3.0

Summary of contributions

<table>
<thead>
<tr>
<th>FACILITY</th>
<th>LEVIES PAYABLE BY THE DEVELOPMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development infrastructure</td>
</tr>
<tr>
<td></td>
<td>Employment</td>
</tr>
<tr>
<td>Roads and Intersections (including land for roads)</td>
<td>$106,169.45</td>
</tr>
<tr>
<td>Land Acquisition (active open space and community facilities)</td>
<td>$0</td>
</tr>
<tr>
<td>Active open space (construction)</td>
<td>$0</td>
</tr>
<tr>
<td>Community Facilities (construction)</td>
<td>$0</td>
</tr>
<tr>
<td>Precinct Plan and Development Contributions Plan</td>
<td>$2,545.04</td>
</tr>
<tr>
<td>TOTAL</td>
<td><strong>$108,714.49 per net developable hectare</strong></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 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.

**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.

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 14 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO14.

BOTANIC RIDGE DEVELOPMENT CONTRIBUTIONS PLAN

Area covered by this development contributions plan

Land within the Botanic Ridge growth area precinct generally bounded by Browns Road, Craig Road, Smiths Lane, Cranbourne Gardens and Ballarto Road in Botanic Ridge and Junction Village.

Summary of costs

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Road Projects</td>
<td>$11,667,368.00</td>
<td>As specified in the DCP</td>
<td>$11,667,368.00</td>
<td>100</td>
</tr>
<tr>
<td>Intersection Projects</td>
<td>$5,128,274.00</td>
<td>As specified in the DCP</td>
<td>$5,128,274.00</td>
<td>100</td>
</tr>
<tr>
<td>Recreation</td>
<td>$27,764,804.00</td>
<td>As specified in the DCP</td>
<td>$19,435,716.00</td>
<td>95</td>
</tr>
<tr>
<td>Community Centres</td>
<td>$6,236,246.00</td>
<td>As specified in the DCP</td>
<td>$4,427,735.00</td>
<td>71</td>
</tr>
<tr>
<td>Contingency</td>
<td>$3,648,648.00</td>
<td>As specified in the DCP</td>
<td>$3,648,648.00</td>
<td>100</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$54,445,340.00</strong></td>
<td></td>
<td><strong>$44,307,741.00</strong></td>
<td><strong>94</strong></td>
</tr>
</tbody>
</table>

Summary of contributions

<table>
<thead>
<tr>
<th>FACILITY</th>
<th>LEVIES PAYABLE BY THE DEVELOPMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
</tr>
<tr>
<td></td>
<td>residential &amp; non-residential (per NDHa)</td>
</tr>
<tr>
<td>Road Projects</td>
<td>$48,369</td>
</tr>
<tr>
<td>Intersection Projects</td>
<td>$21,260</td>
</tr>
<tr>
<td>Recreation</td>
<td>$80,574</td>
</tr>
<tr>
<td>Community Centres</td>
<td>$18,356</td>
</tr>
<tr>
<td>Contingency</td>
<td>$16,080</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$184,639</strong></td>
</tr>
</tbody>
</table>

*Note Levies payable by the development should be specified appropriately, e.g. in $ per lot or $ per hectare.*
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

The development of land for a non-government school (as defined in section 1.1.3 of the Education and Training Reform Act 2006).

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 15 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO15.

CLYDE DEVELOPMENT CONTRIBUTIONS PLAN

1.0

Area covered by this development contributions plan

All land within the Clyde Development Contributions Plan area shown as DCPO15 on the planning scheme maps.

2.0

Summary of costs in Sep 2015 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</td>
<td>$77,327,151</td>
<td>Refer to details in the Clyde Development Contributions Plan.</td>
<td>$74,772,958</td>
<td>97%</td>
</tr>
<tr>
<td>Intersections</td>
<td>$145,417,302</td>
<td>Refer to details in the Clyde Development Contributions Plan.</td>
<td>$134,036,634</td>
<td>92%</td>
</tr>
<tr>
<td>Bridges</td>
<td>$4,446,653</td>
<td>Refer to details in the Clyde Development Contributions Plan.</td>
<td>$4,446,653</td>
<td>100%</td>
</tr>
<tr>
<td>Community Facilities</td>
<td>$53,395,471</td>
<td>Refer to details in the Clyde Development Contributions Plan.</td>
<td>$53,395,471</td>
<td>100%</td>
</tr>
<tr>
<td>Active recreation</td>
<td>$116,549,103</td>
<td>Refer to details in the Clyde Development Contributions Plan.</td>
<td>$114,428,704</td>
<td>98%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$397,135,680</strong></td>
<td></td>
<td><strong>$381,080,420</strong></td>
<td><strong>96%</strong></td>
</tr>
</tbody>
</table>

3.0

Summary of contributions for Charge Area 1 (Residential)

<table>
<thead>
<tr>
<th>Facility</th>
<th>LEVIES PAYABLE BY THE DEVELOPMENT</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
<td>Community infrastructure</td>
<td></td>
</tr>
<tr>
<td></td>
<td>All development</td>
<td>Residential</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Per net developable hectare (in Sep 2015 dollars)</td>
<td>Per dwelling</td>
<td></td>
</tr>
<tr>
<td>Roads</td>
<td>$51,914</td>
<td>$0</td>
<td></td>
</tr>
<tr>
<td>Intersections</td>
<td>$93,061</td>
<td>$0</td>
<td></td>
</tr>
<tr>
<td>Bridges</td>
<td>$3,087</td>
<td>$0</td>
<td></td>
</tr>
<tr>
<td>Community facilities</td>
<td>$27,008</td>
<td>$1,150</td>
<td></td>
</tr>
<tr>
<td>Active recreation</td>
<td>$73,981</td>
<td>$1,150</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$249,051</strong></td>
<td><strong>$1,150</strong></td>
<td></td>
</tr>
</tbody>
</table>
Summary of contributions for Charge Area 2 (Commercial)

<table>
<thead>
<tr>
<th>Facility</th>
<th>LEVIES PAYABLE BY THE DEVELOPMENT</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
<td>Community infrastructure</td>
<td></td>
</tr>
<tr>
<td>All development</td>
<td>Residential</td>
<td>Per dwelling</td>
<td></td>
</tr>
<tr>
<td>Per net developable hectare (in Sep 2015 dollars)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roads</td>
<td>$51,914</td>
<td>$0</td>
<td></td>
</tr>
<tr>
<td>Intersections</td>
<td>$93,061</td>
<td>$0</td>
<td></td>
</tr>
<tr>
<td>Bridges</td>
<td>$3,087</td>
<td>$0</td>
<td></td>
</tr>
<tr>
<td>Community centres</td>
<td>$0</td>
<td>$0</td>
<td></td>
</tr>
<tr>
<td>Active recreation</td>
<td>$0</td>
<td>$0</td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td>$148,062</td>
<td>$0</td>
<td></td>
</tr>
</tbody>
</table>

The development infrastructure levy is payable by all development per net developable hectare as set out in the Clyde Development Contributions Plan.

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

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.
- All other infrastructure items will be indexed in line with the Australian Bureau of Statistics Producer Price Indexes, Non-Residential Construction Index, Victoria.

Land or development excluded from development contributions plan

Land required for the following is exempt from the provisions of this overlay:

- Use and development for a non government school.
- Use and development associated with a dwelling that is existing or approved at the approval date of this provision.
- Railway reservations.

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 18 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as **DCPO18**.

BERWICK WATERWAYS DEVELOPMENT CONTRIBUTIONS PLAN

**1.0**

Area covered by this development contributions plan

All land within the Berwick Waterways Development Contributions Plan area shown as DCPO18 on the planning scheme maps.

**2.0**

Summary of costs for conventional infrastructure items

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $(2014 dollars)</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $(2014 dollars)</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial roads</td>
<td>3,888,931</td>
<td>Consistent with the DCP</td>
<td>3,888,931</td>
<td>100</td>
</tr>
<tr>
<td>Intersections</td>
<td>5,147,558</td>
<td>Consistent with the DCP</td>
<td>1,801,645</td>
<td>35</td>
</tr>
<tr>
<td>Sports facilities</td>
<td>7,655,211</td>
<td>Consistent with the DCP</td>
<td>7,655,211</td>
<td>100</td>
</tr>
<tr>
<td>Community facilities</td>
<td>1,698,466</td>
<td>Consistent with the DCP</td>
<td>1,698,466</td>
<td>100</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>18,390,166</strong></td>
<td></td>
<td><strong>15,044,254</strong></td>
<td></td>
</tr>
</tbody>
</table>

Summary of contributions for conventional infrastructure items

<table>
<thead>
<tr>
<th>FACILITY</th>
<th>LEVIES PAYABLE BY THE DEVELOPMENT per net developable hectare (NDHa) otherwise unless specified</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure (in 2014 dollars)</td>
<td>Community infrastructure</td>
<td>All infrastructure</td>
<td></td>
</tr>
<tr>
<td>Arterial roads</td>
<td>$67,376</td>
<td>--</td>
<td>$67,376 per NDHa</td>
<td></td>
</tr>
<tr>
<td>Intersections</td>
<td>$31,214</td>
<td>--</td>
<td>$31,214 per NDHa</td>
<td></td>
</tr>
<tr>
<td>Sports facilities</td>
<td>$132,627</td>
<td>--</td>
<td>$132,627 per NDHa</td>
<td></td>
</tr>
<tr>
<td>Community facilities</td>
<td>$29,426</td>
<td>$857 per dwelling</td>
<td>$29,426 per NDHa</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$857 per dwelling</strong></td>
<td><strong>$857 per dwelling</strong></td>
<td><strong>$260,643 per NDHa + $857 per dwelling</strong></td>
<td></td>
</tr>
</tbody>
</table>

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*. 

Page 860 of 1332
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.

### Summary of costs for supplementary infrastructure items in 2014 $

<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>Local roads</td>
<td>9,645,977</td>
<td>Consistent with the DCP</td>
<td>9,645,977</td>
<td>100</td>
</tr>
<tr>
<td>Local parks</td>
<td>3,679,160</td>
<td>Consistent with the DCP</td>
<td>3,679,160</td>
<td>100</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>13,325,137</strong></td>
<td></td>
<td><strong>13,325,137</strong></td>
<td></td>
</tr>
</tbody>
</table>

### Summary of contributions for supplementary infrastructure items in 2014 $

<table>
<thead>
<tr>
<th>FACILITY</th>
<th>LEVIES PAYABLE BY THE DEVELOPMENT per net developable hectare (NDHa) otherwise unless specified</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
</tr>
<tr>
<td>Local roads</td>
<td>$167,117</td>
</tr>
<tr>
<td>Local parks</td>
<td>$63,742</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$230,859</strong></td>
</tr>
</tbody>
</table>

The development infrastructure levy is payable by all development per net developable hectare as set out in the Berwick Waterways Development Contributions Plan.

### Indexation

All capital costs of infrastructure items will be adjusted quarterly in the following manner:

- Roads, intersections and bridges / culverts will be indexed in line with the Australian Bureau of Statistics Road and Bridge Construction Index – Victoria.
- All other items will be indexed in line with the Australian Bureau of Statistics Non Residential Construction Index.

### Land or development excluded from development contributions plan

Land required for the following is exempt from the provisions of this overlay:

- Use and development for a non-government school.
- Use and development associated with a dwelling that is existing or approved at the approval date of this provision.

**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 19 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO19.

BROMPTON LODGE DEVELOPMENT CONTRIBUTIONS PLAN

1.0

Area covered by this development contributions plan

All land within the Brompton Lodge Development Contributions Plan area shown as DCPO19 on the planning scheme maps.

2.0

Summary of costs for conventional infrastructure items in October 2015 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</td>
<td>$6,080,301</td>
<td>Refer to details in the Brompton Lodge Development Contributions Plan.</td>
<td>$5,714,273</td>
<td>94%</td>
</tr>
<tr>
<td>Intersections</td>
<td>$12,731,367</td>
<td>Refer to details in the Brompton Lodge Development Contributions Plan.</td>
<td>$12,731,367</td>
<td>100%</td>
</tr>
<tr>
<td>Community centres</td>
<td>$12,354,000</td>
<td>Refer to details in the Brompton Lodge Development Contributions Plan.</td>
<td>$3,782,834</td>
<td>31%</td>
</tr>
<tr>
<td>Sports fields</td>
<td>$13,185,691</td>
<td>Refer to details in the Brompton Lodge Development Contributions Plan.</td>
<td>$4,815,238</td>
<td>37%</td>
</tr>
</tbody>
</table>

**TOTAL** $44,351,359 $27,043,713 61%

2.1

Summary of contributions for conventional infrastructure items

<table>
<thead>
<tr>
<th>FACILITY</th>
<th>LEVIES PAYABLE BY THE DEVELOPMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
</tr>
<tr>
<td></td>
<td>All development</td>
</tr>
<tr>
<td>Roads</td>
<td>$73,143</td>
</tr>
<tr>
<td>Intersections</td>
<td>$162,963</td>
</tr>
<tr>
<td>Community facilities</td>
<td>$48,421</td>
</tr>
<tr>
<td>Sports Reserve</td>
<td>$48,526</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$333,053</strong></td>
</tr>
</tbody>
</table>

The development infrastructure levy is payable by all development per net developable hectare as set out in the Brompton Lodge Development Contributions Plan.
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.

3.0

Indexation

All capital costs of infrastructure items will be adjusted quarterly in the following manner:

- Roads, intersections and bridges/culverts will be indexed in line with the Australian Bureau of Statistics Road and Bridge Construction Index – Victoria.
- All other items will be indexed in line with the Australian Bureau of Statistics Non Residential Construction Index.

4.0

Land or development excluded from development contributions plan

Land required for the following is exempt from the provisions of this overlay:

- Use and development for a non-government school.
- Use and development associated with a dwelling that is existing or approved at the approval date of this provision.

Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated Brompton Lodge Development Contributions Plan for full details.
SCHEDULE 20 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO20.

FOUNTAIN GATE-NARRE WARREN CBD DEVELOPMENT CONTRIBUTIONS PLAN – AREA A

1.0

Area covered by this development contributions plan

All land within the Fountain Gate-Narre Warren CBD, north of Princes Highway and west of Narre Warren North Road.

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>Distributor roads</td>
<td>$2,800,000</td>
<td>Refer Development Contributions Plan</td>
<td>$2,800,000</td>
<td>100%</td>
</tr>
<tr>
<td>Traffic management works</td>
<td>$5,250,000</td>
<td>Refer Development Contributions Plan</td>
<td>$3,609,929</td>
<td>68%</td>
</tr>
<tr>
<td>Streetscape &amp; environment</td>
<td>$1,450,000</td>
<td>Refer Development Contributions Plan</td>
<td>-</td>
<td>0%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$9,500,000</strong></td>
<td></td>
<td><strong>$6,409,929</strong></td>
<td><strong>67%</strong></td>
</tr>
</tbody>
</table>

3.0

Summary of contributions

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levies payable by the development ($)</th>
<th>Development infrastructure</th>
<th>Community infrastructure</th>
<th>All infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>residential</td>
<td>non-residential</td>
<td>residential</td>
</tr>
<tr>
<td>Distributor roads</td>
<td>$241.54/ dwelling</td>
<td>High Intensity</td>
<td>$12.71/ square metre floor space</td>
<td>Low Intensity</td>
</tr>
<tr>
<td>Traffic management works</td>
<td>$311.40/ dwelling</td>
<td>High Intensity</td>
<td>$16.39/ square metre floor space</td>
<td>Low Intensity</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$552.94/ dwelling</td>
<td>High Intensity</td>
<td>$29.10/ square metre floor space</td>
<td>High Intensity</td>
</tr>
</tbody>
</table>
### Levies payable by the development ($)

<table>
<thead>
<tr>
<th>Facility</th>
<th>Development infrastructure</th>
<th>Community infrastructure</th>
<th>All infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>residential</td>
<td>non-residential</td>
<td>residential</td>
</tr>
<tr>
<td>Low Intensity</td>
<td>$9.24/ square</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Note:** These contribution amounts are current as at 1st July 2004 prices. They will be adjusted annually on July 1 each year to cover inflation, by applying: Building Price Index June Quarter for Melbourne in Rawlinsons Australian Construction Handbook.

#### 4.0 Land or development excluded from development contributions plan

None specified.

**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. High Intensity Development is defined as Retail Development. Low Intensity Development is defined as Peripheral Sales/Bulky Goods Retail, Commercial/Office and Civic Development.
SCHEDULE 21 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO21.

FOUNTAIN GATE-NARRE WARREN CBD DEVELOPMENT CONTRIBUTIONS PLAN – AREA B

1.0

Area covered by this development contributions plan

All land within the Fountain Gate-Narre Warren CBD, north of Princes Highway and east of Narre Warren North Road.

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>Distributor roads</td>
<td>$2,800,000</td>
<td>Refer Development Contributions Plan</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Traffic management works</td>
<td>$5,250,000</td>
<td>Refer Development Contributions Plan</td>
<td>$1,597,071</td>
<td>30%</td>
</tr>
<tr>
<td>Streetscape &amp; environment</td>
<td>$1,450,000</td>
<td>Refer Development Contributions Plan</td>
<td>$1,450,000</td>
<td>100%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$9,500,000</strong></td>
<td><strong>Refer Development Contributions Plan</strong></td>
<td><strong>$3,047,071</strong></td>
<td><strong>32%</strong></td>
</tr>
</tbody>
</table>

3.0

Summary of contributions

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levies payable by the development ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development infrastructure</td>
</tr>
<tr>
<td></td>
<td>residential</td>
</tr>
<tr>
<td>Traffic management works</td>
<td>High Intensity $19.95/ square metre floor space</td>
</tr>
<tr>
<td>Streetscape &amp; environment</td>
<td>High Intensity $18.11/ square metre floor space</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>High Intensity $38.06/ square metre floor space</td>
</tr>
</tbody>
</table>

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### Facility Levies payable by the development ($)

<table>
<thead>
<tr>
<th>Facility</th>
<th>Development infrastructure</th>
<th>Community infrastructure</th>
<th>All infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>residential</td>
<td>non-residential</td>
<td>residential</td>
</tr>
<tr>
<td>Low Intensity</td>
<td></td>
<td>$12.08/ square metre floor space</td>
<td></td>
</tr>
</tbody>
</table>

*Note: These contribution amounts are current as at 1st July 2004 prices. They will be adjusted annually on July 1 each year to cover inflation, by applying: Building Price Index June Quarter for Melbourne in Rawlinsons Australian Construction Handbook.*

#### 4.0 Land or development excluded from development contributions plan

None specified.

*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.

High Intensity Development is defined as Retail Development. Low Intensity Development is defined as Peripheral Sales/Bulky Goods Retail, Commercial/Office and Civic Development.*
PARKING OVERLAY

Shown on the planning scheme map as PO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To facilitate an appropriate provision of car parking spaces in an area.
To identify areas and uses where local car parking rates apply.
To identify areas where financial contributions are to be made for the provision of shared car parking.

Operation

This overlay operates in conjunction with Clause 52.06.
A schedule to this overlay may:

- Vary the requirements of Clause 52.06 as allowed by this overlay.
- Specify additional requirements to the requirements of Clause 52.06 as allowed by this overlay.
- Specify requirements for the provision of a financial contribution as a way of meeting the car parking requirements of Clause 52.06 or this overlay.

Parking objectives

A schedule to this overlay must specify the parking objectives to be achieved for the area affected by the schedule.

Permit requirement

A schedule to this overlay may specify that:

- The exemption from the requirement for a permit in Clause 52.06-3 does not apply. If the exemption does not apply, a permit is required for any of the matters set out in Clause 52.06-3.
- A permit must not be granted to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or this overlay.
- A permit must not be granted to provide some or all of the car parking spaces required under Clause 52.06-5 or this overlay on another site.
- A permit must not be granted to provide more than the maximum parking provision specified in a schedule to this overlay.
- A permit is not required under Clause 52.06-3.

Number of car parking spaces required

A schedule to this overlay may:

- Vary the car parking rate and measure for any use listed in Table 1 of Clause 52.06-5.
- Specify the car parking requirements for any use of land not listed in Table 1 of Clause 52.06-5.
- Specify maximum and minimum car parking requirements for any use of land.
- For any use listed in Table 1 of Clause 52.06-5, apply Column B in the Table to that use.

Application requirements and decision guidelines for permit applications

Before deciding on an application under Clause 52.06-3, in addition to the relevant decision guidelines in Clause 52.06-7, the responsible authority must consider, as appropriate:
- The parking objectives of the relevant schedule to this overlay.
- Any application requirements and decision guidelines specified in a schedule to this overlay.

**45.09-6**

**19/04/2013**

**VC95**

**Financial contribution requirement**

A schedule to this overlay may allow a responsible authority to collect a financial contribution in accordance with the schedule as a way of meeting the car parking requirements that apply under this overlay or Clause 52.06.

A schedule must specify:

- The area to which the provisions allowing the collection of financial contributions applies.
- The amount of the contribution that may be collected in lieu of each car parking space that is not provided, including any indexation of that amount.
- When any contribution must be paid.
- The purposes for which the responsible authority must use the funds collected under the schedule. Such purposes must be consistent with the objectives in section 4 of the Act.

**45.09-7**

**25/05/2017**

**VC133**

**Requirements for a car parking plan**

A schedule to this overlay may specify additional matters that must be shown on plans prepared under Clause 52.06-8.

**45.09-8**

**25/05/2017**

**VC133**

**Design standards for car parking**

A schedule to this overlay may specify:

- Additional design standards.
- Other requirements for the design and management of car parking.

Plans prepared in accordance with Clause 52.06-8 must meet any design standards and requirements specified in a schedule to this overlay.

**45.09-9**

**25/05/2017**

**VC133**

**Decision guidelines for car parking plans**

Before deciding whether a plan prepared under Clause 52.06-8 is satisfactory, in addition to the decision guidelines in Clause 52.06-10, the responsible authority must consider, as appropriate, any other matter specified in a schedule to this overlay.
SCHEDULE 1 TO THE PARKING OVERLAY

Shown on the planning scheme map as PO1.

BERWICK VILLAGE COMMERCIAL CENTRE

1.0

Parking objectives to be achieved

To ensure the appropriate provision of car parking spaces in the Berwick Village Commercial Centre.

To facilitate the construction of approximately 246 additional at-grade car parking spaces for the Berwick Village Commercial Centre on land designated for that purpose located west of Gloucester Avenue and south of Richardson Grove to Langmore Lane.

To ensure car parking provision more accurately reflects actual demand rates for the uses of Shop, Restricted retail premises, Restaurant, Hotel, Office and Medical centre.

To restrict the case by case approach to car parking supply and provision.

To enable new uses and developments that generate new car parking demand to proceed.

To achieve an appropriate balance between the demand and supply of parking spaces while allowing new and intensified development.

To enable a cash-in-lieu contribution for car parking provision to be validly imposed on planning permits for land currently within the Commercial 1 Zone (C1Z) within the overlay.

To require car parking provision to be satisfied on site for land within the Commercial 1 Zone (C1Z) and Commercial 2 Zone (C2Z).

To spread the cost of the infrastructure on an equitable basis.

2.0

Permit requirement

A permit cannot be granted to reduce the car parking requirement for the uses specified in part 3.0 of this Schedule unless car parking entitlements or credits exist.

A permit cannot be granted to reduce the car parking requirement for any other use determined by undertaking an empirical analysis under Clause 52.06, except in accordance with this Schedule.

A permit cannot be granted to reduce the car parking requirement for any other use on the basis of:

- The availability of car parking in the locality.
- The availability of public transport in the locality.
- Any reduction in car parking demand due to the sharing of car spaces by multiple uses, either because of variation of car parking demand over time or because of efficiencies gained from the consolidation of shared car parking spaces.
- Any empirical assessment; or
- Any other relevant consideration.

In any permit that authorises or results in the extension of floor space or an increase in patron numbers, the amount of car parking spaces determined by the responsible authority must be consistent with the amount specified in the scheme for that use.

Where car parking entitlements or credits exist:

- the reduction in the amount of car parking must not be greater than the extent of the credit; and
- the quantum of the credit must be determined having regard to the rates set out in this scheme.
Number of car parking spaces required

If a use is specified in the Table below, the number of car parking spaces required for the use is calculated by multiplying the Rate specified for the use by the accompanying Measure.

Table: Car parking spaces

<table>
<thead>
<tr>
<th>Use</th>
<th>Rate</th>
<th>Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hotel</td>
<td>7.0</td>
<td>Car spaces per 100 square metres of net leasable floor area</td>
</tr>
<tr>
<td>Medical centre</td>
<td>5</td>
<td>Car spaces per one practitioner, plus</td>
</tr>
<tr>
<td></td>
<td>4</td>
<td>Car spaces per additional practitioner</td>
</tr>
<tr>
<td>Office</td>
<td>3.5</td>
<td>Car spaces per 100 sq m of net floor area</td>
</tr>
<tr>
<td>Restaurant</td>
<td>0.3</td>
<td>Car spaces to each seat available to the public</td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td>1.5</td>
<td>Car spaces per 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Shop (small format - per single occupancy less than 2,000 square metres)</td>
<td>4.0</td>
<td>Car spaces per 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Shop (large format - per single occupancy greater than 2,000 square metres)</td>
<td>6.0</td>
<td>Car spaces per 100 sq m of leasable floor area</td>
</tr>
</tbody>
</table>

Financial contribution requirement

For any application for use or development of land in a B1Z within the Parking Overlay (PO) including:

- the use of land for Shop, Restricted retail premises, Restaurant, Hotel, Office or Medical centre;
- the reduction of car parking spaces in connection with any use;
- the expansion of floor area of any use which results in more useable space for patrons;
- the issue of a new permit for an existing use which authorises a higher number of patrons within an existing or redeveloped building, or modifies the hours of use of an existing use; or
- the development of any land for a use in section 1 or 2 of the B1Z, where car parking is not wholly satisfied on site (net of any car parking credits or entitlements) Council may accept a cash contribution in lieu of parking.

The cash contribution is $16,935 (excl. GST) in respect of each car parking space or part thereof which is required under this Scheme and which is not provided on the land (but net of car parking entitlements and credits) and must be paid to the responsible authority.

These contribution amounts are current as at 1 July 2006.

The land component of the contribution, being $13,650 will be adjusted quarterly from 1 October 2006 by applying the Consumer Price Index, Melbourne, in Rawlinsons Australian Construction Handbook.

The capital works component of the contribution, being $3285 will be adjusted quarterly from 1 October 2006 by applying the Building Price Index, Melbourne, in Rawlinsons Australian Construction Handbook.

Until Council is paid the cash contributions and/or an agreement has, or agreements have been made under section 173 of the Act guaranteeing future payments of the cash contributions for 246 car parking spaces, any permit must contain a condition to the following effect:
Prior to the commencement of the use or development allowed under this permit, a payment of $16,935 excluding GST, (subject to indexation according to the Scheme), must be paid to the responsible authority in respect of each car parking space required under this Scheme, but which is not provided on the land (net of car spaces provided and parking entitlements and credits) to which the application relates.

or alternatively;

Prior to the commencement of the use or development allowed under this permit, the owner of the land must enter into an agreement under section 173 of the Planning and Environment Act 1987 in which the owner agrees to pay a contribution of $16,935 excluding GST (subject to indexation according to the Scheme) in respect of each car parking space which is required under this Scheme, or where a rate is not specified then as determined by the responsible authority, but cannot be provided on the land (net of car spaces provided and parking entitlements and credits) to which the application relates.

The agreement may provide for the payment of the contribution in instalments, plus an interest component equivalent to the interest payable on unpaid rates and charges under the Local Government Act 1989 and it must provide that all instalments and accrued interest are paid within 5 years of the first instalment.

The agreement must allow for the contribution amounts to be indexed from 1 October 2006 in the following manner:

- The responsible authority will adjust the land cost component every quarter, from 1 October 2006, by applying the Consumer Price Index, Melbourne, in Rawlinsons Australian Construction Handbook.

- The responsible authority will adjust the capital works cost component every quarter, from 1 October 2006, by applying the Building Price Index, Melbourne, in Rawlinsons Australian Construction Handbook.

The agreement must also provide for the owner to pay Council's costs of preparing, registering and then upon its ending, removing the agreement from title.

Reference document

INFRASTRUCUTRE 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.

CARDDNIA CREEK SOUTH 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 development</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>13.01%</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>0.00%</td>
<td>$0.00</td>
<td>$476,510.59</td>
</tr>
<tr>
<td>2</td>
<td>Residential</td>
<td>13.45%</td>
<td>$182,338.61</td>
<td>$0.00</td>
</tr>
<tr>
<td>3</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>4</td>
<td>Residential</td>
<td>15.64%</td>
<td>$2,530,086.95</td>
<td>$0.00</td>
</tr>
<tr>
<td>5</td>
<td>Residential</td>
<td>12.34%</td>
<td>$0.00</td>
<td>$1,786,462.89</td>
</tr>
<tr>
<td>6</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>7</td>
<td>Residential</td>
<td>9.29%</td>
<td>$0.00</td>
<td>$3,696,541.30</td>
</tr>
<tr>
<td>8</td>
<td>Residential</td>
<td>8.42%</td>
<td>$0.00</td>
<td>$3,201,210.64</td>
</tr>
<tr>
<td>9</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$258,850.34</td>
</tr>
<tr>
<td>10</td>
<td>Residential</td>
<td>22.28%</td>
<td>$8,454,136.60</td>
<td>$0.00</td>
</tr>
<tr>
<td>11</td>
<td>Residential</td>
<td>1.22%</td>
<td>$0.00</td>
<td>$2,435,959.10</td>
</tr>
<tr>
<td>12</td>
<td>Residential</td>
<td>5.22%</td>
<td>$0.00</td>
<td>$5,446,391.23</td>
</tr>
<tr>
<td>Precinct Structure Plan (PSP) parcel ID</td>
<td>Class of development</td>
<td>Parcel contribution percentage</td>
<td>Land credit amount</td>
<td>Land equalisation amount</td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>----------------------</td>
<td>-------------------------------</td>
<td>-------------------</td>
<td>------------------------</td>
</tr>
<tr>
<td>13</td>
<td>Residential</td>
<td>5.01%</td>
<td>$0.00</td>
<td>$4,948,570.08</td>
</tr>
<tr>
<td>14</td>
<td>Residential</td>
<td>12.92%</td>
<td>$0.00</td>
<td>$1,827.71</td>
</tr>
<tr>
<td>15</td>
<td>Residential</td>
<td>0.08%</td>
<td>$0.00</td>
<td>$2,054,541.78</td>
</tr>
<tr>
<td>16</td>
<td>Residential</td>
<td>14.90%</td>
<td>$185,618.26</td>
<td>$0.00</td>
</tr>
<tr>
<td>17</td>
<td>Residential</td>
<td>10.96%</td>
<td>$0.00</td>
<td>$744,982.80</td>
</tr>
<tr>
<td>18</td>
<td>Residential</td>
<td>8.45%</td>
<td>$0.00</td>
<td>$2,052,551.56</td>
</tr>
<tr>
<td>19</td>
<td>Residential</td>
<td>30.01%</td>
<td>$9,584,813.81</td>
<td>$0.00</td>
</tr>
<tr>
<td>20</td>
<td>Residential</td>
<td>22.07%</td>
<td>$11,080,056.89</td>
<td>$0.00</td>
</tr>
<tr>
<td>21</td>
<td>Residential</td>
<td>4.93%</td>
<td>$0.00</td>
<td>$7,824,652.75</td>
</tr>
<tr>
<td>R2</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$160,869.68</td>
</tr>
<tr>
<td>R3</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$32,850.66</td>
</tr>
</tbody>
</table>

Notes: Refer to Plan 01 of the incorporated Cardinia Creek South 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, subdivision and class index numbers).</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, subdivision and class index numbers)</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 prepared</td>
</tr>
</tbody>
</table>
Land or development exempt from payment of an infrastructure contribution

- Use and development associated with a dwelling that is existing or approved at the approval date of this provision.
- Use and development for a non-government school.
- Use and development for accommodation provided by or on behalf of the Department of Health and Human Services.

Notes: This schedule sets out the levies prescribed in the infrastructure contributions plan. Refer to the incorporated Cardinia Creek South Infrastructure Contributions Plan for full details.
SCHEDULE 2 TO CLAUSE 45.11 INFRASTRUCTURE CONTRIBUTIONS OVERLAY

Shown on the planning scheme map as ICO2.

MINTA FARM INFRASTRUCTURE CONTRIBUTIONS PLAN, MAY 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 development</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>
<tr>
<td>Commercial and industrial development</td>
<td>Community and recreation construction</td>
<td>None specified</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>$114,062</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>Residential development</td>
<td>Community and recreation construction</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>Transport construction</td>
<td>$113,978.38</td>
</tr>
<tr>
<td></td>
<td><strong>Total supplementary levy rate payable</strong></td>
<td><strong>$113,978.38</strong></td>
</tr>
<tr>
<td>Commercial and industrial development</td>
<td>Community and recreation construction</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>Transport construction</td>
<td>$113,978.38</td>
</tr>
<tr>
<td></td>
<td><strong>Total supplementary levy rate payable</strong></td>
<td><strong>$113,978.38</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>14.67%</td>
</tr>
<tr>
<td>Commercial and industrial</td>
<td>7.73%</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-E</td>
<td>Employment</td>
<td>7.73%</td>
<td>$4,334.51</td>
<td>$0.00</td>
</tr>
<tr>
<td>1-R</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$1,303,373.79</td>
</tr>
<tr>
<td>precinct</td>
<td>class of development</td>
<td>parcel contribution percentage</td>
<td>land credit amount</td>
<td>land equalisation amount</td>
</tr>
<tr>
<td>----------</td>
<td>----------------------</td>
<td>-------------------------------</td>
<td>-------------------</td>
<td>-------------------------</td>
</tr>
<tr>
<td>2</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>3</td>
<td>Residential</td>
<td>36.17%</td>
<td>$1,768,237.67</td>
<td>$0.00</td>
</tr>
<tr>
<td>4-E</td>
<td>Employment</td>
<td>11.01%</td>
<td>$3,164,598.04</td>
<td>$0.00</td>
</tr>
<tr>
<td>4-R</td>
<td>Residential</td>
<td>21.97%</td>
<td>$13,390,063.18</td>
<td>$0.00</td>
</tr>
<tr>
<td>5</td>
<td>Residential</td>
<td>8.95%</td>
<td>$0.00</td>
<td>$17,023,859.61</td>
</tr>
<tr>
<td>6</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

Notes: Refer to Plan 01 of the incorporated Minta Farm 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>Transport construction</td>
<td>Australian Bureau of Statistics Producer Price Indexes Road &amp; Bridge Construction Index, 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 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 Plan.</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 prepared.</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 associated with a dwelling that is existing or approved at the approval date of this provision.
- Use and development for accommodation provided by or on behalf of the Department of Health and Human Services.
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.

Expiry of a specific control
If a specific control contained in an incorporated document identified in the schedule to this clause allows a particular use or development, that control will expire if any of the following circumstances applies:

- The use and development is not started within two years of the approval date of the incorporated document or another date specified in the incorporated document.
- The development is not completed within one year of the date of commencement of works or another date specified in the incorporated document.

The responsible authority may extend the periods referred to if a request is made in writing before the expiry date or within three months afterwards.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of this scheme.
### Specific controls

<table>
<thead>
<tr>
<th>PS Map Ref</th>
<th>Name of incorporated document</th>
</tr>
</thead>
<tbody>
<tr>
<td>SCO1</td>
<td>Monash Freeway Upgrade Project (Stage 2) Incorporated Document, August 2018</td>
</tr>
<tr>
<td>SCO2</td>
<td>'2-106 Soldiers Road, Berwick' Incorporated Document, March 2019</td>
</tr>
<tr>
<td>SCO3</td>
<td>Evans Road, Lyndhurst Level Crossing Removal Project, Incorporated Document June 2019</td>
</tr>
<tr>
<td>SCO4</td>
<td>South Gippsland Highway, Dandenong South Level Crossing Removal Project Incorporated Document, September 2019</td>
</tr>
<tr>
<td>SCO5</td>
<td>Hallam North Road Upgrade (Heatherton Road to James Cook Drive) February 2019</td>
</tr>
<tr>
<td>SCO6</td>
<td>Narre Warren - Cranbourne Road (Thompsons Road to South Gippsland Highway) Upgrade Project Incorporated Document, May 2019</td>
</tr>
<tr>
<td>SCO7</td>
<td>Advertising Signs, 950 Ballarto Road, Botanic Ridge, May 2014</td>
</tr>
<tr>
<td>SCO9</td>
<td>Clyde Road, Berwick Level Crossing Removal Project Incorporated Document, February 2020</td>
</tr>
<tr>
<td>SCO10</td>
<td>Cranbourne Line Upgrade Incorporated Document, February 2020</td>
</tr>
</tbody>
</table>
PARTICULAR PROVISIONS

This section sets out Particular Provisions which apply to the matters specified.
SPECIFIC SITES AND EXCLUSIONS

Purpose

To recognise specific controls designed to achieve a particular land use and development outcome existing on the approval date.

To provide in extraordinary circumstances specific controls designed to achieve a particular land use and development outcome.

Use or development

Land identified in the schedule to this clause may be used or developed in accordance with the specific controls contained in the incorporated document corresponding to that land. The specific controls may:

- allow the land to be used or developed in a manner that would otherwise be prohibited or restricted;
- prohibit or restrict the use or development of the land beyond the controls that may otherwise apply;
- exclude any other control in this scheme.

Expiry of a specific control

If a specific control contained in an incorporated document identified in the schedule to this clause allows a particular use or development, that control will expire if any of the following circumstances applies:

- The development and use is not started within two years of the approval date or another date specified in the incorporated document.
- The development is not completed within one year of the date of commencement of works or another date specified in the incorporated document.

The responsible authority may extend the periods referred to if a request is made in writing before the expiry date or within three months afterwards.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of this scheme.
### Specific sites and exclusions

<table>
<thead>
<tr>
<th>Address of land</th>
<th>Title of incorporated document</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Victorian Desalination Project Land as identified in the incorporated document</td>
<td>Victorian Desalination Project Incorporated Document, June 2009</td>
</tr>
<tr>
<td>Units 2 &amp; 3/270 South Gippsland Highway, Cranbourne.</td>
<td>Site-Specific Control – Units 2 &amp; 3/270 South Gippsland Highway, Cranbourne, Use of the land as a shop for the sale of fishing supplies, November 2010.</td>
</tr>
<tr>
<td>Land at 340-350 Princes Highway and adjoining sections of Road Reserve as identified in the incorporated document.</td>
<td>Casey Cultural Precinct Incorporated Document, August 2014</td>
</tr>
<tr>
<td>The Monash Freeway Upgrade Project as shown on the project area maps in the incorporated document.</td>
<td>Monash Freeway Upgrade Project Incorporated Document, March 2016</td>
</tr>
<tr>
<td>Land required for the Abbotts Road Level Crossing Removal Project land as shown on the maps in the incorporated document.</td>
<td>Abbotts Road Level Crossing Removal Project, Incorporated Document, November 2017 (amended December 2017)</td>
</tr>
<tr>
<td>Land required for the Hallam Road Upgrade Project as identified in project area map in the incorporated document.</td>
<td>Hallam Road Upgrade (Ormond Road to South Gippsland Highway) Incorporated Document, March 2018</td>
</tr>
</tbody>
</table>
METROPOLITAN GREEN WEDGE LAND: CORE PLANNING PROVISIONS

Purpose
To protect metropolitan green wedge land from uses and development that would diminish its agricultural, environmental, cultural heritage, conservation, landscape natural resource or recreation values.

To protect productive agricultural land from incompatible uses and development.

To ensure that the scale of use is compatible with the non-urban character of metropolitan green wedge land.

To encourage the location of urban activities in urban areas.

To provide transitional arrangements for permit applications made to the responsible authority before 19 May 2004.

To provide deeming provisions for metropolitan green wedge land.

Application
These provisions apply to land in Metropolitan Melbourne that is outside an Urban Growth Boundary as shown on a planning scheme map in this scheme, unless any of the following apply:

- The land is in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Low Density Residential Zone, Mixed Use Zone, Township Zone, Industrial 1 Zone, Industrial 2 Zone, Industrial 3 Zone, Commercial 1 Zone, Commercial 2 Zone, Commercial 3 Zone, Public Use Zone, Public Park and Recreation Zone, Public Conservation and Resource Zone, Road Zone or Urban Floodway Zone.

- The land is identified in the schedule to this clause.

Use of land
A use listed in the table to this clause is prohibited. This does not apply if a condition opposite the use is met.

Table to Clause 51.02-2

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Camping and caravan park, Dependent person's unit, Dwelling, Group accommodation, Host farm and Residential building)</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>Must be the only dependent person's unit on the lot.</td>
</tr>
<tr>
<td>Display home centre</td>
<td></td>
</tr>
<tr>
<td>Dwelling</td>
<td>Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Education centre (other than Primary school and Secondary school)</td>
<td></td>
</tr>
<tr>
<td>Freeway service centre</td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td>The goods stored must be agricultural produce, or products used in agriculture.</td>
</tr>
<tr>
<td>Function centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. No more than 150 patrons may be present at any time. If used in conjunction with Restaurant, the total number of patrons present at any time must not exceed 150.</td>
</tr>
<tr>
<td>Funeral parlour</td>
<td></td>
</tr>
<tr>
<td>Group accommodation</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. Must be no more than 40 dwellings.</td>
</tr>
<tr>
<td>Hospital</td>
<td></td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>Must be for equestrian based leisure, recreation or sport.</td>
</tr>
<tr>
<td>Industry (other than Materials recycling, Refuse disposal, Transfer station, Research and development centre, and Rural industry)</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>Must be for outdoor leisure, recreation or sport.</td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td>Must be an incidental part of Rural industry.</td>
</tr>
<tr>
<td>Materials recycling</td>
<td>Must be used in conjunction with Refuse disposal or Transfer station.</td>
</tr>
<tr>
<td>Motor racing track</td>
<td></td>
</tr>
<tr>
<td>Nightclub</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema based entertainment facility, Circus, Exhibition centre, Function centre, Hall, Nightclub, Place of worship and Restricted place of assembly)</td>
<td>Must not be used for more than 10 days in a calendar year.</td>
</tr>
<tr>
<td>Research and development centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td>Research centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Residential building (other than Residential hotel)</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. Must be used to provide accommodation for persons away from their normal place of residence.</td>
</tr>
<tr>
<td>Residential hotel</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. Must be no more than 80 bedrooms.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery. No more than 150 patrons may be present at any time. If used in conjunction with Function centre, the total number of patrons present at any time must not exceed 150.</td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td>Must not be used for more than 30 days in a calendar year.</td>
</tr>
<tr>
<td>Retail premises (other than Manufacturing sales, Market, Plant nursery, Primary produce sales and Restaurant)</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Freezing and cool storage, Milk depot, Rural store, Solid fuel depot and Vehicle store)</td>
<td></td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Must not be on land in a Rural Conservation Zone.</td>
</tr>
</tbody>
</table>

### Subdivision

The subdivision of land to create a lot that is smaller in area than the minimum area specified for the land in the zone is prohibited unless:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

### Existing uses

If an existing use right is established by these provisions, Clauses 63.05 and 63.08 apply to the use as if the use were in Section 3 of a zone.
Transitional arrangements for permit applications

The requirements of the planning scheme as in force immediately before 19 May 2004, continue to apply to a permit application made before that date to the extent that, but for this clause, Clauses 35.04, 35.05, 35.06 or this clause would apply to such an application. This does not apply to a permit application to subdivide land.

Deeming provisions for land outside an urban growth boundary

Any reference in this planning scheme to a Rural Zone or a schedule to a Rural Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Green Wedge Zone or a schedule to a Green Wedge Zone.

Any reference in this planning scheme to a Rural Living Zone or a schedule to a Rural Living Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Green Wedge A Zone or a schedule to a Green Wedge A Zone.

Any reference in this planning scheme to an Environmental Rural Zone or a schedule to an Environmental Rural Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Rural Conservation Zone or a schedule to a Rural Conservation Zone.
## SCHEDULE TO CLAUSE 51.02 METROPOLITAN GREEN WEDGE LAND

### Land where core provisions apply

<table>
<thead>
<tr>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
</tr>
</tbody>
</table>
PROVISIONS THAT REQUIRE, ENABLE OR EXEMPT A PERMIT
COMBUSTIBLE CLADDING RECTIFICATION EXEMPTIONS

Purpose
To facilitate the rectification of combustible cladding on buildings.

Permit exemption
Any requirement of this planning scheme to obtain a permit does not apply to the rectification of combustible cladding on a building:

- In accordance with an emergency order, building notice or building order made under Part 8 of the Building Act 1993.
- Owned by the Crown, a Minister, municipal council or public authority, including a public authority established for a public purpose under a Commonwealth Act.

Exemption from notice and review
An application to amend a permit to allow the rectification of combustible cladding on a building:

- In accordance with an emergency order, building notice or building order made under Part 8 of the Building Act 1993; or
- Owned by the Crown, a Minister, municipal council or public authority, including a public authority established for a public purpose under a Commonwealth Act,

is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.
EASEMENTS, RESTRICTIONS AND RESERVES

Purpose

To enable the removal and variation of an easement or restriction to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

Permit requirement

A permit is required before a person proceeds:

- Under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement or restriction or vary or remove a condition in the nature of an easement in a Crown grant.
- Under Section 36 of the Subdivision Act 1988 to acquire or remove an easement or remove a right of way.

This does not apply:

- If the action is required or authorised by the schedule to this clause.
- In the circumstances set out in Section 6A(3) of the Planning and Environment Act 1987.
- If the person proceeds under Section 362A of the Land Act 1958.
- In the case of a person proceeding under Section 36 of the Subdivision Act 1988, if the council or a referral authority gives a written statement in accordance with Section 36(1)(a) or (b) of the Subdivision Act 1988.

In this clause, restriction has the same meaning as in the Subdivision Act 1988.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider the interests of affected people.

Note: Section 23 of the Subdivision Act 1988 provides that either the council or the person benefiting from the direction must lodge a certified plan at the Titles Office for registration.
### SCHEDULE TO CLAUSE 52.02

#### Under Section 23 of the Subdivision Act 1988

<table>
<thead>
<tr>
<th>Land</th>
<th>Easement or restriction</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Part Crown Section 13, Vol 5303 Fol 1060584</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. 1286817</td>
<td>Remove</td>
</tr>
<tr>
<td>Lot 1 on Lodged Plan 222038B, Vol 10021 Fol 769 (No. 69 Caserta Drive, Berwick) and Lot 2 on Lodged Plan 222038B, Vol 10021 Fol 770 (No. 67 Caserta Drive, Berwick)</td>
<td>Restrictive covenant contained in Instrument of Transfer No. N294685R</td>
<td>Vary the restrictive covenant to allow for the construction of a dwelling on each lot</td>
</tr>
<tr>
<td>Lot 822 on Registered Plan No. LP211707U contained in Certificate of Title Volume 5822 Folio 249 (91 Fleetwood Drive, Narre Warren).</td>
<td>Restrictive covenant contained in Instrument of Transfer No. N697335A</td>
<td>Vary the restrictive covenant to allow moveable or dependent person's units to be constructed of materials other than those listed in the covenant.</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>Reserve No. 1 on Plan of Subdivision 339029K</td>
<td>Casey City Council</td>
<td>Remove</td>
</tr>
<tr>
<td>Recreation Reserve on Part Crown Portion 38, Lodged Plan 54141</td>
<td>Casey City Council</td>
<td>Remove</td>
</tr>
<tr>
<td>Reserve for drainage shown on Lodged Plan 14237</td>
<td>Casey City Council</td>
<td>Remove</td>
</tr>
</tbody>
</table>

#### Under Section 36 of the Subdivision Act 1988

<table>
<thead>
<tr>
<th>Land</th>
<th>Easement or right of way</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>
LEVEL CROSSING REMOVAL PROJECT

Purpose
To facilitate the Level Crossing Removal Project.

Application
This clause applies to the use and development of land (other than the subdivision of land) for projects undertaken by the Level Crossing Removal Project and declared under section 10(1)(b) of the Major Transport Projects Facilitation Act 2009.
This clause does not apply to a project for which a document has been incorporated into this planning scheme expressly for that project.

Exemption from planning scheme requirements
Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to any use or development this Clause 52.03 applies to if the requirements of Clause 52.03 are met.
The provisions of this clause prevail over any inconsistent provision in this planning scheme.

Use and development requirements
The use and development of land must be undertaken in accordance with the plans and documents approved under this clause, to the satisfaction of the Minister for Planning.
The construction of a building or the construction or carrying out of works in a Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Urban Floodway Zone must be undertaken to the satisfaction of the relevant floodplain management authority.
The creation or alteration of access to a road in a Road Zone, Category 1, or land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road, must be undertaken to the satisfaction of the Roads Corporation.
The use and development of land in a Public Acquisition Overlay must be undertaken to the satisfaction of the relevant acquiring authority.

Consultation requirement
Prior to the commencement of the use or development:
- Public consultation, and consultation with the relevant municipal council, must be undertaken to the satisfaction of the Minister for Planning.
- A report that summarises the feedback provided during consultation and explains how the feedback has been considered and responded to must be prepared to the satisfaction of the Minister for Planning.

Project boundary requirement
Prior to the commencement of the use or development, a plan that shows the boundary of the land on which the use or development will be undertaken must be prepared to the satisfaction of the Minister for Planning.
Other pre-commencement requirements

The following requirements may be satisfied for separate components or stages of a project but each requirement must be satisfied prior to the commencement of the use or development for that component or stage.

The following requirements may be varied or waived by the Minister for Planning.

Prior to the commencement of the use or development (other than a preparatory use or development), the following plans and documents must be prepared to the satisfaction of the Minister for Planning:

- An environmental management framework, prepared in consultation with each relevant municipal council, that includes:
  - A summary of key construction methodologies.
  - An overarching framework of measures to reduce and manage environmental and amenity effects during construction.
  - A summary of performance monitoring and reporting processes, including auditing, to ensure environmental and amenity effects are reduced and managed during construction.
  - A summary of how each relevant municipal council, the community and other stakeholders will be engaged during construction, including enquiries and complaints management.

The environmental management framework must be accompanied by a summary of the consultation with each relevant municipal council that informed the preparation of the environmental management framework.

- If the land is in the Heritage Overlay and the development would require a permit under the overlay were it not for the exemption in Clause 52.03-2:
  - A report that addresses the impact of that development on the heritage significance of the heritage place.
  - Site plans and elevations showing the extent of that development on the land.
  - Photographs of any buildings or works to be demolished or removed, including photographs of the exterior and interior of the building and contextual images of the building’s environs and setting.

- If the land is in an Environmental Significance Overlay, a Significant Landscape Overlay or a Vegetation Protection Overlay and the development would require a permit under the overlay were it not for the exemption in Clause 52.03-2, a report that addresses the impact of the development on any environmental, vegetation or landscape significance or objective specified in a schedule to the overlay.

- Any other information the Minister for Planning considers necessary to assist the Minister’s assessment of the plans and documents required to be submitted under this clause.

Prior to the commencement of the use of any new open space, an environmental assessment (or similar) that demonstrates that the environmental conditions of the land are suitable for that use must be undertaken to the satisfaction of the Minister for Planning.

Native vegetation requirements

The following requirements may be satisfied for separate components or stages of a project. However, each requirement must be satisfied prior to the removal, destruction or lopping of native vegetation for that component or stage.

Prior to the removal, destruction or lopping of native vegetation to enable a preparatory use or development, information about that native vegetation must be submitted to the Secretary to the Department of Environment, Land, Water and Planning. The information must include a description
of, and maps showing, the native vegetation to be removed, destroyed or lopped in accordance with application requirement 1 in Table 4 of the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017).

Prior to the removal, destruction or lopping of native vegetation (other than to enable a preparatory use or development):

- Information about that native vegetation in accordance with application requirements 1, 5 and 9 in Table 4 of the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017) must be provided to the satisfaction of the Secretary to the Department Environment, Land, Water and Planning. The information provided to the Secretary must include information about any native vegetation that has been or is to be removed, destroyed or lopped to enable a preparatory use or development.

- The biodiversity impacts from the removal, destruction or lopping of that native vegetation must be offset in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017). The biodiversity impacts from the removal, destruction or lopping of native vegetation to enable a preparatory use or development must be included in the total biodiversity impacts when determining the offset.

- Evidence that the required offset has been secured must be provided to the satisfaction of the Secretary to the Department Environment, Land, Water and Planning.

The Secretary to the Department Environment, Land, Water and Planning may vary the timing of the above offset requirement if the Secretary considers there are exceptional circumstances to warrant the variation.

The secured offset for the project may be reconciled at the completion of a project in accordance with the *Assessor’s handbook – Applications to remove, destroy or lop native vegetation* (Department of Environment, Land, Water and Planning, October 2018).

### Preparatory use and development

For the purposes of Clause 52.03, a preparatory use or development is a use or development required to prepare for the construction of a project. It is limited to the following:

- Use and development that would not require a permit under a provision of this planning scheme were it not for the exemption in Clause 52.03-2.

- Works associated with investigating, testing and surveying land.

- Creation and use of construction access points, accessways and working platforms.

- Site establishment works including construction of temporary site fencing and hoarding, site offices, and hardstand and laydown areas.

- Construction and use of temporary car parking.

- Construction or installation of environment and traffic controls.

- Construction, protection, modification, removal or relocation of utility services, rail signalling, and overhead and associated infrastructure.

- Salvage and relocation of cultural heritage material and other management actions required to be undertaken in compliance with:
  - a cultural heritage management plan approved under the *Aboriginal Heritage Act 2006* or otherwise in compliance with that Act; or
  - the conditions of any permit or consent granted under the *Heritage Act 2017* or otherwise in compliance with that Act.
- Demolition or removal of a building (other than a building in a Heritage Overlay) or works to the minimum extent necessary to enable another preparatory use or development.

- Removal, destruction or lopping of vegetation (other than a tree in the Heritage Overlay specified below) to the minimum extent necessary to enable another preparatory use or development.

For the purposes of Clause 52.03, preparatory development does not include:

- Demolition or removal of a building in a Heritage Overlay.

- Removal, destruction or lopping of a tree in a Heritage Overlay if the schedule to the overlay specifies the heritage place as one where tree controls apply.
SATELLITE DISH

Purpose
To provide an opportunity to consider the impact of a satellite dish attached to a building or structure listed in a schedule to the Heritage Overlay.
To provide an opportunity to consider the effect of a satellite dish on the amenity of residential areas.

Application
This clause applies to:
- A building or structure listed in a schedule to the Heritage Overlay.
- Land in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Low Density Residential Zone, Mixed Use Zone or Township Zone.

Permit requirement
A permit is required to use land or to construct or install or carry out works for a satellite dish (whether or not it forms part of a network) even if it is ancillary to another use on the land.
This does not apply to a satellite dish with a diameter:
- Less than 1.2 metres.
- Between 1.2 metres and 2.4 metres provided:
  - The dish is not visible from the street (other than a lane) or a public park,
  - The dish is setback from the side or rear boundary 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, and
  - The dish is setback at least 3 metres from the boundary where it is opposite an existing habitable room window.

Decision guidelines
Before deciding on an application, in addition to Clause 15.01-2S and the decision guidelines in clause 65, the responsible authority must consider the effect of the satellite dish on the visual amenity of nearby land.
SIGNs

Purpose
To regulate the development of land for signs and associated structures.
To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
To ensure signs do not contribute to excessive visual clutter or visual disorder.
To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

Application
This clause applies to the development of land for signs.

Requirements

Sign categories
Clauses 52.05-11 to 52.05-14 specify categories of sign control. The zone provisions specify which category of sign control applies to the zone.
Each category is divided into three sections.
If a sign can be interpreted in more than one way, the most restrictive requirement must be met.

Section 1
A sign in Section 1 of the category may be constructed or put up for display without a permit, but all the conditions opposite the sign must be met. If the conditions are not met, the sign is in Section 2.
Some overlays require a permit for Section 1 signs.

Section 2
A permit is required to construct or put up for display a sign in Section 2.
This does not apply to a sign specified in Clause 52.05-10.
All the conditions opposite the sign must be met. If the conditions are not met, the sign is prohibited.

Section 3
A sign in Section 3 is prohibited and must not be constructed or put up for display.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or put up for display a sign in an industrial zone, commercial zone, Special Use Zone, Comprehensive Development Zone, Docklands Zone, Priority Development Zone or Activity Centre Zone if:</td>
<td></td>
</tr>
<tr>
<td>The sign is not within 30 metres of land (not a road) which is in a residential zone.</td>
<td>Clause 59.09</td>
</tr>
</tbody>
</table>
### Class of application

- The sign is not a pole sign, a sky sign, a reflective sign, internally illuminated sign, floodlit sign, electronic sign or animated sign.

- The display area of the sign does not exceed 10 square metres.

### 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 sign that is reconstructed must meet the relevant sign requirements.

A major promotion sign displayed in accordance with a permit granted between 19 September 1995 and 18 September 1997 may continue to be displayed:

- until 31 December 2008; or

- where a permit application seeking permission to display the sign is lodged before 31 December 2008, until the permit application is finally determined.

### Application requirements

An application must be accompanied by the following information, as appropriate:

#### Site context

- A site context report, using a site plan, photographs or other methods to accurately describe:
  - The location of the proposed sign on the site or building and distance from property boundaries.
  - The location and size of existing signage on the site including details of any signs to be retained or removed.
  - The location and form of existing signage on abutting properties and in the locality.
  - The location of closest traffic control signs.
  - Identification of any view lines or vistas that could be affected by the proposed sign.
Sign details
- The location, dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width, depth of the total sign structure including method of support and any associated structures such as safety devices and service platforms.
- Details of associated on-site works.
- Details of any form of illumination, including details of baffles and the times at which the sign would be illuminated.
- The colour, lettering style and materials of the proposed sign.
- The size of the display (total display area, including all sides of a multi-sided sign).
- The location of any logo box and proportion of display area occupied by such a logo box.
- For animated or electronic signs, a report addressing the decision guidelines at Clause 52.05-8 relating to road safety.
- Any landscaping details.

Signs with a display area of 18 square metres or more
- For a sign with a display area of 18 square metres or more:
  - A description of the existing character of the area including built form and landscapes.
  - The location of any other signs over 18 square metres, or scrolling, electronic or animated signs within 200 metres of the site.
  - Any existing identifiable advertising theme in the area.
  - Photo montages or a streetscape perspective of the proposed sign.
  - Level of illumination including:
    - Lux levels for any sign on or within 60 metres of a Road Zone or a residential zone or public land zone.
    - The dwell and change time for any non-static images.
  - The relationship to any significant or prominent views and vistas.

Exemption from notice and review
An application for a sign is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act provided the sign:
- Is to be constructed or displayed on land specified in the schedule to this clause.
- Meets any condition specified in the schedule to this clause.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

All signs
- The character of the area including:
  - The sensitivity of the area in terms of the natural environment, heritage values, waterways and open space, rural landscape or residential character.
- The compatibility of the proposed sign with the existing or desired future character of the area in which it is proposed to be located.
- The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of signs.
- The consistency with any identifiable outdoor advertising theme in the area.

**Impacts on views and vistas:**
- The potential to obscure or compromise important views from the public realm.
- The potential to dominate the skyline.
- The potential to impact on the quality of significant public views.
- The potential to impede views to existing signs.

**The relationship to the streetscape, setting or landscape:**
- The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.
- The position of the sign, including the extent to which it protrudes above existing buildings or landscape and natural elements.
- The ability to screen unsightly built or other elements.
- The ability to reduce the number of signs by rationalising or simplifying signs.
- The ability to include landscaping to reduce the visual impact of parts of the sign structure.

**The relationship to the site and building:**
- The scale and form of the sign relative to the scale, proportion and any other significant characteristics of the host site and host building.
- The extent to which the sign displays innovation relative to the host site and host building.
- The extent to which the sign requires the removal of vegetation or includes new landscaping.

**The impact of structures associated with the sign:**
- The extent to which associated structures integrate with the sign.
- The potential of associated structures to impact any important or significant features of the building, site, streetscape, setting or landscape, views and vistas or area.

**The impact of any illumination:**
- The impact of glare and illumination on the safety of pedestrians and vehicles.
- The impact of illumination on the amenity of nearby residents and the amenity of the area.
- The potential to control illumination temporally or in terms of intensity.

**The impact of any logo box associated with the sign:**
- The extent to which the logo box forms an integral part of the sign through its position, lighting and any structures used to attach the logo box to the sign.
- The suitability of the size of the logo box in relation to its identification purpose and the size of the sign.

**The need for identification and the opportunities for adequate identification on the site or locality.**

**The impact on road safety. A sign is a safety hazard if the sign:**
- Obstructs a driver’s line of sight at an intersection, curve or point of egress from an adjacent property.
- Obstructs a driver’s view of a traffic control device, or is likely to create a confusing or dominating background that may reduce the clarity or effectiveness of a traffic control device.
- Could dazzle or distract drivers due to its size, design or colouring, or it being illuminated, reflective, animated or flashing.
- Is at a location where particular concentration is required, such as a high pedestrian volume intersection.
- Is likely to be mistaken for a traffic control device, because it contains red, green or yellow lighting, or has red circles, octagons, crosses, triangles or arrows.
- Requires close study from a moving or stationary vehicle in a location where the vehicle would be unprotected from passing traffic.
- Invites drivers to turn where there is fast moving traffic or the sign is so close to the turning point that there is no time to signal and turn safely.
- Is within 100 metres of a rural railway crossing.
- Has insufficient clearance from vehicles on the carriageway.
- Could mislead drivers or be mistaken as an instruction to drivers.

**Major promotion signs**

- The effect of the proposed major promotion sign on:
  - Significant streetscapes, buildings and skylines.
  - The visual appearance of a significant view corridor, viewline, gateway location or landmark site identified in a framework plan or local policy.
  - Residential areas and heritage places.
  - Open space and waterways.

- When determining the effect of a proposed major promotion sign, the following locational principles must be taken into account:
  - Major promotion signs are encouraged in commercial and industrial locations in a manner that complements or enhances the character of the area.
  - Major promotion signs are discouraged along forest and tourist roads, scenic routes or landscaped sections of freeways.
  - Major promotion signs are discouraged within open space reserves or corridors and around waterways.
  - Major promotion signs are discouraged where they will form a dominant visual element from residential areas, within a heritage place or where they will obstruct significant viewlines.
  - In areas with a strong built form character, major promotion signs are encouraged only where they are not a dominant element in the streetscape and except for transparent feature signs (such as neon signs), are discouraged from being erected on the roof of a building.
Mandatory conditions

All signs

A permit for a sign that includes an expiry date must include a condition that provides that on expiry of the permit the sign and structures built specifically to support and illuminate it must be removed.

Major promotion signs

A permit for a major promotion sign must include conditions that specify:

- That the sign must not:
  - Dazzle or distract drivers due to its colouring.
  - Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.
  - Be able to be mistaken as an instruction to drivers.

- An expiry date that is 15 years from the date the permit is issued unless otherwise specified in this clause. This does not apply to a permit for major promotion sign for a special event or temporary building shrouding.

A permit for a major promotion sign may specify an expiry date other than 15 years, but the date must not be less than 10 years or more than 25 years from the date the permit is issued. Before deciding to alter the specified expiry date of 15 years, the responsible authority must consider, as appropriate:

- The purpose of the sign.
- The existing or desired character of the area.
- The Municipal Planning Strategy and the Planning Policy Framework in terms of the extent to which the proposed sign is consistent with any relevant policy direction and the extent to which the area may be expected to change over time.
- The extent to which the signage is physically and visually integrated into the architecture of the building.

Signs not requiring a permit

Despite any provision in a zone, overlay, or other particular provision of this scheme, a permit is not required to construct or put up for display any of the following signs:

- A sign identifying the functions or property of a government department, public authority or municipal council, but not a promotion sign displayed at the direction of any of these bodies.

- A sign controlling traffic on a public road, railway, tramway, water or in the air, provided it is displayed at the direction of a government department, public authority or municipal council.

- A sign at a hospital that gives direction to emergency facilities.

- A sign in a road reserve that gives direction or guidance about a tourist attraction, service or facility of interest to road users. The sign must be displayed to the satisfaction of the road authority.

- A sign required by statute or regulation, provided it is strictly in accordance with the requirement.

- A sign at a railway station or bus terminal that provides information or direction for people using the station or terminal.

- A sign on a showground, on a motor racing track or on a major sports and recreation facility, provided the sign’s display cannot be seen from nearby land.
A sign with a display area not exceeding 1 square metre to each premises that provides information about a place of worship. It must not be an animated or internally illuminated sign.

A sign inside a building that cannot generally be seen outside.

A sign with a display area not exceeding 2 square metres concerning construction work on the land. Only one sign may be displayed, it must not be an animated or internally illuminated sign and it must be removed when the work is completed.

A sign with a display area not exceeding 5 square metres publicising a local educational, cultural, political, religious, social or recreational event not held for commercial purposes. Only one sign may be displayed on the land, it must not be an animated or internally illuminated sign and it must not be displayed longer than 14 days after the event is held or 3 months, whichever is sooner. A sign publicising a local political event may include information about a candidate for an election.

A sign publicising a special event on the land or in the building on which it is displayed, provided no more than 8 signs are displayed in a calendar year and the total number of days the signs are displayed does not exceed 28 in that calendar year. The sign must be removed when the event is finished.

A sign with a display area not exceeding 2 square metres publicising the sale of goods or livestock on the land or in the building on which it is displayed, provided the land or building is not normally used for that purpose. Only one sign may be displayed, it must not be an animated or internally illuminated sign and it must not be displayed longer than 3 months without a permit.

A sign with an display area not exceeding 10 square metres publicising the sale or letting of the property on which it is displayed. Only one sign may be displayed, it must not be an animated sign and it must not be displayed longer than 7 days after the sale date. A permit may be granted for:

- The display area to exceed 10 square metres if the sign concerns more than 20 lots.
- The sign to be displayed on land excised from the subdivision and transferred to the municipal council.
- The sign to be displayed longer than 7 days after the sale date.

No permit is required to fly the Australian flag or to display the flag on a building, painted or otherwise represented, provided it is correctly dimensioned and coloured in accordance with the Flags Act 1953.

52.05-11
Category 1 - Commercial areas
 Minimum limitation

Purpose
To provide for identification and promotion signs and signs that add vitality and colour to commercial areas.

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>The total display area of all signs to each premises must not exceed 8 sqm. This does not include a sign with a display area not exceeding 1.5 sqm that is below a verandah or, if no verandah, that is less than 3.7 m above pavement level.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td></td>
</tr>
<tr>
<td>Home based business sign</td>
<td></td>
</tr>
<tr>
<td>Promotion sign</td>
<td></td>
</tr>
</tbody>
</table>
### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direction sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>The total display area to each premises must not exceed 1.5 sqm.</td>
</tr>
<tr>
<td></td>
<td>No part of the sign may be above a verandah or, if no verandah, more than 3.7 m above pavement level.</td>
</tr>
<tr>
<td></td>
<td>The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Section 1</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>None specified</td>
</tr>
</tbody>
</table>

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### Category 2 - Office and industrial

Low limitation

**Purpose**

To provide for adequate identification signs and signs that are appropriate to office and industrial areas.

### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>The total display area of all signs to each premises must not exceed 8 sqm. This does not include a direction sign.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td></td>
</tr>
<tr>
<td>Home based business sign</td>
<td></td>
</tr>
<tr>
<td>Pole sign</td>
<td></td>
</tr>
<tr>
<td>Direction sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>The display area must not exceed 1.5 sqm. The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Section 1</td>
<td>None specified</td>
</tr>
</tbody>
</table>
### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Category 3 - High amenity areas

**Medium limitation**

**Purpose**

To ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area.

### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td>Home based business sign</td>
<td>The display area must not exceed 0.2 sqm.</td>
</tr>
<tr>
<td>Direction sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Above-verandah sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Business identification sign</td>
<td>The display area must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Electronic sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>None specified</td>
</tr>
<tr>
<td>High-wall sign</td>
<td>Must be a business logo or street number.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Pole sign</td>
<td>The display area must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Promotion sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Sections 1 or 2</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Category 4 - Sensitive areas

**Maximum limitation**

**Purpose**

To provide for unobtrusive signs in areas requiring strong amenity control.
### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td>Home based business sign</td>
<td>The display area must not exceed 0.2 sqm.</td>
</tr>
<tr>
<td>Direction sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business identification sign</td>
<td>The total display area to each premises must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Sections 1 or 2</td>
<td>None specified</td>
</tr>
</tbody>
</table>
## SCHEDULE TO CLAUSE 52.05 ADVERTISING SIGNS

<table>
<thead>
<tr>
<th>Land</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
CAR PARKING

Purpose
To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
To support sustainable transport alternatives to the motor car.
To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
To ensure that car parking does not adversely affect the amenity of the locality.
To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Scope
Clause 52.06 applies to:

- a new use; or
- an increase in the floor area or site area of an existing use; or
- an increase to an existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

Clause 52.06 does not apply to:

- the extension of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone; or
- the construction and use of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone unless the zone or a schedule to the zone specifies that a permit is required to construct or extend one dwelling on a lot.

Provision of car parking spaces
Before:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use,

the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:

- on the land; or
- in accordance with a permit issued under Clause 52.06-3; or
- in accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.

If a schedule to the Parking Overlay specifies a maximum parking provision, the maximum provision must not be exceeded except in accordance with a permit issued under Clause 52.06-3.

Permit requirement
A permit is required to:
- Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.

- Provide some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay on another site.

- Provide more than the maximum parking provision specified in a schedule to the Parking Overlay.

A permit is not required if a schedule to the Parking Overlay specifies that a permit is not required under this clause.

A permit is not required to reduce the number of car parking spaces required for a new use of land if the following requirements are met:

- The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the new use is less than or equal to the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the existing use of the land.

- The number of car parking spaces currently provided in connection with the existing use is not reduced after the new use commences.

A permit is not required to reduce the required number of car parking spaces for a new use of an existing building if the following requirements are met:

- The building is in the Commercial 1 Zone, Commercial 2 Zone, Commercial 3 Zone or Activity Centre Zone.

- The gross floor area of the building is not increased.

- The reduction does not exceed 10 car parking spaces.

- The building is not in a Parking Overlay with a schedule that allows a financial contribution to be paid in lieu of the provision of the required car parking spaces for the use.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause to reduce the required number of car parking spaces by no more than 10 car parking spaces is a class of VicSmart application and must be assessed against Clause 59.10.

**Exemption from notice and review**

An application under Clause 52.06-3 is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if:

- the application is only for a permit under Clause 52.06-3; or

- the application is also for a permit under another provision of the planning scheme and in respect of all other permissions sought, the application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

**Number of car parking spaces required under Table 1**

Table 1 of this clause sets out the car parking requirement that applies to a use listed in the Table.

A car parking requirement in Table 1 may be calculated as either:

- a number of car parking spaces; or

- a percentage of the total site area that must be set aside for car parking.
A car parking requirement in Table 1 is calculated by multiplying the figure in Column A or Column B (whichever applies) by the measure (for example square metres, number of patrons or number of bedrooms) in Column C.

Column A applies unless Column B applies.

Column B applies if:

- any part of the land is identified as being within the Principal Public Transport Network Area as shown on the Principal Public Transport Network Area Maps (State Government of Victoria, August 2018); or
- a schedule to the Parking Overlay or another provision of the planning scheme specifies that Column B applies.

Where an existing use is increased by the measure specified in Column C of Table 1 for that use, the car parking requirement only applies to the increase, provided the existing number of car parking spaces currently being provided in connection with the existing use is not reduced.

If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

Where the car parking requirement specified in Table 1 is calculated as a percentage of the total site area, the area to be provided for car parking includes an accessway that directly abuts any car parking spaces, but does not include any accessway or portion of an accessway that does not directly abut any car parking spaces.

The car parking requirement specified in Table 1 includes disabled car parking spaces. The proportion of spaces to be allocated as disabled spaces must be in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia.

The car parking requirement specified for a use listed in Table 1 does not apply if:

- a car parking requirement for the use is specified under another provision of the planning scheme; or
- a schedule to the Parking Overlay specifies the number of car parking spaces required for the use.

**Table 1: Car parking requirement**

<table>
<thead>
<tr>
<th>Use</th>
<th>Rate Column A</th>
<th>Rate Column B</th>
<th>Car Parking Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Art &amp; craft centre</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Bar</td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.5</td>
<td>Space to each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Betting agency</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Bowling green</td>
<td>6</td>
<td>6</td>
<td>To each rink plus 50 per cent of the relevant requirement of any ancillary use</td>
</tr>
<tr>
<td>Child care centre</td>
<td>0.22</td>
<td>0.22</td>
<td>To each child</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td>0.3</td>
<td>0.3</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>0.3</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Use</td>
<td>Use</td>
<td>Use</td>
<td>Use</td>
</tr>
<tr>
<td>---------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------</td>
</tr>
<tr>
<td>Car Parking Measure</td>
<td>Car Parking Measure</td>
<td>Car Parking Measure</td>
<td>Car Parking Measure</td>
</tr>
<tr>
<td>Column A</td>
<td>Column B</td>
<td>Column C</td>
<td>Column C</td>
</tr>
<tr>
<td>Convenience shop if the</td>
<td>Display home centre</td>
<td>Dwelling</td>
<td>Education centre other than</td>
</tr>
<tr>
<td>leasable floor area exceeds</td>
<td></td>
<td></td>
<td>listed in this table</td>
</tr>
<tr>
<td>80 sq m</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>5</td>
<td>1</td>
<td>0.4</td>
</tr>
<tr>
<td>3.5</td>
<td>3.5</td>
<td>1</td>
<td>0.3</td>
</tr>
<tr>
<td>To each premises</td>
<td>To each dwelling for five or fewer contiguous dwellings, plus</td>
<td>To each one or two bedroom dwelling, plus</td>
<td>To each student that is part of the maximum number of students on</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>the site at any time</td>
</tr>
<tr>
<td>Display home centre</td>
<td>Dwelling</td>
<td>Education centre other than Skip to next page</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>2</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>3.5</td>
<td>3.5</td>
<td>3.5</td>
<td></td>
</tr>
<tr>
<td>To each additional contiguous dwelling</td>
<td>To each one or two bedroom dwelling, plus</td>
<td>To each student that is part of the maximum number of students on</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>the site at any time</td>
</tr>
<tr>
<td>Dwelling</td>
<td>Dwelling</td>
<td>Dwelling</td>
<td>Education centre other than</td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>1</td>
<td>listed in this table</td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>0</td>
<td>0.4</td>
</tr>
<tr>
<td>To each one or two bedroom dwelling, plus</td>
<td>To each three or more bedroom dwelling (with studies or studios</td>
<td>For visitors to every 5 dwellings for developments of 5 or more</td>
<td></td>
</tr>
<tr>
<td></td>
<td>that are separate rooms counted as a bedrooms) plus</td>
<td>dwellings</td>
<td></td>
</tr>
<tr>
<td>Dwelling</td>
<td>Dwelling</td>
<td>Dwelling</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td>1</td>
<td>0.4</td>
</tr>
<tr>
<td>0</td>
<td></td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>To each three or more bedroom dwelling (with studies or studios</td>
<td>For visitors to every 5 dwellings for developments of 5 or more</td>
<td>For visitors to every 5 dwellings for developments of 5 or more</td>
<td></td>
</tr>
<tr>
<td>that are separate rooms counted as a bedrooms) plus</td>
<td>dwellings</td>
<td>dwellings</td>
<td></td>
</tr>
<tr>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
</tr>
<tr>
<td>0.4</td>
<td>0.3</td>
<td>0.4</td>
<td>0.3</td>
</tr>
<tr>
<td>To each student that is part of the maximum number of students on</td>
<td>To each student that is part of the maximum number of students on</td>
<td>To each student that is part of the maximum number of students on</td>
<td>To each student that is part of the maximum number of students on</td>
</tr>
<tr>
<td>the site at any time</td>
<td>the site at any time</td>
<td>the site at any time</td>
<td>the site at any time</td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
</tr>
<tr>
<td>other than listed in this table</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>3.5</td>
<td>4</td>
<td>3.5</td>
</tr>
<tr>
<td>3.5</td>
<td>To each student that is part of the maximum number of students on</td>
<td>To each student that is part of the maximum number of students on</td>
<td>To each student that is part of the maximum number of students on</td>
</tr>
<tr>
<td>the site at any time</td>
<td>the site at any time</td>
<td>the site at any time</td>
<td>the site at any time</td>
</tr>
<tr>
<td>Freezing and cool storage,</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
</tr>
<tr>
<td>1.5</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
<td>To each student that is part of the maximum number of students on</td>
<td>To each student that is part of the maximum number of students on</td>
</tr>
<tr>
<td>the site at any time</td>
<td></td>
<td>the site at any time</td>
<td>the site at any time</td>
</tr>
<tr>
<td>Fuel depot</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
</tr>
<tr>
<td>10</td>
<td>10</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>10</td>
<td>Per cent of site area</td>
<td>To each student that is part of the maximum number of students on</td>
<td>To each student that is part of the maximum number of students on</td>
</tr>
<tr>
<td></td>
<td></td>
<td>the site at any time</td>
<td>the site at any time</td>
</tr>
<tr>
<td>Funeral Parlour</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
</tr>
<tr>
<td>0.3</td>
<td>0.3</td>
<td>0.3</td>
<td>0.3</td>
</tr>
<tr>
<td>0.3</td>
<td>To each patron permitted</td>
<td>To each student that is part of the maximum number of students on</td>
<td>To each student that is part of the maximum number of students on</td>
</tr>
<tr>
<td></td>
<td></td>
<td>the site at any time</td>
<td>the site at any time</td>
</tr>
<tr>
<td>Gambling premises other than listed in this table</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
</tr>
<tr>
<td>0.4</td>
<td>0.4</td>
<td>0.4</td>
<td>0.4</td>
</tr>
<tr>
<td>3.5</td>
<td>To each patron permitted</td>
<td>To each student that is part of the maximum number of students on</td>
<td>To each student that is part of the maximum number of students on</td>
</tr>
<tr>
<td></td>
<td></td>
<td>the site at any time</td>
<td>the site at any time</td>
</tr>
<tr>
<td>Golf course</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
</tr>
<tr>
<td>4</td>
<td>4</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>4</td>
<td>To each hole plus 50 per cent of the relevant requirement of any</td>
<td>To each hole plus 50 per cent of the relevant requirement of any</td>
<td>To each hole plus 50 per cent of the relevant requirement of any</td>
</tr>
<tr>
<td></td>
<td>ancillary uses.</td>
<td>ancillary uses.</td>
<td>ancillary uses.</td>
</tr>
<tr>
<td>Home based business</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
</tr>
<tr>
<td>1</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>0</td>
<td>To each employee not a resident of the dwelling</td>
<td>To each student that is part of the maximum number of students on</td>
<td>To each student that is part of the maximum number of students on</td>
</tr>
<tr>
<td></td>
<td></td>
<td>the site at any time</td>
<td>the site at any time</td>
</tr>
<tr>
<td>Hotel</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
</tr>
<tr>
<td>0.4</td>
<td>0.4</td>
<td>0.4</td>
<td>0.4</td>
</tr>
<tr>
<td>3.5</td>
<td>To each patron permitted</td>
<td>To each student that is part of the maximum number of students on</td>
<td>To each student that is part of the maximum number of students on</td>
</tr>
<tr>
<td></td>
<td></td>
<td>the site at any time</td>
<td>the site at any time</td>
</tr>
<tr>
<td>Industry other than listed in this table</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
</tr>
<tr>
<td>2.9</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
<td>To each student that is part of the maximum number of students on</td>
<td>To each student that is part of the maximum number of students on</td>
</tr>
<tr>
<td></td>
<td></td>
<td>the site at any time</td>
<td>the site at any time</td>
</tr>
<tr>
<td>Industry other than listed in this table</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
</tr>
<tr>
<td>10</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>10</td>
<td>Per cent of site area</td>
<td>Per cent of site area</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
</tr>
<tr>
<td>10</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>10</td>
<td>Per cent of site area</td>
<td>Per cent of site area</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Mail centre</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
</tr>
<tr>
<td>3.5</td>
<td>3</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>3</td>
<td>To each 100 sq m of net floor area</td>
<td>To each student that is part of the maximum number of students on</td>
<td>To each student that is part of the maximum number of students on</td>
</tr>
<tr>
<td></td>
<td></td>
<td>the site at any time</td>
<td>the site at any time</td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
</tr>
<tr>
<td>4</td>
<td>3.5</td>
<td>4</td>
<td>3.5</td>
</tr>
<tr>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
<td>To each 100 sq m of leasable floor area</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
</tr>
<tr>
<td>8</td>
<td>3.5</td>
<td>8</td>
<td>3.5</td>
</tr>
<tr>
<td>3.5</td>
<td>To each 100 sq m of site area</td>
<td>To each 100 sq m of site area</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
</tr>
<tr>
<td>10</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>10</td>
<td>Per cent of site area</td>
<td>Per cent of site area</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Medical centre</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
</tr>
<tr>
<td>5</td>
<td>3</td>
<td>5</td>
<td>3</td>
</tr>
<tr>
<td>3</td>
<td>To the first person providing health services plus</td>
<td>To every other person providing health services</td>
<td>To every other person providing health services</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Milk depot</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
<td>Education centre other than listed in this table</td>
</tr>
<tr>
<td>10</td>
<td>10</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>10</td>
<td>Per cent of site area</td>
<td>Per cent of site area</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>
</tbody>
</table>
Number of car parking spaces required for other uses

Where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority. This does not apply to the use of land for a temporary portable land sales office located on the land for sale.

Application requirements and decision guidelines for permit applications

For applications to reduce the car parking requirement

An application to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed:

- new use; or
- increase in the floor areas or site area of the existing use; or
- increase to the existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
The short-stay and long-stay car parking demand likely to be generated by the proposed use.

The availability of public transport in the locality of the land.

The convenience of pedestrian and cyclist access to the land.

The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.

The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.

Any empirical assessment or case study.

Before granting a permit to reduce the number of spaces, the responsible authority must consider the following, as appropriate:

- The Car Parking Demand Assessment.
- Any relevant local planning policy or incorporated plan.
- The availability of alternative car parking in the locality of the land, including:
  - Efficiencies gained from the consolidation of shared car parking spaces.
  - Public car parks intended to serve the land.
  - On street parking in non residential zones.
  - Streets in residential zones specifically managed for non-residential parking.
- On street parking in residential zones in the locality of the land that is intended to be for residential use.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- Any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre.
- The future growth and development of any nearby activity centre.
- Any car parking deficiency associated with the existing use of the land.
- Any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.
- Local traffic management in the locality of the land.
- The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.
- The need to create safe, functional and attractive parking areas.
- Access to or provision of alternative transport modes to and from the land.
- The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.
- The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.
- Any other matter specified in a schedule to the Parking Overlay.
- Any other relevant consideration.
For applications to allow some or all of the required car parking spaces to be provided on another site

Before granting a permit to allow some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay to be provided on another site, the responsible authority must consider the following, as appropriate:

- The proximity of the car parking on the alternate site to the subject site.
- The likelihood of the long term provision and availability of the car parking spaces.
- Whether the location of the car parking spaces is consistent with any relevant local policy or incorporated plan.
- Any other matter specified in a schedule to the Parking Overlay.

For applications to provide more than the maximum parking provision specified in a schedule to the Parking Overlay

An application to provide more than the maximum parking provision specified in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed use or increase to the existing use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
- The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
- Any empirical assessment or case study.

Requirement for a car parking plan

Plans must be prepared to the satisfaction of the responsible authority before any of the following occurs:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The plans must show, as appropriate:

- All car parking spaces that are proposed to be provided (whether on the land or on other land).
- Access lanes, driveways and associated works.
- Allocation of car parking spaces to different uses or tenancies, if applicable.
- Any landscaping and water sensitive urban design treatments.
- Finished levels, if required by the responsible authority.
Any other matter specified in a schedule to the Parking Overlay. Plans must be provided to the responsible authority under Clause 52.06-8 wherever Clause 52.06 applies, whether or not a permit application is being made under Clause 52.06-3 or any other provision of the planning scheme.

Where an application is being made for a permit under Clause 52.06-3 or another provision of the planning scheme, the information required under Clause 52.06-8 may be included in other plans submitted with the application.

Clause 52.06-8 does not apply where no car parking spaces are proposed to be provided.

52.06-9
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Design standards for car parking

Plans prepared in accordance with Clause 52.06-8 must meet the design standards of Clause 52.06-9, unless the responsible authority agrees otherwise.

Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

Design standard 1 – Accessways

Accessways must:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.
- If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed so that cars can exit the site in a forward direction.
- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Road Zone.
- Have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

If an accessway to four or more car parking spaces is from land in a Road Zone, the access to the car spaces must be at least 6 metres from the road carriageway.

If entry to the car space is from a road, the width of the accessway may include the road.

Design standard 2 – Car parking spaces

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.

Table 2: Minimum dimensions of car parking spaces and accessways

<table>
<thead>
<tr>
<th>Angle of car parking spaces to access way</th>
<th>Accessway width</th>
<th>Car space width</th>
<th>Car space length</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parallel</td>
<td>3.6 m</td>
<td>2.3 m</td>
<td>6.7 m</td>
</tr>
<tr>
<td>45°</td>
<td>3.5 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
</tbody>
</table>
Angle of car parking spaces to access way | Accessway width | Car space width | Car space length
--- | --- | --- | ---
60° | 4.9 m | 2.6 m | 4.9 m
90° | 6.4 m | 2.6 m | 4.9 m
| 5.8 m | 2.8 m | 4.9 m
| 5.2 m | 3.0 m | 4.9 m
| 4.8 m | 3.2 m | 4.9 m

Note to Table 2: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked ‘clearance required’ on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked ‘tree or column permitted’ on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

Diagram 1 Clearance to car parking spaces

Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.

Where parking spaces are provided in tandem (one space behind the other) an additional 500 mm in length must be provided between each space.

Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500mm.
Design standard 3: Gradients

Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

Table 3: Ramp gradients

<table>
<thead>
<tr>
<th>Type of car park</th>
<th>Length of ramp</th>
<th>Maximum grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public car parks</td>
<td>20 metres or less</td>
<td>1:5 (20%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:6 (16.7%)</td>
</tr>
<tr>
<td>Private or residential car parks</td>
<td>20 metres or less</td>
<td>1:4 (25%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:5 (20%)</td>
</tr>
</tbody>
</table>

Where the difference in grade between two sections of ramp or floor is greater that 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

Design standard 4: Mechanical parking

Mechanical parking may be used to meet the car parking requirement provided:

- At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle height of at least 1.8 metres.
- Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

Design standard 5: Urban design

Ground level car parking, garage doors and accessways must not visually dominate public space. Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.

Design of car parks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

Design standard 6: Safety

Car parking must be well lit and clearly signed.

The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to car parking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.
Design standard 7: Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

Decision guidelines

Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.
- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The workability and allocation of spaces of any mechanical parking arrangement.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The type and size of vehicle likely to use the parking area.
- Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.
- The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.
- Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).
- The relevant standards of Clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.
- Any other matter specified in a schedule to the Parking Overlay.

Construction of car parking

Where a plan is required under Clause 52.06-8, the car parking spaces, access lanes, driveways and associated works and landscaping shown on the plan must be:

- constructed and available for use in accordance with the plan approved by the responsible authority; and
- formed to such levels and drained so that they can be used in accordance with the plan; and
- treated with an all-weather seal or some other durable surface; and
- line-marked or provided with some other adequate means of showing the car parking spaces, before any of the following occurs:
- the new use commences; or
- the floor area or site area of the existing use is increased; or
- the existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.
BUSHFIRE RECOVERY

Purpose

To facilitate and support recovery from a bushfire.
To facilitate the construction and use of temporary accommodation following a bushfire.
To enable businesses and services to continue operating following a bushfire.

Exemption from planning scheme requirements

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use or development of land, requires the use or development of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to any of the following use or development if requirements of Clause 52.07 are met:

- The use of land or the construction of a building or the construction or carrying out of works:
  - Associated with bushfire recovery carried out by or on behalf of a municipal council or public authority; or
  - For accommodation; or
  - For a use (other than accommodation) that was lawfully carried out in a building immediately before that building was damaged or destroyed by a bushfire.

- The removal, destruction or lopping of vegetation.

This exemption does not apply to:

- The requirement in Clause 45.03-1.
- The use or development of land to which Clause 52.13 or Clause 52.14 applies.
- The use or development of land identified in a schedule to Clause 51.01.
- The use or development of land in the Specific Controls Overlay.

The provisions of this clause prevail over any inconsistent provision in this planning scheme.

Information to responsible authority

Before the commencement of a use or the construction of a building under Clause 52.07, the following information must be given in writing to the responsible authority and to the satisfaction of the responsible authority:

- A description of the proposed use.
- A description of the proposed building.
- A description of the land on which the use will be carried out or the building will be constructed by:
  - Stating the address of the land; or
  - Stating the title particulars of the land; or
  - Including a plan showing the land; or
  - Any combination of these.

Temporary accommodation requirements

The following requirements do not apply to the use or development of land associated with bushfire recovery carried out by or on behalf of a municipal council or public authority.
Land must only be used for accommodation under this clause to accommodate a person whose principal place of residence was damaged or destroyed by a bushfire on the same land or contiguous land in the same ownership.

Land used for accommodation under this clause must meet the following requirements:

- Access to the accommodation must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.

- The accommodation must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970 or treated and disposed of to the satisfaction of the responsible authority.

- The accommodation must be connected to a reticulated potable water supply or have an alternative potable water supply.

- The accommodation must be connected to a reticulated electricity supply or have an alternative energy source.

The use of land for accommodation under this clause must not continue after 3 years of the commencement of the use unless in accordance with the requirements of this planning scheme.

A building or works constructed or carried out under this clause for accommodation must be on the same land, or on contiguous land in the same ownership, as a building used for accommodation that was damaged or destroyed by a bushfire and must be completed within 18 months of the date that building was damaged or destroyed.

Unless in accordance with the written agreement of the responsible authority, the combined gross floor area of all buildings constructed for accommodation under this clause on contiguous land in the same ownership must not exceed 60 square metres.

**Other use and development requirements**

The following requirements do not apply to the use or development of land:

- For accommodation; or

- Associated with bushfire recovery carried out by or on behalf of a municipal council or public authority.

Unless in accordance with the written agreement of the responsible authority, the use of land under this clause for a use that was carried out in a building immediately before that building was damaged or destroyed by a bushfire must be carried out on the same land, or on contiguous land in the same ownership, as the damaged or destroyed building.

A use commenced under this clause must not continue after 3 years of its commencement unless in accordance with this planning scheme.

A building or works constructed or carried out under this clause for a use that was carried out in a building damaged or destroyed by a bushfire, must be on the same land, or on contiguous land in the same ownership, as the damaged or destroyed building and must be completed within 18 months of the date that building was damaged or destroyed by a bushfire.

Unless in accordance with the written agreement of the responsible authority, the combined gross floor area of all buildings constructed under this clause on contiguous land in the same ownership must not exceed 100 square metres.

**Vegetation removal requirement**

Vegetation must only be removed, destroyed or lopped to the minimum extent necessary:
To enable the removal of a building, equipment or other material that was damaged or destroyed by a bushfire within 3 years of the date it was damaged or destroyed; or

To enable the repair or reconstruction of a fence that was damaged or destroyed by a bushfire within 3 years of the date it was damaged or destroyed for a combined maximum width of 4 metres either side of the fence.

This requirement does not apply to:

- The removal, destruction or lopping of vegetation within 10 metres of a building constructed for accommodation under this clause; or

- The removal, destruction or lopping of vegetation (other than a tree) within 30 metres of a building constructed for accommodation under this clause; or

- The removal, destruction or lopping of vegetation (other than a tree) within 50 metres of a building constructed for accommodation under this clause in a Bushfire Management Overlay.

**Overlay requirements**

Development of land in a Bushfire Management Overlay or Erosion Management Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in Clause 52.07-1, must be sited to the satisfaction of the responsible authority.

Development of land in a Heritage Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in Clause 52.07-1, must be undertaken to the satisfaction of the responsible authority.

Development of land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay that would require a permit, or would be prohibited, under the overlay were it not for the exemption in Clause 52.07-1, must be sited to the satisfaction of the relevant floodplain management authority.
EARTH AND ENERGY RESOURCES INDUSTRY

Purpose

To encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards.

To ensure that geothermal energy extraction, greenhouse gas sequestration, mining and petroleum production are not prohibited land uses.

To ensure that planning controls for the use and development of land for the exploration and extraction of earth and energy resources are consistent with other legislation governing these land uses.

Permit requirement

A permit is required to use and develop land for earth and energy resources industry unless the table to this clause specifically states that a permit is not required.

Table of exemptions

<table>
<thead>
<tr>
<th>No permit is required to use or develop land for earth and energy resources industry if the following conditions are met:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Extractive industry</strong> Complies with Section 77T of the Mineral Resources (Sustainable Development) Act 1990.</td>
</tr>
<tr>
<td><strong>Geothermal energy exploration</strong> Complies with the Geothermal Energy Resources Act 2005.</td>
</tr>
<tr>
<td><strong>Geothermal energy extraction</strong> Complies with Section 62 of the Geothermal Energy Resources Act 2005.</td>
</tr>
<tr>
<td><strong>Mineral exploration</strong> Complies with Section 43(3) of the Mineral Resources (Sustainable Development) Act 1990.</td>
</tr>
<tr>
<td><strong>Mining</strong> Complies with Section 42(7) or Section 42A Mineral Resources (Sustainable Development) Act 1990; or Complies with Section 47A of the Electricity Industry Act 1993.</td>
</tr>
<tr>
<td><strong>Petroleum exploration</strong> Complies with Section 118 of the Petroleum Act 1998.</td>
</tr>
<tr>
<td><strong>Petroleum production</strong> Complies with Section 120 of the Petroleum Act 1998.</td>
</tr>
<tr>
<td><strong>Stone exploration</strong> Must not be costeaning or bulk sampling.</td>
</tr>
</tbody>
</table>

Application requirements for mining

An application to use and develop land for mining must be accompanied by:

- A copy of a work plan or a variation to an approved work plan that has received statutory endorsement under section 77TD of the Mineral Resources (Sustainable Development) Act 1990.

- The written notice of statutory endorsement under section 77TD(1) of the Mineral Resources (Sustainable Development) Act 1990.

- Any conditions specified under section 77TD(3) of the Mineral Resources (Sustainable Development) Act 1990.
Referral requirements for mining

An application to use or develop land for mining must be referred under section 55 of the Act to the person or body specified as the referral authority in Clause 66.

Unless the referral authority is the Roads Corporation, the referral requirement in Clause 66 does not apply if a copy of a work plan or variation to an approved work plan accompanying the application was given to the referral authority under section 77TE of the *Mineral Resources (Sustainable Development) Act 1990.*
EXTRACTION INDUSTRY AND EXTRACTIVE INDUSTRY INTEREST AREAS

Purpose
To ensure that use and development of land for extractive industry does not adversely affect the
environment or amenity of the area during or after extraction.
To ensure that excavated areas can be appropriately rehabilitated.
To ensure that stone resources, which may be required by the community for future use, are
protected from inappropriate use and development.

Application
This clause applies to an application to use or develop land:
- For extractive industry;
- Within an Extractive Industry Interest Area; or
- Within 500 metres of an existing or proposed extractive industry operation.

Application requirements
An application to use and develop land for extractive industry must be accompanied by:
- A copy of a work plan or a variation to an approved work plan that has received statutory
endorsement under section 77TD of the Mineral Resources (Sustainable Development) Act
1990.
- The written notice of statutory endorsement under section 77TD(1) of the Mineral Resources
(Sustainable Development) Act 1990.
- Any conditions specified under section 77TD(3) of the Mineral Resources (Sustainable

These requirements do not apply if the proposed extractive industry is exempt from:
- The requirement to obtain a work plan under section 77G of the Mineral Resources (Sustainable
Development) Act 1990; or
- The provisions of the Mineral Resources (Sustainable Development) Act 1990 under section
5AA of that Act.

Referral of applications
An application to use or develop land for extractive industry must be referred under section 55 of
the Act to the person or body specified as the referral authority in Clause 66.
Unless the referral authority is the Roads Corporation, the referral requirement in Clause 66 does
not apply if a copy of a work plan or variation to an approved work plan accompanying the
application was given to the referral authority under section 77TE of the Mineral Resources
(Sustainable Development) Act 1990.

Decision guidelines
Before deciding on an application to use and develop land for extractive industry, in addition to
the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:
- The effect of the proposed extractive industry on any native flora and fauna on and near the
land.
- The impact of the proposed extractive industry on sites of cultural and historic significance,
including any effects on Aboriginal places.
- The effect of the proposed extractive industry on the natural and cultural landscape of the surrounding land and the locality generally.

- The ability of the proposed extractive industry to contain any emissions within the boundaries of the land in accordance with relevant legislation.

- The effect of vehicular traffic, noise, blasting, dust and vibration on the amenity of the surrounding area.

- The ability to rehabilitate the affected land to a form or for a use which is compatible with the natural systems or visual appearance of the surrounding area.

- The ability to rehabilitate the land so it can be used for a purpose or purposes beneficial to the community.

- The effect of the proposed extractive industry on groundwater quality and the impact on any affected water uses.

- The impact of the proposed extractive industry on surface drainage and surface water quality.

- Any proposed provisions, conditions or requirements in a work plan that has received statutory endorsement under the *Mineral Resources (Sustainable Development) Act 1990*.

### Permit conditions for extractive industry

A permit to use and develop land for extractive industry must not include conditions which require the use to cease by a specified date unless either:

- The subject land is situated in or adjoins land which is being developed or is proposed to be developed for urban purposes.

- Such condition is suggested by the applicant.

A permit to use and develop land for extractive industry must include:

- A condition that allows for a period of not less than five years for the use and development to commence before the permit expires under section 68 of the Act.

- Conditions that are consistent with the requirements specified in Clause 52.09-6.

### Requirements for extractive industry

The use and development of land for extractive industry must comply with the following requirements, to the satisfaction of the responsible authority:

- Except in accordance with a permit, no alteration may be made to the natural condition or topography of the land within 20 metres of the boundary of land. This does not apply to driveways, drains, bund walls or landscaping.

- Shrubs and trees must be planted and maintained to screen activity on the land.

- Parking areas must be provided for employees’ cars and all vehicles used on the land.

### Notice of an application

Notice of the following kinds of applications must be given in accordance with section 52(1)(c) of the Act to the Secretary of the Department administering the *Mineral Resources (Sustainable Development) Act 1990*:

- An application to use or subdivide land or construct a building for accommodation, child care centre, education centre or hospital:
- Within an Extractive Industry Interest Area.
- On land which is within 500 metres of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

- An application to construct a building or construct or carry out works on land for which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

This requirement does not apply to an application to extend a building or works.
52.10  
BUSHFIRE RECONSTRUCTION

Purpose
To facilitate the reconstruction of buildings damaged or destroyed by a bushfire.  
To facilitate the re-establishment of businesses and services following a bushfire.  
To facilitate the continued use of land for dwellings after a bushfire.

52.10-1  
Use exemptions - dwelling

Any requirement of this planning scheme to obtain a permit or any provision of this planning scheme that prohibits the use of land, requires the use of land to be carried out in a particular manner, or requires a specified thing to be done to the satisfaction of a specified person or body, does not apply to the use of land for a dwelling if the following requirements are met:

- A dwelling on the land must have been damaged or destroyed by a bushfire after 1 January 2019.
- The use must commence within 5 years after the date the dwelling was damaged or destroyed.
- The dwelling must not be a building that was constructed under Clause 52.07.
- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

52.10-2  
Exemption from notice and review

An application under any provision of this planning scheme to use or develop land (other than the subdivision of land) for or in association with a use that was lawfully carried out on the land immediately before a building on the land was damaged or destroyed by a bushfire is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the following requirements are met:

- The building was damaged or destroyed by a bushfire after 1 January 2019.
- The application was lodged within 5 years of the date the building was damaged or destroyed.
- If the application is to use or develop land for a dwelling:
  - A dwelling on the land must have been damaged or destroyed by a bushfire.
  - The application must only be for the number of dwellings that were damaged or destroyed.
HOME BASED BUSINESS

Purpose
To ensure that the amenity of the neighbourhood is not adversely affected by a business conducted in or from a dwelling.

Requirements to be met
A home based business must meet the following requirements:

- The person conducting the home based business must use the dwelling as their principal place of residence.
- No more than two persons who does not live in the dwelling may work in the home based business at any one time.
- The net floor area used in conducting the business including the storage of any materials or goods must not exceed 100 square metres or one-third of the net floor area of the dwelling, whichever is the lesser. The net floor area includes out-buildings and works normal to a dwelling.
- The business must not impose a load on any utility greater than normally required for domestic use.
- The business must not adversely affect the amenity of the neighbourhood in any way including:
  - The appearance of any building, works or materials used.
  - The parking of motor vehicles.
  - The transporting of materials or goods to or from the dwelling.
  - The hours of operation.
  - Electrical interference.
  - The storage of chemicals, gasses or other hazardous materials.
  - Emissions from the site.
- No motor vehicle may be adjusted, modified, serviced or repaired for gain.
- Only one commercial vehicle (a commercial goods vehicle, commercial passenger vehicle or tow truck within the meaning of the Transport Act 1983), not exceeding 2 tonnes capacity and with or without a trailer registered to a resident of the dwelling may be present at any time. The vehicle must not be fuelled or repaired on the site.
- No goods other than goods manufactured or serviced in the home based business may be offered for sale. This requirement does not apply to goods offered for sale online.
- Materials used or goods manufactured, serviced or repaired in the home based business must be stored within a building.
- No goods manufactured, serviced or repaired may be displayed so that they are visible from outside the site.
- Any goods offered for sale online must not be collected from the dwelling.

Permit requirement
Despite the requirements of Clause 52.11-1, a permit may be granted for a home occupation:

- Which allows no more than three people who do not live in the dwelling to work in the occupation at any one time; or
- Which has a floor area not exceeding 200 square metres or one-third of the net floor area of the dwelling, whichever is the lesser.
Which allows no more than one additional commercial vehicle (a commercial goods vehicle, commercial passenger vehicle or tow truck within the meaning of the Transport Act 1983), not exceeding two tonnes capacity and with or without a trailer registered to a resident of the dwelling, to be present at any time.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether there is a need for additional parking or loading facilities.
- The effect of any vehicle parking, storage or washing facilities on the amenity and character of the street.
- Whether the site is suitable for the particular home based business and is compatible with the surrounding use and development.
- Whether there is a need for landscaping to screen any outbuildings or car parking or loading areas or any other area relating to the home based business.
BUSHFIRE PROTECTION EXEMPTIONS

Purpose

To facilitate the removal of vegetation in specified circumstances to support the protection of human life and property from bushfire.

To facilitate the construction and protection of community fire refuges and private bushfire shelters.

Exemptions 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 any of the following:

- The removal, destruction or lopping of any vegetation within 10 metres of an existing building used for accommodation if all of the following requirements are met:
  - The building must be located in an area that is designated as a bushfire prone area under the Building Act 1993.
  - The building must have been:
    - constructed before 10 September 2009; or
    - approved by a planning permit or a building permit issued 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.

- The removal, destruction or lopping of any vegetation, except trees, within 30 metres of an existing building used for accommodation if all of the following requirements are met:
  - The building must be located in an area that is designated as a bushfire prone area under the Building Act 1993.
  - The building must have been:
    - constructed before 10 September 2009; or
    - approved by a planning permit or a building permit issued 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.

- The removal, destruction or lopping of any vegetation, except trees, within 50 metres of an existing building used for accommodation if all of the following requirements are met:
  - The building must be located in the Bushfire Management Overlay.
  - The building must have been:
    - constructed before 10 September 2009; or
    - lawfully constructed without a planning permit before 18 November 2011; or
    - approved by a planning permit or a building permit issued before 10 September 2009 and constructed 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 along a boundary fence between properties in different ownership if all of the following requirements are met:

- The fence must be located in an area that is designated as a bushfire prone area under the Building Act 1993.
- The fence must have been constructed before 10 September 2009.
- The clearing alongside 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.

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 October 2015) of the Project Development and Construction Management Act 1994.

Exemption for buildings and works associated with a private bushfire shelter

Any requirement in this planning 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 2018), 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 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 enable the construction of a dwelling, or the alteration or extension of an existing 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.

Note: The effect of clause 52.12-5 is that if an application for building and works is made and all requirements of the clause are met, that application is not required to be accompanied by a permit application to remove the vegetation covered by this clause.
2009 BUSHFIRE - RECOVERY EXEMPTIONS

Purpose
To support recovery operations following the 2009 Victorian bushfires.

Scope
This clause applies to a use or development specified in Clause 52.13-3 carried out for the purposes of recovery from a bushfire that occurred after 1 January 2009.

Exemptions from planning scheme requirements
Any requirement of the scheme to obtain a permit or any provision in the scheme which prohibits the use or development of land or requires the use or development of land to be carried out in a particular manner does not apply to a use or development specified in Clause 52.13-3 provided the following requirements are met:

- Works must only be constructed or carried out for bushfire recovery or in association with the construction of a building under this provision to be used for temporary accommodation.

- A building constructed under this provision must only be used:
  - To provide temporary accommodation for a person or persons whose normal place of residence was damaged or destroyed by bushfire; or
  - For a use that is directly associated with bushfire recovery.

- A building constructed under this provision to be used for temporary accommodation must be located on the same lot as a building used for accommodation that was damaged or destroyed by bushfire unless the building is being constructed by or on behalf of a municipality, the Victorian Bushfire Reconstruction and Recovery Authority or other public authority.

- The construction of a building or the construction or carrying out of works must be completed prior to 31 March 2011.

- Native vegetation must only be removed, destroyed or lopped:
  - To provide access to, make safe or remove building and demolition rubble from a property; or
  - To enable emergency and bushfire recovery works undertaken by or on behalf of a municipality, the Victorian Bushfire Reconstruction and Recovery Authority, other public authority or a utility service provider in the exercise of any power conferred on them under any Act.

- Native vegetation must not be removed, destroyed or lopped after 31 March 2011.

- Any sign displayed must be directly associated with bushfire recovery.

- Any sign displayed must be removed prior to 31 March 2011.

Use and development
The requirements of Clause 52.13-2 apply to the following types of development:

- Demolition or removal of a building.
- Construction of a building.
- Construction or carrying out of works.
- Removal, destruction or lopping of vegetation.
- Display of a sign.
The requirements of Clause 52.13-2 apply to the following uses:

- Temporary accommodation.
- Any use directly associated with bushfire recovery.

**Land in a Heritage Overlay**

For land within a Heritage Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to:

- Demolishing or removing a building;
- Externally altering a building by structural work;
- Internally altering a building if the schedule to the Heritage Overlay identifies the heritage place as one where internal alteration controls apply;
- Carrying out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials; or
- Removing, destroying or lopping a tree if the schedule to the Heritage Overlay identifies the heritage place as one where tree controls apply.

**Land in a Land Management Overlay**

For land within a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to constructing a building or constructing and carrying out works.

For land within an Erosion Management Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to:

- Constructing a building or constructing and carrying out works; or
- Removing, destroying or lopping vegetation.

**Land in an Environmental Audit Overlay**

For land within an Environmental Audit Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to commencing a sensitive use (residential use, child care centre, pre school centre or primary school).

**Cessation of use**

A use must not continue after 30 June 2020 unless in accordance with the requirements of this scheme.

A building must not be used after 30 June 2020 unless in accordance with the requirements of this scheme.

**Decision guidelines**

Before deciding on an application to allow the retention or continuing use of a building, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider the extent to which compliance can be reasonably achieved with all requirements of this scheme.
2009 BUSHFIRE - REPLACEMENT BUILDINGS

Purpose

To support the rebuilding of dwellings, dependent persons’ units and buildings used for agriculture damaged or destroyed by the 2009 Victorian bushfires.

Scope

This clause applies to:

- The construction of a building or the construction and carrying out of works, associated with rebuilding:
  - a dwelling or dependent person’s unit; or
  - a building used for agriculture,
    that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
- The use of land for:
  - a dwelling or dependent person’s unit that is rebuilt in accordance with this clause; or
  - agriculture to the extent that the use relates to a building that was destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009 and that use cannot continue unless that building is rebuilt.
- The removal, destruction or lopping of vegetation to enable the construction, use and maintenance of a building rebuilt in accordance with this Clause.

This clause does not apply to land in a Heritage Overlay.

For the avoidance of doubt, any planning permit exemption provided by the scheme continues to apply to the use and development specified in this Clause.

If any use or development is within the scope of both this Clause 52.14 and Clause 52.13, then this Clause 52.14 prevails over Clause 52.13 in the event of any inconsistency.

Exemption from planning scheme requirements

Any requirement of the scheme to obtain a permit or any provision in the scheme which prohibits the use or development of land or requires the use or development of land to be carried out in a particular manner does not apply to the use and development specified in Clause 52.14-1 provided the following requirements are met:

Site plan

Before the commencement of construction of a building or the construction or carrying out of works, a site plan must be provided to and approved by the responsible authority. The site plan must show:

- The boundaries of the property.
- The location of any damaged or destroyed dwelling, dependent person’s unit or building used for agriculture.
- The proposed location of the replacement dwelling, dependent person’s unit or building used for agriculture.
- The existing and proposed access to the lot.
Vegetation to be removed destroyed or lopped to enable rebuilding including construction of vehicle access, water storage and waste water treatment.

For replacement dwellings and dependent persons’ units on land in a Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:
- The location and dimensions of vehicle access.
- The location and storage of water for potable and fire fighting purposes if the dwelling or dependent person’s unit cannot be connected to a reticulated potable water supply.
- The location of the waste water treatment system if waste water is to be retained and treated on site.

The site plan must be submitted to the responsible authority by 30 September 2017.

Commencement of development

The development must commence within two years after the approval of a site plan by the responsible authority and must be completed within two years after the development commences. The responsible authority may allow an extension of time on the request of the owner or the occupier of the land to which the approved site plan applies, provided that request is made before the expiry of the applicable period or within three months of the expiry of the applicable period.

Compliance with site plan

The development must comply with the approved site plan.

Use and development conditions

- The land must not be used for more than the number of dwellings or dependent persons’ units that were damaged or destroyed.
- The removal, destruction or lopping of vegetation to enable the maintenance of a building must not exceed 10 metres beyond the building.
- For land in the Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:
  - Access to the dwelling or dependent person’s unit must be provided via an all weather road with dimensions adequate to accommodate emergency vehicles.
  - The dwelling or dependent person’s unit must be connected to a reticulated sewerage system or if not available, the waste water must be managed to the satisfaction of the responsible authority.
  - The dwelling or dependent person’s unit must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
  - The dwelling or dependent person’s unit must be connected to a reticulated electricity supply or have an alternative energy source.

- A building must be constructed of materials that are non-reflective and of muted tones in the following locations:
  - Land in an Environmental Significance Overlay, Design and Development Overlay or Significant Landscape Overlay.
  - Land in a Green Wedge Zone, Green Wedge A Zone or Rural Conservation Zone in the municipal districts of the Shire of Yarra Ranges and the Shire of Nillumbik.
For land in a Restructure Overlay, a building must be consistent with any Restructure Plan.

For land adjacent to a Road Zone, Category 1, or Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road, access must not be created or altered.

### Land in an Erosion Management Overlay

For land in an Erosion Management Overlay in the municipal district of the Shire of Yarra Ranges, in addition to the requirements specified in Clause 52.14-2, the written authorisation of the responsible authority must be obtained prior to:

- Constructing a building or constructing and carrying out works; or
- Removing, destroying or lopping vegetation.

### Land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay

For land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay, in addition to the requirements specified in Clause 52.14-2, the written authorisation of the relevant floodplain management authority must be obtained prior to the commencement of construction of a building or the construction or carrying out of works.

### Decision guidelines

Before deciding on approval of the site plan, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider, as appropriate:

- The extent to which the siting of the building and associated development can reasonably achieve compliance with other relevant requirements of this scheme.
- The extent to which the replacement dwelling or dependent person’s unit can be located on the land to assist the minimisation of risk to life and property from bushfire.
HELIPORT AND HELICOPTER LANDING SITE

Purpose
To ensure the amenity impacts of a heliport and a helicopter landing site on surrounding areas is considered.

Permit requirement
A permit is required to use or develop any land for a heliport or a helicopter landing site even if it is ancillary to another use on the land, unless the table to this Clause specifically states that a permit is not required.

Table of exemptions for use

<table>
<thead>
<tr>
<th>No permit is required to use land for a helicopter landing site if any of the following apply:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Emergency services</strong></td>
</tr>
<tr>
<td>The helicopter landing site is used by a helicopter engaged in the provision of emergency service operations.</td>
</tr>
<tr>
<td><strong>Agriculture</strong></td>
</tr>
<tr>
<td>The helicopter landing site is used by a helicopter engaged in agricultural activity in conjunction with the use of any land for agriculture.</td>
</tr>
<tr>
<td><strong>Public land management</strong></td>
</tr>
<tr>
<td>The helicopter landing site is used by a helicopter engaged in the provision of public land management activities conducted by or on behalf of any of the following:</td>
</tr>
<tr>
<td>● The Department of Environment, Land, Water and Planning;</td>
</tr>
<tr>
<td>● The Department of Economic Development, Jobs, Transport and Resources; or</td>
</tr>
<tr>
<td>● Parks Victoria, whether on private land or not.</td>
</tr>
<tr>
<td><strong>General</strong></td>
</tr>
<tr>
<td>The helicopter landing site where either:</td>
</tr>
<tr>
<td>● The landing point is located more than 500 metres from a building used for a sensitive use (accommodation, child care centre, education centre and hospital) that is not associated with the helicopter operation and more than 200 metres from a shipping channel in the Port of Melbourne, provided:</td>
</tr>
<tr>
<td>● The number of flight movements does not exceed eight in a 30 day period and four in a 24 hour period (for the purposes of this provision the take off and landing of a helicopter are separate flight movements).</td>
</tr>
<tr>
<td>● Flight movements do not take place before 7am or after sunset on a weekday.</td>
</tr>
<tr>
<td>● Flight movements do not take place before 8am or after sunset on a weekend or holiday; or</td>
</tr>
<tr>
<td>● The landing point is located more than 1000 metres from a building used for a sensitive use that is not associated with the helicopter operation and more than 200 metres from a shipping channel in the Port of Melbourne.</td>
</tr>
</tbody>
</table>

Application requirements
An application to use or develop land for a heliport or a helicopter landing site must be accompanied by the following information, as appropriate:

● A site plan, including:
  - Site boundaries and dimensions.
  - The current land use.
  - The existing siting and layout of buildings and works.
  - The proposed siting and layout of buildings and works.
  - Existing vegetation and proposed vegetation removal.
Vehicle and pedestrian access.

An application to use land for a heliport or a helicopter landing site must be accompanied by the following information:

- A location plan, including:
  - The siting and use of buildings on adjacent properties.
  - The direction and distance to any building used for a sensitive use (accommodation, child care centre, education centre and hospital) that is not associated with the helicopter operation and is located within 500 metres of the proposed heliport or helicopter landing site.

- A written report which:
  - Demonstrates a suitable separation distance between the landing point of a heliport or helicopter landing site and any building used for a sensitive use that is not associated with the helicopter operation by either:
    - Locating the proposed heliport or helicopter landing site at least 150 metres for helicopters of less than 2 tonnes all-up weight, or 250 metres for helicopters of less than 15 tonnes all-up weight, or
    - Providing an acoustic report by a suitably qualified consultant.
  - Includes details of the proposed frequency of flight movements.
  - Includes the proposed hours of operation.

Decision guidelines

Before deciding on an application to use land for a heliport or a helicopter landing site, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposal achieves a suitable separation distance from a nearby sensitive use, having regard to the Noise Control Guidelines (Environment Protection Authority, 2008).
- The effect of the proposal on nearby sensitive uses in terms of the proposed frequency of flight movements and hours of operation.
NATIVE VEGETATION PRECINCT PLAN

Purpose

To provide for the protection, management and removal of native vegetation through the use of a native vegetation precinct plan incorporated into this scheme.

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

1. Avoid the removal, destruction or lopping of native vegetation.

2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.

3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

Application

This clause applies to land if a native vegetation precinct plan corresponding to that land is incorporated into this scheme and listed in the schedule to this clause.

Native vegetation precinct plans

A native vegetation precinct plan is a plan relating to native vegetation within a defined area which is incorporated into this scheme and listed in the schedule to this clause.

A native vegetation precinct plan may form part of a more general strategic or precinct structure plan.

A native vegetation precinct plan must include the information and provide for the matters set out in section 10.1 of the Guidelines.

Permit requirement

A permit is required to remove, destroy or lop any native vegetation, including dead native vegetation. This does not apply:

- If the removal, destruction or lopping of native vegetation is in accordance with a native vegetation precinct plan incorporated into this scheme. Any conditions or requirements specified in the plan must be met.

- To the removal, destruction or lopping of native vegetation specified in the table to Clause 52.16-8, unless a native vegetation precinct plan specifies otherwise.

Application requirements

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines at Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate.
Offset requirements

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset in accordance with the Guidelines. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and timing to secure the offset.

Transitional provisions

The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
  - the original permit application was lodged before that date; or
  - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department of Environment, Land, Water and Planning’s native vegetation information systems within 12 months before that date.

Table of exemptions

The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Conservation work</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of conservation work:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- which provides an overall improvement for biodiversity; and</td>
</tr>
<tr>
<td></td>
<td>- with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Crown land</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- by or on behalf of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987), or Parks Victoria, and in accordance with the Procedure for the removal, destruction or lopping of native vegetation on Crown land; or</td>
</tr>
<tr>
<td></td>
<td>- with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Emergency works</th>
<th>Native vegetation that is to be removed, destroyed or lopped:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- in an emergency by or on behalf of a public authority or municipal council to create an emergency access associated with emergency works; or</td>
</tr>
<tr>
<td></td>
<td>- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Extractive industry</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 and authorised by a work authority under that Act.</th>
</tr>
</thead>
</table>

| Fire protection | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out any of the following fire protection activities: |
The requirement to obtain a permit does not apply to:

- fire fighting;
- planned burning;
- making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;
- making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);
- in accordance with a fire prevention notice issued under either:
  - section 65 of the Forests Act 1958; or
- keeping native vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998;
- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forest and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the Road Management Act 2004.

**Note:** Additional permit exemptions for bushfire protection are provided at Clause 52.12.

<table>
<thead>
<tr>
<th>Geothermal energy exploration and extraction</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Geothermal Energy Resources Act 2005.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenhouse gas sequestration and exploration</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008.</td>
</tr>
<tr>
<td>Land management or directions notice</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td>Land use conditions</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td>Mineral exploration and mining</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration mining, prospecting, or retention license issued under the Mineral Resources (Sustainable Development) Act 1990:</td>
</tr>
<tr>
<td></td>
<td>- that is low impact exploration within the meaning of Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990; or</td>
</tr>
<tr>
<td></td>
<td>- in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990.</td>
</tr>
<tr>
<td></td>
<td><strong>Note:</strong> Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</td>
</tr>
<tr>
<td>Pest animal burrows</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in accordance with the written agreement of an officer of the department responsible for administering the Flora and Fauna Guarantee Act 1988.</td>
</tr>
<tr>
<td>Planted vegetation</td>
<td>Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production. This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.</td>
</tr>
</tbody>
</table>
### The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Railways</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
</tbody>
</table>
| **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:  
  - 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 where native vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster. |
| **Road safety**           | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by 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. |
| **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

<table>
<thead>
<tr>
<th>Name of plan</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Cranbourne East Precinct Structure Plan, (including Cranbourne East Native Vegetation Precinct Plan), May 2010.</td>
<td></td>
</tr>
<tr>
<td>Cranbourne North Stage 2 Precinct Structure Plan (including the Cranbourne North Stage 2 Native Vegetation Precinct Plan) June 2011</td>
<td></td>
</tr>
<tr>
<td>Clyde North Precinct Structure Plan (including Clyde North Native Vegetation Precinct Plan) August 2011</td>
<td></td>
</tr>
<tr>
<td>Botanic Ridge Native Vegetation Precinct Plan, December 2012</td>
<td></td>
</tr>
<tr>
<td>Brompton Lodge Native Vegetation Precinct Plan, August 2016</td>
<td></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>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation work</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of conservation work:</td>
</tr>
<tr>
<td></td>
<td>- which provides an overall improvement for biodiversity; and</td>
</tr>
<tr>
<td></td>
<td>- with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Crown land</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land:</td>
</tr>
<tr>
<td></td>
<td>- by or on behalf of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987), or Parks Victoria, and in accordance with the Procedure for the removal, destruction or lopping of native vegetation on Crown land; or</td>
</tr>
<tr>
<td></td>
<td>- with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Dead native vegetation</td>
<td>Native vegetation that is dead.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to a standing dead tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td>Emergency works</td>
<td>Native vegetation that is to be removed, destroyed, or lopped:</td>
</tr>
<tr>
<td></td>
<td>- in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access associated with emergency works; or</td>
</tr>
<tr>
<td></td>
<td>- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

| Existing buildings | Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the use or maintenance of a building constructed in accordance with a planning or building permit issued before 15 September 2008. This exemption does not apply to:  
- the operation or maintenance of a fence; or  
- native vegetation located more than 10 metres measured from the outermost point of the building. |
| --- | --- |
| Existing buildings and works in the Farming Zone and Rural Activity Zone | Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the use or maintenance of an existing building or works used for Agricultural production, including a dam, utility service, bore, horticultural trellising and accessway in the Farming Zone or the Rural Activity Zone. This exemption does not apply to:  
- the use or maintenance of a Dwelling; or  
- the operation or maintenance of a fence; or  
- native vegetation located more than 10 metres measured from the outermost point of the building or works. |
| Extractive industry | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of extractive industry in accordance with a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 and authorised by a work authority under that Act. |
| Fences | Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable:  
- the operation or maintenance of an existing fence; or  
- the construction of a boundary fence between properties in different ownership. The clearing along both sides of the fence when combined must not exceed 4 metres in width, except where land has already been cleared 4 metres or more along one side of the fence, then up to 1 metre can be cleared along the other side of the fence. |
| Fire protection | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to carry out any of the following fire protection activities:  
- fire fighting;  
- planned burning;  
- making or maintenance of a fuelbreak or firefighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;  
- making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);  
- in accordance with a fire prevention notice issued under either:  
  - Section 65 of the Forests Act 1958; or  
  - Section 41 of the Country Fire Authority Act 1958. |
The requirement to obtain a permit does not apply to:

- keeping native vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*;
- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*.

*Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*

| Geothermal energy exploration and extraction | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Geothermal Energy Resources Act 2005*. |
| Grasses | Native grass that is to be mowed or slashed for maintenance only, provided that the grass is: |
| | • located within a lawn, garden or other landscaped area; or |
| | • maintained at a height of at least 10 centimetres above ground level. |
| Grazing | Native vegetation that is to be removed, destroyed or lopped by domestic stock grazing on: |
| | • freehold land; or |
| | • Crown land in accordance with a license, permit or lease granted under applicable legislation. |
| Greenhouse gas sequestration and exploration | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the *Greenhouse Gas Geological Sequestration Act 2008*. |
| Harvesting for timber production – naturally established native vegetation | Naturally established native vegetation that is to be removed, destroyed or lopped to enable timber harvesting operations and associated activities that are in accordance with the *Code of Practice for Timber Production 2014* and are: |
| | • undertaken on public land under a licence or permit issued under section 52 of the *Forests Act 1958*; or |
| | • authorised in accordance with Part 5 of the *Sustainable Forests (Timber) Act 2004*. |
| Land management or directions notice | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the *Catchment and Land Protection Act 1994*. |
| Land use conditions | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the *Catchment and Land Protection Act 1994*. |
| Lopping and pruning for maintenance | Lopping or pruning native vegetation, for maintenance only, provided no more than 1/3 of the foliage of each individual plant is lopped or pruned. |
| | This exemption does not apply to: |
The requirement to obtain a permit does not apply to:

- the pruning or lopping of the trunk of a native tree; or
- native vegetation on a roadside or railway reservation.

| Mineral exploration and extraction | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention license issued under the *Mineral Resources (Sustainable Development) Act 1990*:

  - that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or
  - in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*.

  Note: Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990* specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.

| New buildings and works in the Farming Zone and Rural Activity Zone | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the construction of a building or works used for Agricultural production, including a dam, utility service, bore and accessway, in the Farming Zone or the Rural Activity Zone.

  The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:

  - 1 hectare of native vegetation which does not include a tree.
  - 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.
  - 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

  This exemption does not apply to the construction or operation of a pivot irrigation system or horticultural trellising.

| New dwellings in the Farming Zone and Rural Activity Zone | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the construction of a dwelling in the Farming Zone or Rural Activity Zone.

  The maximum extent of native vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:

  - 300 square metres of native vegetation which does not include a tree.
  - 5 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.
  - 1 native tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

  This exemption does not apply to the construction of a swimming pool, tennis court or horse ménage.

| Personal use | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to obtain reasonable amounts of wood for personal use by the owner or lawful occupier of the land.
### The requirement to obtain a permit does not apply to:

For the purpose of this exemption personal use means uses such as heating and cooking, building and fence construction on land, and hobbies such as arts and craft.

This exemption does not apply to:

- contiguous land in one ownership that has an area of less than 10 hectares;
- the removal, destruction or lopping of native vegetation by means other than cutting or chopping; or
- a standing native tree (including a dead tree) with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

### Pest animal burrows

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in the Farming Zone or the Rural Activity Zone:

- in accordance with written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988*; or
- provided the maximum extent of native vegetation removed, destroyed or lopped on contiguous land in the same ownership in a five year period does not exceed any of the following:
  - 1 hectare of native vegetation which does not include a tree; or
  - 15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.

### Planted vegetation

Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding.

This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.

### Railways

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

### Regrowth

Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is:

- less than 10 years old; or
- bracken (*Pteridium esculentum*); or
- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation; or
- less than ten years old at the time of a property vegetation plan being signed by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*), and is:
<table>
<thead>
<tr>
<th>The requirement to obtain a permit does not apply to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>- shown on that plan as being ‘certified regrowth’; and</td>
</tr>
<tr>
<td>- on land that is to be used or maintained for cultivation or pasture during the term of that plan.</td>
</tr>
</tbody>
</table>

This exemption does not apply to land where native vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.

### Road safety
Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

### Site area
Native vegetation that is to be removed, destroyed or lopped on land, together with all contiguous land in one ownership, which has an area of less than 0.4 hectares.

This exemption does not apply to native vegetation on a roadside or rail reservation.

### Stock movements on roads
Native vegetation that is to be removed, or destroyed by stock being moved along a road.

This exemption does not apply to grazing as a result of holding stock in a temporary fence (including an electric fence) on a roadside for the purpose of feeding.

### Stone exploration
Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.

The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:

- 1 hectare of native vegetation which does not include a tree.
- 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.
- 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

This exemption does not apply to costeaning and bulk sampling activities.

### Surveying
Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a 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:
The requirement to obtain a permit does not apply to:

- to maintain the safe and efficient function a Minor utility installation; or
- by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).

<table>
<thead>
<tr>
<th>Vehicle access from public roads</th>
<th>Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the construction or maintenance of a vehicle access across a road reserve from a property boundary to a public road.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This exemption only applies to properties which share a common boundary with the road reserve, and the total width of clearing must not exceed 6 metres.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply where there is a practical opportunity to site the accessway to avoid the removal, destruction or lopping of native vegetation.</td>
</tr>
<tr>
<td></td>
<td>In this exemption, roadside and public road have the same meanings as in section 3 of the Road Management Act 2004.</td>
</tr>
<tr>
<td></td>
<td>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.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Weeds</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal or destruction of a weed listed in the schedule to Clause 52.17.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:</td>
</tr>
<tr>
<td></td>
<td>1 hectare of native vegetation which does not include a tree.</td>
</tr>
<tr>
<td></td>
<td>15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.</td>
</tr>
</tbody>
</table>
## SCHEDULE TO CLAUSE 52.17 NATIVE VEGETATION

### Scheduled area

<table>
<thead>
<tr>
<th>Area</th>
<th>Description of native vegetation for which no permit is required to remove, destroy or lop</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land in a Public Acquisition Overlay or a Road Zone for the Pakenham Bypass.</td>
<td>All native vegetation provided the works are undertaken in accordance with a Project Environment Protection Strategy, which is consistent with the Minister’s Assessment under the Environment Effects Act 1978 for the Pakenham Bypass Project, to the satisfaction of the responsible authority.</td>
</tr>
<tr>
<td>All land in the area to which Schedule 1 of the Urban Growth Zone (Cranbourne West Precinct Structure Plan) applies.</td>
<td>All native vegetation which is shown as to be removed in a Native Vegetation Plan approved by the Department of Sustainability and Environment provided any conditions or requirements of the approved Native Vegetation Plan are met.</td>
</tr>
<tr>
<td>Land in Cranbourne East that is both: bounded by Mayfield Road to the west, Berwick-Cranbourne Road to the south, the western boundary of the Cranbourne East Precinct Structure Plan to the east, and Linsell Boulevard to the north, and Shown on the planning scheme maps as Urban Growth Zone (with no schedule number).</td>
<td>All native vegetation.</td>
</tr>
<tr>
<td>Land in a Public Use Zone 4 for the Lynbrook Railway Station and associated facilities.</td>
<td>Native vegetation required to be removed, destroyed or lopped to enable the land to be developed for the Lynbrook Railway Station and associated facilities.</td>
</tr>
<tr>
<td>Land shown as UGZ9 on the planning scheme maps.</td>
<td>Shown as 'Native vegetation which can be removed’ on Plan 5 in the incorporated Berwick Waterways Precinct Structure Plan where the removal, destruction or lopping is carried out in accordance with: Approval decision under s 146B of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) for developments within 28 precincts that are part of the endorsed Program Delivering Melbourne’s Newest Sustainable Communities (Victorian Government, December 2009), 8 July 2010.</td>
</tr>
<tr>
<td>Land shown as UGZ6, UGZ7, UGZ8, UGZ10, UGZ14 &amp; SUZ4.</td>
<td>All native vegetation the removal, destruction or lopping of which is required for any development that is subject to and carried out in accordance with any of the following approvals made pursuant to section 146B of the Environment Protection and Biodiversity Conservation Act 1999 (Cth):</td>
</tr>
</tbody>
</table>

---

**CASEY PLANNING SCHEME**
### Description of native vegetation for which no permit is required to remove, destroy or lop

- Approval decision under s 146B of the EPBC Act for developments within 28 precincts that are part of the endorsed Program Delivering Melbourne’s Newest Sustainable Communities (Victorian Government, December 2009), 8 July 2010.

- Final approval for urban developments in Melbourne’s south-eastern growth corridor under the Melbourne urban growth program strategic assessment, 11 September 2014.

This does not apply to native vegetation, habitat or scattered trees identified as to be retained or reinstated in:

- Plan 6 in the incorporated Casey Fields South Residential Precinct Structure Plan;
- Plan 7 in the incorporated Thompsons Road Precinct Structure Plan;
- Plan 6 in the incorporated Clyde Creek Precinct Structure Plan;
- Plan 7 in the incorporated Casey Central Town Centre Precinct Structure Plan; and
- Plan 8 in the incorporated Minta Farm Precinct Structure Plan.

### Land shown as UGZ12 or IPO2 on the planning scheme maps

All native vegetation the removal, destruction or lopping of which is required for any development that is subject to and carried out in accordance with the ‘Final approval for urban developments in south-eastern growth corridor under the Melbourne urban growth program strategic assessment, 11 September 2014’, made pursuant to section 146B of the Environment Protection and Biodiversity Conservation Act 1999 (Cth).

This does not apply to native vegetation or scattered trees identified as to be retained in Plan 6 in the Cardinia Creek South Precinct Structure Plan.

### Sweet Pittosporum (Pittosporum undulatum)

### Sallow Wattle (Acacia longifolia subsp. Longifolia)

### Coast Wattle (Acacia longifolia subsp. Sophorae)

### 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>
STATE OF EMERGENCY AND RECOVERY EXEMPTIONS

Purpose

To facilitate the delivery of food and other essential goods during and following the coronavirus (COVID-19) pandemic.

To support Victoria’s social and economic recovery from the coronavirus (COVID-19) pandemic through exemptions that enable outdoor dining and facilitate the reopening and safe operation of restaurants and other food and drink businesses.

Operation

This clause contains exemptions from the requirements of this planning scheme and exemptions from conditions of permits.

The exemptions in this clause prevail over any inconsistent provision in this planning scheme or condition of a permit.

The exemptions in this clause do not apply to a requirement in the Heritage Overlay relating to the construction or carrying out of works to an existing building, the alteration of an existing building, or the painting of an existing building, other than a building constructed or placed under an exemption in this clause.

A use or development carried out under an exemption in this clause must comply with the requirements in clauses 52.18-7.

In this clause:

- **drink** includes liquor;
- **exemption period** means the period when a state of emergency declaration under the Public Health and Wellbeing Act 2008 in relation to coronavirus (COVID-19) is in force and for 12 months after;
- **public land** means Crown land and land that is owned by, vested in or controlled by a Minister, government department, public authority or municipal council.

Deliveries exemption

The following exemption applies when a state of emergency declaration under the Public Health and Wellbeing Act 2008 in relation to coronavirus (COVID-19) is in force and for three months after.

Any requirement of a permit, including any condition, or any provision in this planning scheme, that limits, or has the effect of limiting, the hours or days during which goods may be dispatched, delivered, loaded or unloaded does not apply to the dispatch, delivery, loading or unloading of:

- Food, drink, groceries, medicine, or cleaning, sanitising, health, hygiene, medical or personal protection equipment, supplies, or products, or the like.
- Any goods to a supermarket, market, hospital, medical centre, pharmacy, residential aged care facility or retirement village.

Public land exemptions

Any requirement in this planning scheme relating to the use of land does not apply to the use of public land for the preparation or sale of food or drink for immediate consumption on, or off, the land, or for the consumption of food or drink, during the exemption period if the requirements of clause 52.18-7 are met.
Any requirement in this planning scheme relating to the construction of a building or the construction or carrying out of works on public land does not apply to a temporary building or moveable building associated with the preparation, sale or consumption of food or drink on the land during the exemption period if the requirements of clause 52.18-7 are met.

Food and drink business extension exemptions

Any requirement in this planning scheme relating to the use of land does not apply to the use of land for the preparation or sale of food or drink for immediate consumption on, or off, the land, or for the consumption of food or drink, during the exemption period if the use is associated with the existing use of adjoining land for a food and drink premises, function centre or winery, and the requirements of clause 52.18-7 are met.

Any requirement in this planning scheme relating to the construction of a building or the construction or carrying out of works does not apply to a temporary building or moveable building associated with the use of the land for the preparation or sale of food or drink for immediate consumption on, or off the land, or for the consumption of food or drink, during the exemption period if the requirements of clause 52.18-7 are met.

Car parking exemption

Any requirement of this planning scheme relating to the provision of car parking does not apply to a use commenced under an exemption in this clause, or the existing use of land for a food and drink premises, function centre or winery, during the exemption period.

Permit condition exemptions

The following exemptions apply to permits issued before the approval date of Amendment VC193 and which allow:

- the use or development of land for a food and drink premises, function centre or winery; or
- the use or development of land for the sale or consumption of liquor associated with the use of the land for a food and drink premises, function centre or winery.

Any requirement of a permit, including any condition, relating to the layout or location of the preparation, sale or consumption of food or drink on the land does not apply during the exemption period if the requirements of clause 52.18-7 are met.

Any requirement of a permit, including any condition, relating to the layout or location of development on the land does not apply to the construction or placing of a building, or the construction or carrying out of works, under an exemption in this clause if the requirements of clause 52.18-7 are met.

Any requirement of a permit, including any condition, that requires the provision of car parking, or requires land to be set aside for vehicle access or car parking, does not apply during the exemption period if the requirements of clause 52.18-7 are met.

Use and development requirements

The following requirements apply to the use and development land carried out under an exemption in this clause.

The use of the land must not:

- Continue after the exemption period unless in accordance with the requirements of this planning scheme.

- Unreasonably affect the amenity of the neighbourhood, including through:
  - 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.

Land in, or within 30 metres of, a residential zone must not be used for the outdoor consumption of food or drink between the hours of 10.00pm and 7.00am unless an existing permit allows otherwise. The responsible authority may vary this requirement to extend the hours of the use.

The use or development of land must not impede access required by emergency services or for waste collection.

The height of a building constructed or placed under an exemption in this clause must not exceed 3.6 metres.

A building must not be constructed or placed under an exemption in this clause within 1 metre of adjacent land in a residential zone if the height of the building exceeds 1.8 metres.

The siting of a building in a Bushfire Management Overlay or Erosion Management Overlay that would require a permit under the overlay were it not for an exemption in this clause must be to the satisfaction of the responsible authority.

The siting of a building in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay that would require a permit under the overlay were it not for an exemption in this clause must be to the satisfaction of the relevant floodplain management authority.

A building constructed or placed under an exemption in this clause must be removed from the land before the end of the exemption period.
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
24/01/2020
VC160

Use exemption
Any requirement in the Activity Centre Zone, Capital City Zone, Commercial 1 Zone, General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone to obtain a permit to use land for a rooming house does not apply if all of the following requirements are met:

- Any condition opposite the use ‘rooming house’ in the table of uses in the zone or schedule to the zone is met.
- The total floor area of all buildings on the land, measured from the outside of external walls or the centre of party walls, does not exceed 300 square metres, excluding outbuildings.
- No more than 12 persons are accommodated.
- No more than 9 bedrooms are provided.

52.23-3
24/01/2020
VC160

Buildings and works exemption
Any requirement in the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone to obtain a permit to construct a building or construct or carry out works for a rooming house does not apply if all of the following requirements are met:

- No more than 9 bedrooms are developed on the land.
- Bedrooms can only be accessed from within the building.
- The total floor area of all buildings on the land, measured from the outside of external walls or the centre of party walls, does not exceed 300 square metres, excluding outbuildings.
- If the development is in the General Residential Zone or Neighbourhood Residential Zone, a garden area is provided in accordance with the minimum garden area requirement specified in the zone.
- Shared entry facilities and common areas, including a kitchen and living area, are provided.
CREMATORIUM

Purpose
To ensure that crematoria in cemeteries are developed and used in an appropriate manner.

Permit required
A permit is required to develop and use a crematorium on land that is used for cemetery purposes. This does not apply to land in the Springvale Crematorium.

Decision guidelines
Before deciding on an application to use and develop land for a crematorium, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The provision of landscaping and screen planting.
- The location and design of the buildings to be constructed.
- The effect on traffic movement generated by the use.
- The provision of parking facilities.
LICENCED PREMISES

Purpose
To ensure that licensed premises are situated in appropriate locations.
To ensure that the impact of the licensed premises on the amenity of the surrounding area is considered.

Scope
These provisions apply to premises licensed, or to be licensed, under the Liquor Control Reform Act 1998.

Permit required
A permit is required to use land to sell or consume liquor if any of the following apply:

- A licence is required under the Liquor Control Reform Act 1998.
- A different licence or category of licence is required from that which is in force.
- The hours of trading allowed under a licence are to be extended.
- The number of patrons allowed under a licence is to be increased.
- The area that liquor is allowed to be consumed or supplied under a licence is to be increased.
This does not apply:
- To a limited licence.
- To a licence to manufacture liquor.
- If the schedule to this clause specifies that a permit is not required to use land to sell or consume liquor under a particular type of licence.
- To a variation that reduces the hours of trading allowed under a licence.
- To a variation that reduces the number of patrons allowed under a licence.
- To a variation that reduces the area within which liquor is allowed to be consumed or supplied under a licence.
- To a variation of licence at the initiative of the Victorian Commission for Gambling and Liquor Regulation, pursuant to Section 58 of the Liquor Control Reform Act 1998.
- To a variation of licence for a variation prescribed in Part 6, Regulation 31 of the Liquor Control Reform Regulations 2009.
- If a different licence or category of licence is required solely as a result of changes to licence categories.
- To a licence to sell only packaged liquor for consumption elsewhere issued before 8 April 2011.
The schedule to this clause may specify that a permit may not be granted to use land to sell or consume liquor under a particular type of licence.

Referral of applications
An application must be referred and notice of the application must be given in accordance with Clause 66 of this scheme.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

The impact of the sale or consumption of liquor permitted by the liquor licence on the amenity of the surrounding area.

The impact of the hours of operation on the amenity of the surrounding area.

The impact of the number of patrons on the amenity of the surrounding area.

The cumulative impact of any existing licensed premises and the proposed licensed premises on the amenity of the surrounding area.
## SCHEDULE TO CLAUSE 52.27 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

1.0  
Prohibition of a gaming machine in a shopping complex
Installation or use of a gaming machine as specified in Clause 52.28-3 is prohibited on land described in Table 1 below.

Table 1

<table>
<thead>
<tr>
<th>Name of shopping complex and locality</th>
<th>Land description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fountain Gate Shopping Centre, Narre Warren</td>
<td>Land bounded by Princes Highway, Narre Warren North Road and the proposed Princes Freeway and Magid Drive alignments, Narre Warren, but excluding the premises known as Part of Lot 7, PS 334589V, Overland Drive, Narre Warren, until 30 September 2001.</td>
</tr>
<tr>
<td>Cranbourne Town Centre, Cranbourne</td>
<td>Land on the west side of High Street between Clarendon Street and Greaves Street, and a line extending east of Greaves Street to High Street, Cranbourne.</td>
</tr>
<tr>
<td>Endeavour Hills Shopping Centre, Endeavour Hills</td>
<td>Land generally bounded by Heatherton Road, Matthew Flinders Avenue and Raymond Boulevard, Endeavour Hills including Lots 1 and 2 on Plan of Subdivision 316105A and lots on Subdivision Plan 28113.</td>
</tr>
<tr>
<td>Hampton Park Shopping Centre, Hampton Park</td>
<td>Land bounded by Hallam Road, Somerville Road, Stuart Avenue and Fordholm Road, Hampton Park, excluding land at 10 Enterprise Avenue, being Lot 10 Plan of Subdivision 212296, known as the Hampton Park Tavern.</td>
</tr>
<tr>
<td>Autumn Place Shopping Centre, Eumemmering</td>
<td>Land bounded by Power Road, Autumn Place and Hawthorn Road, Eumemmering</td>
</tr>
<tr>
<td>Thompsons Parkway Shopping Centre, Cranbourne North</td>
<td>Land on the northeast corner of South Gippsland Highway and Thompsons Road, Cranbourne being lots 1, 2 and 3 Plan of Subdivision 213531 and Lot 4 Plan of Subdivision 213583.</td>
</tr>
<tr>
<td>Spring Square Shopping Centre, Hallam</td>
<td>Land on the north and east sides of Spring Square, Hallam.</td>
</tr>
</tbody>
</table>

2.0  
Prohibition of a gaming machine in a strip shopping centre
A gaming machine as specified in Clause 52.28-4 is prohibited in all strip shopping centres on land covered by this planning scheme.
52.29  
31/07/2018  
VC148

**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.
[NO CONTENT]
WIND ENERGY FACILITY

Purpose

To facilitate the establishment and expansion of wind energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

Application

This clause applies to land used and developed or proposed to be used and developed for a Wind energy facility.

Use and development of land

A permit is required to use and develop land for a Wind energy facility.

The use and development of land for a Wind energy facility is prohibited at a location listed in the table to this clause unless the condition opposite the location specified in the table is met.

Table to Clause 52.32-2

<table>
<thead>
<tr>
<th>Location</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>On land where any turbine (measured from the centre of the tower at ground level) that forms part of the facility is located within one kilometre of an existing dwelling. This does not apply to a Wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.</td>
<td>Must meet the requirements of clause 52.32-3.</td>
</tr>
<tr>
<td>Land described in a schedule to the National Parks Act 1975</td>
<td>Must be principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land.</td>
</tr>
<tr>
<td>Land declared a Ramsar wetland as defined under section 17 of the Environment Protection and Biodiversity Conservation Act 1999 (Cwth)</td>
<td>Must be on land in a residential zone, industrial zone, commercial zone or special purpose zone and must be integrated as part of the development of the land.</td>
</tr>
<tr>
<td>Land listed in a schedule to Clause 52.32-2</td>
<td></td>
</tr>
</tbody>
</table>

Turbine within one kilometre of a dwelling

An application that includes a proposed turbine within one kilometre of an existing dwelling must be accompanied by:

- A plan showing all dwellings within one kilometre of a proposed turbine (measured from the centre of the tower at ground level).
- Evidence of the written consent of any owner as at the date of that application of an existing dwelling located within one kilometre of a proposed turbine (measured from the centre of the tower at ground level) that forms part of a Wind energy facility. This does not apply to an application to amend such a permit under section 72 or section 97I of the Act unless the amendment of the permit would:
  - increase the number of turbines; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.

This does not apply to a Wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.

52.32-4
24/01/2020
VC160

Application requirements
An application must be accompanied by the following information as appropriate:

Site and context analysis
A site and context analysis may use a site plan, photographs or other techniques to accurately describe the site and surrounding area and must include the following information:

- In relation to the site:
  - Site shape, dimensions and size
  - Orientation and contours
  - Current land use
  - The existing use and siting of buildings or works on the land
  - Existing vegetation types, condition and coverage
  - The landscape of the site
  - Sites of cultural heritage significance
  - Wind characteristics
  - Any other notable features, constraints or other characteristics of the site.

- In relation to the surrounding area:
  - Existing land uses
  - Above-ground utilities
  - Access to infrastructure
  - Direction and distances to nearby dwellings, townships, urban areas, significant conservation and recreation areas, water features, tourist routes and walking tracks, major roads, airports, aerodromes and existing and proposed wind energy facilities
  - The siting and use of buildings on adjacent properties
  - Views to and from the site, including views from existing dwellings and key vantage points including major roads, walking tracks, tourist routes and regional population growth corridors
  - Sites of flora and fauna listed under the Flora and Fauna Guarantee Act 1988 and Environment Protection and Biodiversity Conservation Act 1999 (Cwth), including significant habitat corridors, and movement corridors for these fauna
  - Sites of cultural heritage significance
  - National Parks, State Parks, Coastal Reserves and other land subject to the National Parks Act 1975
  - Land declared a Ramsar wetland as defined under section 17 of the Environment Protection and Biodiversity Conservation Act 1999 (Cwth)
- Location of any land included in the schedule to clause 52.32-2 of the planning scheme
- Any other notable features or characteristics of the area
- Bushfire risks.

**Design response**

- Detailed plans of the proposed development.
- Plans and elevations of transmission infrastructure and electricity utility works required to connect the facility to the electricity network, and access road options.
- Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.
- A rehabilitation plan for the site.
- A written report(s), including:
  - A description of the proposal.
  - An explanation of how the proposed design derives from and responds to the site analysis.
  - A description of how the proposal responds to any significant landscape features for the area identified in the planning scheme.
  - An assessment of:
    - the visual impact of the proposal on the surrounding landscape.
    - the visual impact on abutting land that is described in a schedule to the National Parks Act 1975 and Ramsar wetlands and coastal areas.
    - the impact of the proposal on any species (including birds and bats) listed under the Flora and Fauna Guarantee Act 1988 or the Environment Protection and Biodiversity Conservation Act 1999 (Cwth).
    - the noise impacts of the proposal prepared in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise, including an assessment of whether a high amenity noise limit is applicable, as assessed under Section 5.3 of the Standard.
    - the impacts upon Aboriginal or non-Aboriginal cultural heritage.
  - A statement of why the site is suitable for the wind energy facility.
  - An environmental management plan including any rehabilitation and monitoring requirements.

If in the opinion of the responsible authority a requirement of the site and context analysis or design response is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

An application must be accompanied by the following information:

**Mandatory noise assessment**

- A pre-construction (predictive) noise assessment report demonstrating that the proposal can comply with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise, including an assessment of whether a high amenity noise limit is applicable under Section 5.3 of the Standard.
of the pre-construction (predictive) noise assessment report has been conducted in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise.

This requirement does not apply to an application to amend a permit under section 72 or 97I of the Planning and Environment Act 1987, if the amendment to the permit sought by the application will not alter the noise assessment of the wind energy facility.

**52.32-5**  
24/01/2020  
VC160  

**Mandatory condition**

If a mandatory noise assessment must accompany an application under Clause 52.32-4, any permit or amended permit issued with respect to that application must include the following conditions:

- A post-construction noise assessment report prepared in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise demonstrating whether the wind energy facility complies with the Standard, must be submitted to the Responsible Authority. If the wind energy facility is constructed in stages, additional post-construction noise assessment reports for each stage must be submitted to the Responsible Authority.

- Each post-construction noise assessment report must be accompanied by an environmental audit report prepared under Part IXD, Section 53V of the Environment Protection Act 1970 by an environmental auditor appointed under Part IXD of the Environment Protection Act 1970. The environmental audit report must verify that the acoustic assessment undertaken for the purpose of the post-construction noise assessment report has been conducted in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise.

**52.32-6**  
24/01/2020  
VC160  

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:


- The effect of the proposal on the surrounding area in terms of noise, blade glint, shadow flicker and electromagnetic interference.

- The impact of the development on significant views, including visual corridors and sightlines.

- The impact of the facility on the natural environment and natural systems.

- The impact of the facility on cultural heritage.

- The impact of the facility on aircraft safety.


**52.32-7**  
04/10/2018  
VC149  

**Anemometer**

Despite anything to the contrary in this scheme a permit may be granted to use and develop land for the purpose of wind measurement by an anemometer for a period of more than three years.

**52.32-8**  
04/10/2018  
VC149  

**Application to amend a permit under section 72 of the Act**

An application to amend a permit made under section 72 of the Act is exempt from the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the amendment of the permit does not:
- increase the number of turbines; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.

### Application to amend a permit under section 97I of the Act

An application to amend a referred wind energy facility permit made under section 97I of the Act is wholly exempt from the requirements of section 97E(1) of the Act if the application does not seek to:

- increase the total number of turbines; or
- increase the maximum height of any turbine; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.

The requirements of section 97E(1) of the Act are modified so as to require referral of objections and submissions to an advisory committee established under section 151 of the Act if an application to amend a referred wind energy facility permit made under section 97I of the Act does not seek to:

- increase the total number of turbines by more than 15%; or
- increase the maximum height of any turbine by more than 20%; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.
## Wind energy facility prohibition

<table>
<thead>
<tr>
<th>Land where a Wind energy facility is prohibited</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
</tr>
</tbody>
</table>
POST BOXES AND DRY STONE WALLS

Purpose
To conserve historic post boxes and dry stone walls.

Permit requirement
A permit is required to demolish or remove a post box constructed before 1930.
A permit is required to demolish, remove or alter a dry stone wall constructed before 1940 on land specified in the schedule to this provision. This does not apply to:

- Dry stone structures other than walls and fences.
- The demolition or removal of a section of a dry stone wall to install a gate.
- The reconstruction of damaged or collapsing walls which are undertaken to the same specifications and using the same materials as the existing walls.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The significance of the post box or dry stone wall.
- Any applicable heritage study, statement of significance and conservation policy.
- Whether the proposal will adversely affect the significance of the post box or dry stone wall.
- Whether the proposal will adversely affect the significance, character or appearance of the area.
SCHEDULE TO CLAUSE 52.33 POST BOXES AND DRY STONE WALLS

1.0 Permit requirement for dry stone walls

<table>
<thead>
<tr>
<th>Land</th>
<th>None specified</th>
</tr>
</thead>
</table>

BICYCLE FACILITIES

Purpose
To encourage cycling as a mode of transport.
To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

Provision of bicycle facilities
A new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.
Where the floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use.

Permit requirement
A permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.

Exemption from notice and review
An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposed number, location and design of bicycle facilities meets the purpose of this clause.
- The location of the proposed land use and the distance a cyclist would need to travel to reach the land.
- The users of the land and their opportunities for bicycle travel.
- Whether showers and change rooms provided on the land for users other than cyclists are available to cyclists.
- The opportunities for sharing of bicycle facilities by multiple uses, either because of variation of bicycle parking demand over time or because of efficiencies gained from the consolidation of shared bicycle facilities.
- Any relevant bicycle parking strategy or equivalent.

Required bicycle facilities
Tables 1, 2 and 3 to this clause set out the number and type of bicycle facilities required. Bicycle facilities are required if the use is listed in column 1 of the table. The number of bicycle facilities required for a use is the sum of columns 2 and 3 of the tables.
If in calculating the number of bicycle facilities the result is not a whole number, the required number of bicycle facilities is the nearest whole number. If the fraction is one-half, the requirement is the next whole number.
A bicycle space for an employee or resident must be provided either in a bicycle locker or at a bicycle rail in a lockable compound.
A bicycle space for a visitor, shopper or student must be provided at a bicycle rail.

**Table 1 to Clause 52.34-5 Bicycle spaces**

<table>
<thead>
<tr>
<th>Use</th>
<th>Employee/Resident</th>
<th>Visitor/Shopper/Student</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
<td>None</td>
<td>2 plus 1 to each 50 sq m of net floor area</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>1 to each 25 sq m of floor area available to the public</td>
<td>2</td>
</tr>
<tr>
<td>Dwelling</td>
<td>In developments of four or more storeys, 1 to each 5 dwellings</td>
<td>In developments of four or more storeys, 1 to each 10 dwellings</td>
</tr>
<tr>
<td>Education centre (excluding Child care centre) other than specified in this table</td>
<td>1 to each 20 employees</td>
<td>1 to each 20 full-time students</td>
</tr>
<tr>
<td>Hospital</td>
<td>1 to each 15 beds</td>
<td>1 to each 30 beds</td>
</tr>
<tr>
<td>Hotel</td>
<td>1 to each 25 sq m of bar floor area available to the public, plus 1 to each 100 sq m of lounge floor area available to the public</td>
<td>1 to each 25 sq m of bar floor area available to the public, plus 1 to each 100 sq m of lounge floor area available to the public</td>
</tr>
<tr>
<td>Industry other than specified in this table</td>
<td>1 to each 1000 sq m of net floor area</td>
<td>None</td>
</tr>
<tr>
<td>Library</td>
<td>1 to each 500 sq m of net floor area</td>
<td>4 plus 2 to each 200 sq m of net floor area</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>1 to each 1500 spectator places</td>
<td>1 to each 250 spectator places</td>
</tr>
<tr>
<td>Market</td>
<td>1 to each 50 stalls</td>
<td>1 to each 10 stalls</td>
</tr>
<tr>
<td>Medical centre</td>
<td>1 to each 8 practitioners</td>
<td>1 to each 4 practitioners</td>
</tr>
<tr>
<td>Minor sports and recreation facility</td>
<td>1 per 4 employees</td>
<td>1 to each 200 sq m of net floor area</td>
</tr>
<tr>
<td>Motel</td>
<td>1 to each 40 rooms</td>
<td>None</td>
</tr>
<tr>
<td>Office other than specified in this table</td>
<td>1 to each 300 sq m of net floor area if the net floor area exceeds 1000 sq m</td>
<td>1 to each 1000 sq m of net floor area if the net floor area exceeds 1000 sq m</td>
</tr>
<tr>
<td>Place of assembly other than specified in this table</td>
<td>1 to each 1500 sq m of net floor area</td>
<td>2 plus 1 to each 1500 sq m of net floor area</td>
</tr>
<tr>
<td>Primary school</td>
<td>1 to each 20 employees</td>
<td>1 to each 5 pupils over year 4</td>
</tr>
<tr>
<td>Residential building other than specified in this table</td>
<td>In developments of four or more storeys, 1 to each 10 lodging rooms</td>
<td>In developments of four or more storeys, 1 to each 10 lodging rooms</td>
</tr>
<tr>
<td>Restaurant</td>
<td>1 to each 100 sq m of floor area available to the public</td>
<td>2 plus 1 to each 200 sq m of floor area available to the public if the floor area available to the public exceeds 400 sq m.</td>
</tr>
<tr>
<td>Retail premises other than specified in this table</td>
<td>1 to each 300 sq m of leasable floor area</td>
<td>1 to each 500 sq m of leasable floor area</td>
</tr>
<tr>
<td>Secondary school</td>
<td>1 to each 20 employees</td>
<td>1 to each 5 pupils</td>
</tr>
<tr>
<td>Service industry</td>
<td>1 to each 800 sq m of net floor area</td>
<td>None</td>
</tr>
<tr>
<td>Shop</td>
<td>1 to each 600 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres</td>
<td>1 to each 500 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres</td>
</tr>
</tbody>
</table>
Table 2 to Clause 52.34-5 Showers

<table>
<thead>
<tr>
<th>USE</th>
<th>Employee/Resident</th>
<th>Visitor/Shopper/Student</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use listed in Table 1</td>
<td>If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.</td>
<td>None</td>
</tr>
</tbody>
</table>

Table 3 to Clause 52.34-5 – Change rooms

<table>
<thead>
<tr>
<th>USE</th>
<th>Employee/Resident</th>
<th>Visitor/Shopper/Student</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use listed in Table 1</td>
<td>1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room.</td>
<td>None</td>
</tr>
</tbody>
</table>

Design of bicycle spaces

Bicycle spaces should:

- Provide a space for a bicycle of minimum dimensions of 1.7 metres in length, 1.2 metres in height and 0.7 metres in width at the handlebars.
- Be located to allow a bicycle to be ridden to within 30 metres of the bicycle parking space.
- Be located to provide convenient access from surrounding bicycle routes and main building entrances.
- Not interfere with reasonable access to doorways, loading areas, access covers, furniture, services and infrastructure.
- Not cause a hazard.
- Be adequately lit during periods of use.

Bicycle rails

A bicycle rail must:

- Be securely fixed to a wall or to the floor or ground.
- Be in a highly visible location for bicycle security (when not in a compound).
- Be of a shape that allows a cyclist to easily lock the bicycle frame and wheels.
- Be located to allow easy access to park, lock and remove the bicycle.

Bicycle compounds and lockers

A bicycle compound or a bicycle locker must:

- Be located to provide convenient access to other bicycle facilities including showers and change rooms.
- Be fully enclosed.
- Be able to be locked.
- If outside, provide weather protection for the bicycle.

A bicycle locker must provide a bicycle parking space for at least one bicycle.

A bicycle compound must:
- Include wall or floor rails for bicycle parking.
- Provide an internal access path of at least 1.5 metres in width.

**Bicycle signage**

If bicycle facilities are required by this clause, bicycle signage that directs the cyclists to the bicycle facilities must be provided to the satisfaction of the responsible authority.

Bicycle signage should:

- Be at least 0.3 metres wide and 0.45 metres high.
- Display a white bicycle on a blue background on the top half of the sign.
- Display information about the direction of facilities on the bottom half of the sign.
PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the *Subdivision Act 1988*.

Exemption from public open space requirement specified in the scheme

A subdivision is exempt from a public open space requirement specified in this scheme if:

- It is one of the following classes of subdivision:
  - Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.
  - Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.

- It is for the purpose of excising land to be transferred to a public authority, council or a Minister for a utility installation.
- It subdivides land into two lots and the council considers it unlikely that each lot will be further subdivided.

Exemption from public open space requirement under section 18(8)(a) of the *Subdivision Act 1988*

For the purposes of section 18(8)(a) of the *Subdivision Act 1988*, the following classes of subdivision are exempt from the public open space requirement:

- Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.
- Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.

*Note: Check section 18A of the *Subdivision Act 1988* for other requirements that apply to a public open space requirement specified in the planning scheme.*
## Subdivision and public open space contribution

<table>
<thead>
<tr>
<th>Type or Location of Subdivision</th>
<th>Amount of contribution for public open space</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land shown on Plans 1.1 and 1.2 forming part of this schedule</td>
<td></td>
</tr>
<tr>
<td>CR1:</td>
<td>10%</td>
</tr>
<tr>
<td>CR2:</td>
<td>8%</td>
</tr>
<tr>
<td>CR3:</td>
<td>7.5%</td>
</tr>
<tr>
<td>CR4:</td>
<td>7%</td>
</tr>
<tr>
<td>CR5:</td>
<td>5%</td>
</tr>
<tr>
<td>CR6:</td>
<td>11%</td>
</tr>
<tr>
<td>CR7:</td>
<td>3.08%</td>
</tr>
<tr>
<td>CR8:</td>
<td>3.75%</td>
</tr>
<tr>
<td>CR9:</td>
<td>5.9%</td>
</tr>
<tr>
<td>CR10: (Land north of Ballarto Road)</td>
<td>7.52%</td>
</tr>
<tr>
<td>(Land south of Ballarto Road)</td>
<td>1.61%</td>
</tr>
<tr>
<td>CR11:</td>
<td>3.54%</td>
</tr>
<tr>
<td>CR12:</td>
<td>1.5%</td>
</tr>
<tr>
<td>CR13:</td>
<td>4.04%</td>
</tr>
<tr>
<td>As to the composition of the contribution, it must be made in the manner set out and explained in the Cranbourne North Stage 2 Precinct Structure Plan, June 2011.</td>
<td></td>
</tr>
<tr>
<td>CR14:</td>
<td>4.21%</td>
</tr>
<tr>
<td>As to the composition of the contribution, it must be made in the manner set out and explained in the Botanic Ridge Precinct Structure Plan, December 2012.</td>
<td></td>
</tr>
<tr>
<td>CR15</td>
<td>1.85% Employment</td>
</tr>
<tr>
<td>4.25% Residential</td>
<td>As to the composition of the contribution, it must be made in the manner set out and explained in the Thompsons Road Precinct Structure Plan, October 2015.</td>
</tr>
<tr>
<td>CR16</td>
<td>3.99%</td>
</tr>
<tr>
<td>Type or Location of Subdivision</td>
<td>Amount of contribution for public open space</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>As to the composition of the contribution, it must be made in the manner set out and explained in the Clyde Creek Precinct Structure Plan, October 2015.</td>
</tr>
<tr>
<td>CR17</td>
<td>4.01%</td>
</tr>
<tr>
<td></td>
<td>As to the composition of the contribution, it must be made in the manner set out and explained in the Casey Fields South Residential Precinct Structure Plan, October 2015.</td>
</tr>
<tr>
<td>CR18</td>
<td>20%</td>
</tr>
<tr>
<td></td>
<td>As to the composition of the contribution, it must be made in the manner set out and explained in the Former Amstel Golf Course Development Plan.</td>
</tr>
<tr>
<td>CR19</td>
<td>5.32%</td>
</tr>
<tr>
<td></td>
<td>As to the composition of the contribution, it must be made in the manner set out and explained in the Brompton Lodge Precinct Structure Plan, August 2016.</td>
</tr>
<tr>
<td>CR20</td>
<td>6.51%</td>
</tr>
<tr>
<td></td>
<td>As to the composition of the contribution, it must be made in the manner set out and explained in the Casey Central Town Centre Precinct Structure Plan, May 2016.</td>
</tr>
</tbody>
</table>

These amounts do not apply to:

- the subdivision of land to create lots for existing dwellings, for which the amount is: Not specified

- the subdivision of any land not in a residential zone, Urban Growth Zone or Precinct Structure Plan area for which the amount is:
  - This exemption does not apply to land in Cranbourne North Service Business Precinct (CR12).
  - This exemption does not apply to land identified for residential purposes or located in Precinct 5, in the Fountain Gate-Narre Warren CBD under Schedule 2 to the Activity Centre Zone.
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. A building is constructed to the bushfire attack level:</td>
</tr>
<tr>
<td></td>
<td>- That corresponds to the defendable space provided in accordance with Table 1 to Clause 53.02-5, or</td>
</tr>
<tr>
<td></td>
<td>- The next lower bushfire attack level that corresponds to the defendable space provided in accordance with Table 1 to Clause 53.02-5 where all of the following apply:</td>
</tr>
<tr>
<td></td>
<td>- A private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2006) is constructed on the same land as the dwelling.</td>
</tr>
<tr>
<td></td>
<td>- A minimum bushfire attack level of BAL12.5 is provided in all circumstances.</td>
</tr>
<tr>
<td>AM 1.3</td>
<td>A building is provided with:</td>
</tr>
<tr>
<td></td>
<td>- A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.</td>
</tr>
<tr>
<td></td>
<td>- Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.</td>
</tr>
</tbody>
</table>

53.02-3.1 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The bushfire hazard site assessment and the bushfire management statement submitted with the application.
- Whether all of the approved measures have been incorporated into the application.

53.02-4

53.02-4.1 Landscape, siting and design objectives

Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.

Development is sited to minimise the risk from bushfire.

Development is sited to provide safe access for vehicles, including emergency vehicles.

Building design minimises vulnerability to bushfire attack.
Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM 2.1</td>
<td>The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.</td>
</tr>
<tr>
<td>AM 2.2</td>
<td>A building is sited to ensure the site best achieves the following:</td>
</tr>
<tr>
<td></td>
<td>- The maximum separation distance between the building and the bushfire hazard.</td>
</tr>
<tr>
<td></td>
<td>- The building is in close proximity to a public road.</td>
</tr>
<tr>
<td></td>
<td>- Access can be provided to the building for emergency service vehicles.</td>
</tr>
<tr>
<td>AM 2.3</td>
<td>A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building.</td>
</tr>
</tbody>
</table>

53.02-4.2 Defendable space and construction objective

Defendable space and building construction mitigate the effect of flame contact, radiant heat and embers on buildings.

Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM 3.1</td>
<td>A building used for a dwelling (including an extension or alteration to a dwelling), a dependent person’s unit, industry, office or retail premises is provided with defendable space in accordance with:</td>
</tr>
<tr>
<td></td>
<td>- Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land; or</td>
</tr>
<tr>
<td></td>
<td>- If there are significant siting constraints, Table 2 Column D and Table 6 to Clause 53.02-5.</td>
</tr>
<tr>
<td></td>
<td>The building is constructed to the bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5.</td>
</tr>
<tr>
<td>AM 3.2</td>
<td>A building used for accommodation (other than a dwelling or dependent person’s unit), a child care centre, an education centre, a hospital, leisure and recreation or a place of assembly is:</td>
</tr>
<tr>
<td></td>
<td>- Provided with defendable space in accordance with Table 3 and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land.</td>
</tr>
<tr>
<td></td>
<td>- Constructed to a bushfire attack level of BAL12.5.</td>
</tr>
</tbody>
</table>

Alternative measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AltM 3.3</td>
<td>Adjoining land may be included as defendable space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defendable space.</td>
</tr>
<tr>
<td>AltM 3.4</td>
<td>Defendable space and the bushfire attack level is determined using Method 2 of AS3959:2009 Construction of buildings in bushfire prone areas (Standards Australia) subject to any guidance published by the relevant fire authority.</td>
</tr>
</tbody>
</table>
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.

A building used for accommodation (other than a dwelling or dependent person’s unit), child care centre, education centre, hospital, leisure and recreation or place of assembly may provide defendable space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 where it can be demonstrated that:

- An integrated approach to risk management has been adopted that considers:
  - The characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency.
  - The intended frequency and nature of occupation.
  - The effectiveness of proposed emergency management arrangements, including a mechanism to secure implementation.
- Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.

53.02-4.3 Water supply and access objectives

A static water supply is provided to assist in protecting property.

Vehicle access is designed and constructed to enhance safety in the event of a bushfire.

Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
</table>
| AM 4.1  | A building used for a dwelling (including an extension or alteration to a dwelling), a dependent person’s unit, industry, office or retail premises is provided with:
  - A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5.
  - Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies. |
| AM 4.2  | A building used for accommodation (other than a dwelling or dependent person’s unit), child care centre, education centre, hospital, leisure and recreation or place of assembly is provided with: |
### Measure | Requirement
--- | ---

- **A static water supply for fire fighting and property protection purposes of 10,000 litres per 1,500 square metres of floor space up to 40,000 litres.**
- **Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.**
- **An integrated approach to risk management that ensures the water supply and access arrangements will be effective based on the characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency.**

The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.

---

**53.02-4.4 Subdivision objectives**

To provide lots that are capable of being developed in accordance with the objectives of Clause 53.02.

To specify at the subdivision stage bushfire protection measures to develop a lot with a single dwelling on land zoned for residential or rural residential purposes.

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AM 5.1</strong></td>
<td>An application to subdivide land, other than where <strong>AM 5.2</strong> applies, demonstrates that each proposed lot is capable of meeting:</td>
</tr>
<tr>
<td></td>
<td>- The defendable space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5.</td>
</tr>
<tr>
<td></td>
<td>- The approved measures in Clause 53.02-4.1 and Clause 53.02-4.3.</td>
</tr>
</tbody>
</table>

| **AM 5.2** | An application to subdivide land zoned for residential or rural residential purposes must be accompanied by a plan that shows: |
|  | - Each lot satisfies the approved measure in **AM 2.1.** |
|  | - A building envelope for a single dwelling on each lot that complies with **AM 2.2** and provides defendable space in accordance with: |
|  | - Columns A or B of Table 2 to Clause 53.02-5 for a subdivision that creates 10 or more lots; or |
|  | - Columns A, B or C of Table 2 to Clause 53.02-5 for a subdivision that creates less than 10 lots. |
|  | The bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5 must be noted on the building envelope. |
|  | - Defendable space wholly contained within the boundaries of the proposed subdivision. |
|  | - Defendable space may be shared between lots within the subdivision. Defendable space for a lot may utilise communal areas, such as roads, where that land can meet the requirements for defendable space. |
|  | - Vegetation management requirements in accordance with Table 6 to implement and maintain the defendable space required under this approved measure. |
|  | - Water supply and vehicle access that complies with **AM 4.1.** |

| **AM 5.3** | An application to subdivide land to create 10 or more lots provides a perimeter road adjoining the hazardous vegetation to support fire fighting. |
requirementmeasure

A subdivision manages the bushfire risk to future development from existing or proposed landscaping, public open space and communal areas.

Alternative measure

Measure | Requirement
----- | -----
AltM 5.5 | A building envelope for a subdivision that creates 10 or more lots required under AM 5.2 may show defendable space in accordance with Table 2 Column C and Table 6 to Clause 53.02-5 where it can be demonstrated that:

- All other requirements of AM 5.2 have been met.
- Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The bushfire hazard landscape assessment, the bushfire hazard site assessment and the bushfire management statement submitted with the application.
- The impact of any State, regional or local bushfire management and prevention actions occurring around the site and in the wider area on the bushfire hazard and the level of risk to the proposed development.
- Whether the proposed development meets the objectives of Clause 53.02-4 regardless of other measures which may be available, including private bushfire shelters, community shelters and the presence of places of last resort.
- Whether the proposed measures can be practically implemented and maintained in conjunction with the ongoing use of the land.
- Whether the use of an alternative measure meets the relevant objective having regard to the bushfire hazard and the nature of any constraint that prevents the applicable approved measure from being implemented.
- If one or more of the objectives in Clause 53.02-4 will not be achieved in the completed development, whether the development will, taking all relevant factors into account, reduce the bushfire risk to a level that warrants it proceeding.
- Whether the risk arising from the broader landscape can be mitigated to an acceptable level or warrants the development not proceeding.
### Table 1 Defendable space and construction

<table>
<thead>
<tr>
<th>Slope</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></td>
<td></td>
</tr>
<tr>
<td>Forest</td>
<td>48</td>
<td>35</td>
</tr>
<tr>
<td>Woodland</td>
<td>33</td>
<td>24</td>
</tr>
<tr>
<td>Scrub</td>
<td>27</td>
<td>19</td>
</tr>
<tr>
<td>Shrubland</td>
<td>19</td>
<td>13</td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>17</td>
<td>12</td>
</tr>
<tr>
<td>Rainforest</td>
<td>23</td>
<td>16</td>
</tr>
<tr>
<td>Grassland</td>
<td>19</td>
<td>13</td>
</tr>
<tr>
<td>Downslope &gt;0 to 5 degrees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forest</td>
<td>57</td>
<td>43</td>
</tr>
<tr>
<td>Woodland</td>
<td>41</td>
<td>29</td>
</tr>
<tr>
<td>Scrub</td>
<td>31</td>
<td>22</td>
</tr>
<tr>
<td>Shrubland</td>
<td>22</td>
<td>15</td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>20</td>
<td>13</td>
</tr>
<tr>
<td>Rainforest</td>
<td>29</td>
<td>20</td>
</tr>
<tr>
<td>Grassland</td>
<td>22</td>
<td>15</td>
</tr>
<tr>
<td>Downslope &gt;5 to 10 degrees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forest</td>
<td>69</td>
<td>53</td>
</tr>
<tr>
<td>Woodland</td>
<td>50</td>
<td>37</td>
</tr>
<tr>
<td>Scrub</td>
<td>35</td>
<td>24</td>
</tr>
<tr>
<td>Shrubland</td>
<td>25</td>
<td>17</td>
</tr>
<tr>
<td>Mallee/ Mulga</td>
<td>23</td>
<td>15</td>
</tr>
<tr>
<td>Rainforest</td>
<td>36</td>
<td>26</td>
</tr>
<tr>
<td>Grassland</td>
<td>25</td>
<td>17</td>
</tr>
<tr>
<td>Downslope &gt;10 to 15 degrees</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Forest</td>
<td>82</td>
<td>64</td>
</tr>
<tr>
<td>Woodland</td>
<td>60</td>
<td>45</td>
</tr>
<tr>
<td>Scrub</td>
<td>39</td>
<td>28</td>
</tr>
<tr>
<td>Shrubland</td>
<td>28</td>
<td>19</td>
</tr>
</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 2 Defendable space and construction

<table>
<thead>
<tr>
<th>Slope</th>
<th>Vegetation</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Column A</td>
</tr>
<tr>
<td>All upslopes and flat land (0 degrees)</td>
<td>Forest</td>
<td>48</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>33</td>
</tr>
<tr>
<td>Slope</td>
<td>Vegetation</td>
<td>Defendable space distance from building facade (metres)</td>
</tr>
<tr>
<td>------------------------</td>
<td>---------------------</td>
<td>--------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td></td>
</tr>
<tr>
<td>Downslope &gt;0 to 5</td>
<td>Forest</td>
<td></td>
</tr>
<tr>
<td>degrees</td>
<td>Woodland</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td></td>
</tr>
<tr>
<td>Downslope &gt;5 to 10</td>
<td>Forest</td>
<td></td>
</tr>
<tr>
<td>degrees</td>
<td>Woodland</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td></td>
</tr>
<tr>
<td>Downslope &gt;10 to 15</td>
<td>Forest</td>
<td></td>
</tr>
<tr>
<td>degrees</td>
<td>Woodland</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td></td>
</tr>
<tr>
<td>Downslope &gt;15 to 20</td>
<td>Forest</td>
<td></td>
</tr>
<tr>
<td>degrees</td>
<td>Woodland</td>
<td></td>
</tr>
</tbody>
</table>
Defendable space distance from building facade (metres)

<table>
<thead>
<tr>
<th>Vegetation</th>
<th>Column A</th>
<th>Column B</th>
<th>Column C</th>
<th>Column D</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scrub</td>
<td>43</td>
<td>31</td>
<td>21</td>
<td>15</td>
</tr>
<tr>
<td>Shrubland</td>
<td>31</td>
<td>22</td>
<td>15</td>
<td>10</td>
</tr>
<tr>
<td>Mallee/Mulga</td>
<td>29</td>
<td>20</td>
<td>13</td>
<td>9</td>
</tr>
<tr>
<td>Rainforest</td>
<td>56</td>
<td>42</td>
<td>29</td>
<td>22</td>
</tr>
<tr>
<td>Grassland</td>
<td>32</td>
<td>23</td>
<td>15</td>
<td>11</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BAL12.5</th>
<th>BAL19</th>
<th>BAL29</th>
<th>BAL40</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Downslope &gt;20 degrees</th>
<th>All vegetation</th>
<th>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.</th>
</tr>
</thead>
<tbody>
<tr>
<td>All slopes</td>
<td>Low threat vegetation</td>
<td>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.</td>
</tr>
<tr>
<td>All slopes</td>
<td>Modified vegetation</td>
<td>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.</td>
</tr>
</tbody>
</table>

**Note 1:** Slope and vegetation type is determined through the bushfire hazard site assessment.

**Note 2:** Modified vegetation is vegetation that doesn’t fit into the vegetation classifications in AS3959:2009 Construction of buildings in bushfire prone areas (the standard) because it:
- has been modified, altered or is managed due to urban development, or gardening,
- has different fuel loads from those assumed in the standard,
- has limited or no understorey vegetation, or
- is not low-threat or low-risk vegetation as defined in the standard.

### Table 3 Defendable space

<table>
<thead>
<tr>
<th>Vegetation class</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Upslope and flat land (0 degrees)</td>
</tr>
<tr>
<td>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</td>
<td>There are no design and construction requirements if fire authority access</td>
</tr>
<tr>
<td>than 30 metres</td>
<td>to the water supply is not required under AM4.1.</td>
</tr>
<tr>
<td>Column A</td>
<td>Column B</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Length of access is less than 30 metres</td>
<td>Where fire authority access to the water supply is required under AM4.1</td>
</tr>
<tr>
<td></td>
<td>fire authority vehicles should be able to get within 4 metres of the water</td>
</tr>
<tr>
<td></td>
<td>supply outlet.</td>
</tr>
<tr>
<td>Length of access is greater than 30 metres</td>
<td>The following design and construction requirements apply:</td>
</tr>
<tr>
<td></td>
<td>- All-weather construction.</td>
</tr>
<tr>
<td></td>
<td>- A load limit of at least 15 tonnes.</td>
</tr>
<tr>
<td></td>
<td>- Provide a minimum trafficable width of 3.5 metres.</td>
</tr>
<tr>
<td></td>
<td>- Be clear of encroachments for at least 0.5 metres on each side and</td>
</tr>
<tr>
<td></td>
<td>at least 4 metres vertically.</td>
</tr>
<tr>
<td></td>
<td>- Curves must have a minimum inner radius of 10 metres.</td>
</tr>
<tr>
<td></td>
<td>- The average grade must be no more than 1 in 7 (14.4%) (8.1°) with</td>
</tr>
<tr>
<td></td>
<td>a maximum grade of no more than 1 in 5 (20%) (11.3°) for no more</td>
</tr>
<tr>
<td></td>
<td>than 50 metres.</td>
</tr>
<tr>
<td></td>
<td>- Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees)</td>
</tr>
<tr>
<td></td>
<td>entry and exit angle.</td>
</tr>
<tr>
<td>Length of access is greater than 100 metres</td>
<td>A turning area for fire fighting vehicles must be provided close to the</td>
</tr>
<tr>
<td></td>
<td>building by one of the following:</td>
</tr>
<tr>
<td></td>
<td>- A turning circle with a minimum radius of eight metres.</td>
</tr>
<tr>
<td></td>
<td>- A driveway encircling the dwelling.</td>
</tr>
<tr>
<td></td>
<td>- The provision of other vehicle turning heads — such as a T or Y head</td>
</tr>
<tr>
<td></td>
<td>— which meet the specification of Austroad Design for an 8.8 metre</td>
</tr>
<tr>
<td></td>
<td>Service Vehicle.</td>
</tr>
<tr>
<td>Length of access is greater than 200 metres</td>
<td>- Passing bays must be provided at least every 200 metres.</td>
</tr>
<tr>
<td></td>
<td>- Passing bays must be a minimum of 20 metres long with a minimum</td>
</tr>
<tr>
<td></td>
<td>trafficable width of 6 metres.</td>
</tr>
</tbody>
</table>

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</td>
</tr>
<tr>
<td>is managed in accordance with the</td>
</tr>
<tr>
<td>following requirements:</td>
</tr>
<tr>
<td>- Grass must be short cropped and</td>
</tr>
<tr>
<td>maintained during the declared</td>
</tr>
<tr>
<td>fire danger period.</td>
</tr>
<tr>
<td>- All leaves and vegetation debris</td>
</tr>
<tr>
<td>must be removed at regular</td>
</tr>
<tr>
<td>intervals during the declared</td>
</tr>
<tr>
<td>fire danger period.</td>
</tr>
<tr>
<td>- Within 10 metres of a building,</td>
</tr>
<tr>
<td>flammable objects must not be</td>
</tr>
<tr>
<td>located close to the vulnerable</td>
</tr>
<tr>
<td>parts of the building.</td>
</tr>
<tr>
<td>- Plants greater than 10 metres</td>
</tr>
<tr>
<td>in height must not be placed</td>
</tr>
<tr>
<td>within 3 metres of a window or</td>
</tr>
<tr>
<td>glass feature of the building.</td>
</tr>
<tr>
<td>- Shrubs must not be located under</td>
</tr>
<tr>
<td>the canopy of trees.</td>
</tr>
<tr>
<td>- Individual and clumps of shrubs</td>
</tr>
<tr>
<td>must not exceed 5 square metres</td>
</tr>
<tr>
<td>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>
<tbody>
<tr>
<td>The proposed outbuilding is separated from the adjacent building by a wall that extends to the underside of a non-combustible roof covering and:</td>
</tr>
<tr>
<td>- has a FRL of not less than 60/60/60 for loadbearing walls and -/60/60 for non-load bearing walls when tested from the attached structure side, or</td>
</tr>
<tr>
<td>- is of masonry, earth wall or masonry-veneer construction with the masonry leaf of not less than 90 millimetres in thickness.</td>
</tr>
</tbody>
</table>

Any openings in the wall shall be protected in accordance with the following:

i. Doorways – by FLR -/60/30 self-closing fire doors
ii. Windows – by FRL -/60/- fire windows permanently fixed in the closed position
iii. Other openings – by construction with a FRL of not less than -/60/-

*Note: Control and construction joints, subfloor vents, weepholes and penetrations for pipes and conduits need not comply with item iii.*

*Note 1:* These conditions are required for some non habitable outbuildings ancillary to a dwelling that do not require referral to the relevant fire authority. Applications for non habitable outbuildings can also use the bushfire protection measures in Clause 53.02 however referral to the relevant fire authority will be required.
BROTHELS

Purpose

To provide consistent planning controls for the establishment and expansion of brothels throughout Victoria coordinated with the provisions of the Sex Work Act 1994.

Permit requirement

A permit for a brothel must include a condition that specifies that the use or development must not commence until a licence is granted under the Sex Work Act 1994.

Decision guidelines

Responsible authorities should consider the matters set out in section 73 of the Sex Work Act 1994 before deciding an application to use or develop land for a brothel.

Responsible authorities should refuse a permit to use or develop land for a brothel in accordance with the restrictions contained in section 74 of the Sex Work Act 1994, unless section 76(2) of Sex Work Act 1994 applies.

If the effect of:

- A request to amend a permit in accordance with section 87 or section 87A of the Planning and Environment Act 1987, or

- An application to amend a permit in accordance with Part 4 Division 1A of the Planning and Environment Act 1987, or

- A request to amend plans, drawings or other documents under a permit in accordance with:
  - Section 216 of the Planning and Environment Act 1987, or
  - Any condition in a planning permit which allows such an amendment

is to expand or extend the use or development of a brothel, the application or request should be determined as if it were an application for a permit for use or development of land for the purposes of the operation of a brothel in accordance with Part 4 of the Sex Work Act 1994.
CONVENIENCE RESTAURANT AND TAKE-AWAY FOOD PREMISES

Application

These requirements only apply to land in a residential zone.

Decision guidelines

Before deciding on an application to use land for a convenience restaurant or take-away food premises or to construct a building or construct or carry out works associated with a convenience restaurant or take-away food premises, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any policy in this scheme relating to convenience restaurants or take-away food premises.
- Whether the location is appropriate for a convenience restaurant or take-away food premises having regard to:
  - Amenity of the neighbourhood.
  - Proximity of the land to non-residential uses and zones.
  - Effect of the use on heritage and environment features.
  - Capacity of the land to contain significant off-site effects.
  - Access to land in a Road Zone.
  - The suitability of the land for a residential use.
- The effect on the amenity or character of the street or neighbourhood having regard to:
  - Massing and proportions of any building.
  - Ground floor height above ground level.
  - Ceiling heights.
  - Roof form and pitch.
  - Facade articulation.
  - Window and door proportions.
  - Building features including verandas, towers, eaves, parapets and decorative elements.
  - Building materials, patterns textures and colours.
- Whether the site layout and the design of buildings, noise attenuation measures, landscaping, car parking, vehicle access lanes, loading bays, rubbish bins, plant and equipment, lights, signs, drive through facilities and playgrounds are designed to prevent significant loss of amenity to adjoining land due to noise, emission of noise, emission of light or glare, loss of privacy, litter or odour.
- Whether any special measure may be necessary to protect the amenity of adjoining land in residential use, including buffer planting, noise attenuation measures and litter collection arrangements.
- The adequacy of traffic measures to:
  - Provide safe pedestrian movement.
  - Achieve safe, efficient vehicle movement on site and access to and egress from the land.
  - Avoid disruption to traffic flow on land in a Road Zone.
  - Prevent inappropriate use of local residential streets.
- The adequacy of car parking, loading and drive through queuing spacing to accommodate customers at peak periods and employee requirements on the land.
FREeway SERVICE CENTRE

Purpose
To ensure that 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 ENTERTAINMENT VENUES

Purpose
To recognise that live music is an important part of the State’s culture and economy.
To encourage the retention of existing and the development of new live music entertainment venues.
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.
- A noise sensitive residential use that is in an area specified in clause 1.0 of the schedule to this clause

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 2.0 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 3.0 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.

- An assessment of the impact of the proposal on the functioning of live music venues.

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.

- The social and economic significance of an existing live music entertainment venue.

- The impact of the proposal on the functioning of live music venues.
## 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 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 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 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 carry out works for a poultry farm for the production of chicken meat or chicken eggs, if the application meets the following requirements:
  - The number of chickens does not exceed 5,000 for egg production or 10,000 for meat production.
  - The outdoor stocking density does not exceed 1,500 chickens per hectare.
  - A Nutrient Management Plan demonstrates chickens are kept outdoors on paddocks with:
    - A minimum of 50% ground cover; and
    - Mobile housing and feeding infrastructure that is relocated at least every two weeks.
  - An area used as a poultry range, including associated buildings and works, meets the setback requirements specified in Table 1.
Table 1 Minimum setbacks

<table>
<thead>
<tr>
<th>Chicken numbers</th>
<th>Minimum distance to a building used for a sensitive use (accommodation, child care centre, education centre and hospital)</th>
<th>Minimum distance to land in a residential zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,000 chickens or less</td>
<td>50 metres</td>
<td>200 metres</td>
</tr>
<tr>
<td>More than 1,000 chickens</td>
<td>100 metres</td>
<td>400 metres</td>
</tr>
</tbody>
</table>

Notice of an application

Notice of an application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the Victorian Code for Broiler Farms 2009 (plus 2018 amendments), must be given under Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified in Clause 66.05.

Decision guidelines

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines (June 2018).
USES AND ACTIVITIES WITH POTENTIAL ADVERSE IMPACTS

Purpose

To identify those types of uses and activities, which if not appropriately designed and located, may cause offence or unacceptable risk to the neighbourhood.

Threshold distance

The threshold distance referred to in the table to this clause is the shortest distance from any part of the land to:

- land (not a road) in an Activity Centre Zone, Capital City Zone, Commercial 1 Zone, Docklands Zone, residential zone or Rural Living Zone; or
- land used for a hospital, an education centre or a corrective institution; or
- land in a Public Acquisition Overlay to be acquired for a hospital, an education centre or a corrective institution.

An application to use land for an industry, utility installation or warehouse for a purpose listed in the table to this clause must be referred to the Environment Protection Authority under section 55 of the Act if the threshold distance is not to be met or no threshold distance is specified.

Table to Clause 53.10-1

<table>
<thead>
<tr>
<th>Type of use or activity (purpose)</th>
<th>Threshold distance (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Basic metal products</td>
<td></td>
</tr>
<tr>
<td>Iron or steel production:</td>
<td></td>
</tr>
<tr>
<td>up to 1,000,000 tonnes per year</td>
<td>500</td>
</tr>
<tr>
<td>exceeding 1,000,000 tonnes per year</td>
<td>1,000</td>
</tr>
<tr>
<td>Non-ferrous metal production:</td>
<td></td>
</tr>
<tr>
<td>up to 100 tonnes per year</td>
<td>100</td>
</tr>
<tr>
<td>between 100 and 2,000 tonnes per year</td>
<td>300</td>
</tr>
<tr>
<td>exceeding 2,000 tonnes per year</td>
<td>500</td>
</tr>
<tr>
<td>aluminium by electrolysis</td>
<td>2,000</td>
</tr>
<tr>
<td>Chemical, petroleum and coal products</td>
<td></td>
</tr>
<tr>
<td>Ammunition, explosives and fireworks production</td>
<td>1,000</td>
</tr>
<tr>
<td>Biocides production and storage</td>
<td>1,000</td>
</tr>
<tr>
<td>Briquette production</td>
<td>300</td>
</tr>
<tr>
<td>Chemical product manufacture other than listed within this group</td>
<td>300</td>
</tr>
<tr>
<td>Type of use or activity (purpose)</td>
<td>Threshold distance (metres)</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>Coke processing</td>
<td>500</td>
</tr>
<tr>
<td>Cosmetics and toiletries production</td>
<td>100</td>
</tr>
<tr>
<td>Fertiliser production</td>
<td>1,000</td>
</tr>
<tr>
<td>Gasworks</td>
<td>1,000</td>
</tr>
<tr>
<td>Industrial gases production</td>
<td>1,000</td>
</tr>
<tr>
<td>Organic and inorganic industrial chemicals production other than those listed within this group</td>
<td>2,000</td>
</tr>
<tr>
<td>Other petroleum or coal production</td>
<td>500</td>
</tr>
<tr>
<td>Paints and inks manufacture, blending and mixing exceeding 2,000 tonnes per year</td>
<td>500</td>
</tr>
<tr>
<td>Petroleum refinery</td>
<td>2,000</td>
</tr>
<tr>
<td>Pharmaceutical and veterinary chemical production</td>
<td>1,000</td>
</tr>
<tr>
<td>Polyester and synthetic resins production, exceeding 2,000 per year</td>
<td>1,000</td>
</tr>
<tr>
<td>Rubber production:</td>
<td></td>
</tr>
<tr>
<td>synthetic rubber, exceeding 2,000 tonnes per year</td>
<td>1,000</td>
</tr>
<tr>
<td>using either organic solvents or carbon black</td>
<td>300</td>
</tr>
<tr>
<td>using sulphur</td>
<td>1,000</td>
</tr>
<tr>
<td>Soap and detergent production</td>
<td>500</td>
</tr>
</tbody>
</table>

**Fabricated metal products**

<table>
<thead>
<tr>
<th>Fabricated metal products</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Abrasive blast cleaning</td>
<td>500</td>
</tr>
<tr>
<td>Boiler maker</td>
<td>100</td>
</tr>
<tr>
<td>Metal coating and finishing</td>
<td>500</td>
</tr>
<tr>
<td>Structural or sheet metal production</td>
<td>500</td>
</tr>
</tbody>
</table>

**Food and beverages**

<table>
<thead>
<tr>
<th>Food and beverages</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Alcoholic and non-alcoholic beverage production, exceeding 5,000 litres per day</td>
<td>500</td>
</tr>
<tr>
<td>Animal processing</td>
<td>1,000</td>
</tr>
<tr>
<td>Type of use or activity (purpose)</td>
<td>Threshold distance (metres)</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>Bakery (other than one ancillary to a shop):</td>
<td></td>
</tr>
<tr>
<td>- exceeding 200 tonnes per year</td>
<td>100</td>
</tr>
<tr>
<td>- night-time operations, exceeding 200 tonnes per year</td>
<td>500</td>
</tr>
<tr>
<td>Flour mill, exceeding 200 tonnes per year</td>
<td>250</td>
</tr>
<tr>
<td>Food production other than those listed within this group:</td>
<td></td>
</tr>
<tr>
<td>- exceeding 200 tonnes per year</td>
<td>250</td>
</tr>
<tr>
<td>- including frying, drying or roasting, exceeding 200 tonnes per year</td>
<td>500</td>
</tr>
<tr>
<td>Grain and stockfeed mill and handling facility</td>
<td></td>
</tr>
<tr>
<td>- with meat meals or tallow</td>
<td>500</td>
</tr>
<tr>
<td>- no meat meals or tallow</td>
<td>250</td>
</tr>
<tr>
<td>Maltworks, exceeding 200 tonnes per year</td>
<td>500</td>
</tr>
<tr>
<td>Manufacture of milk products, exceeding 200 tonnes per year</td>
<td>300</td>
</tr>
<tr>
<td>Milk depot</td>
<td>100</td>
</tr>
<tr>
<td>Pet food production</td>
<td>500</td>
</tr>
<tr>
<td>Production of vegetable oils and animal fats using solvents, exceeding 200 tonnes per year</td>
<td>500</td>
</tr>
<tr>
<td>Seafood processor, exceeding 200 tonnes per year</td>
<td>500</td>
</tr>
<tr>
<td>Smallgoods production:</td>
<td></td>
</tr>
<tr>
<td>- exceeding 200 tonnes per year</td>
<td>100</td>
</tr>
<tr>
<td>- including smoking and drying, exceeding 200 tonnes per year</td>
<td>500</td>
</tr>
<tr>
<td>Miscellaneous manufacturing</td>
<td></td>
</tr>
<tr>
<td>Printing and coating works with heated curing ovens</td>
<td>500</td>
</tr>
<tr>
<td>Rendering and casings works</td>
<td>1,000</td>
</tr>
<tr>
<td>Non-metallic mineral products</td>
<td></td>
</tr>
<tr>
<td>Bitumen batching plant</td>
<td>1,000</td>
</tr>
<tr>
<td>Cement production in amounts:</td>
<td></td>
</tr>
<tr>
<td>- up to 5,000 tonnes per year</td>
<td>300</td>
</tr>
<tr>
<td>Type of use or activity (purpose)</td>
<td>Threshold distance (metres)</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td>between 5,000 and 150,000 tonnes per year</td>
<td>500</td>
</tr>
<tr>
<td>exceeding 150,000 tonnes per year</td>
<td>1,000</td>
</tr>
<tr>
<td>Cement, lime, clay bricks, tiles and pipe refractories, with a design production rate exceeding 10,000 tonnes per year:</td>
<td>500</td>
</tr>
<tr>
<td>Concrete batching plant, with a production rate exceeding 5,000 tonnes per year</td>
<td>300</td>
</tr>
<tr>
<td>Glass and glass production including glass wool and fibreglass</td>
<td>500</td>
</tr>
<tr>
<td>Plaster or plaster articles production, exceeding 5,000 tonnes per year</td>
<td>200</td>
</tr>
<tr>
<td>Rock wool manufacture</td>
<td>500</td>
</tr>
<tr>
<td>Solar salt manufacture</td>
<td>1,000</td>
</tr>
<tr>
<td><strong>Other premises</strong></td>
<td></td>
</tr>
<tr>
<td>Automotive body, paint and interior repair</td>
<td>100</td>
</tr>
<tr>
<td>Rural industry handling, processing or packing agricultural produce</td>
<td>300</td>
</tr>
<tr>
<td><strong>Paper and paper products</strong></td>
<td></td>
</tr>
<tr>
<td>Paper or paper pulp production:</td>
<td></td>
</tr>
<tr>
<td>involving combustion of sulphur or sulphur containing materials</td>
<td>5,000</td>
</tr>
<tr>
<td>from semi-processed materials</td>
<td>100</td>
</tr>
<tr>
<td>from prepared cellulose and rags</td>
<td>200</td>
</tr>
<tr>
<td>by other methods than above</td>
<td>None specified</td>
</tr>
<tr>
<td><strong>Recreational, personal and other services</strong></td>
<td></td>
</tr>
<tr>
<td>Dry cleaning for commercial and institutional customers, or in bulk quantities</td>
<td>100</td>
</tr>
<tr>
<td>Laundry for commercial and institutional customers, or in bulk quantities</td>
<td>100</td>
</tr>
<tr>
<td><strong>Textiles</strong></td>
<td></td>
</tr>
<tr>
<td>Carpet backing with latex</td>
<td>500</td>
</tr>
<tr>
<td>Dyeing or finishing of cotton, linen and woollen yarns and textiles</td>
<td>300</td>
</tr>
<tr>
<td>Leather and artificial leather goods production</td>
<td>300</td>
</tr>
<tr>
<td>Leather tanning and dressing:</td>
<td></td>
</tr>
<tr>
<td>Type of use or activity (purpose)</td>
<td>Threshold distance (metres)</td>
</tr>
<tr>
<td>--------------------------------------------------------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>up to 250 tonnes per year</td>
<td>300</td>
</tr>
<tr>
<td>exceeding 250 tonnes per year</td>
<td>2,000</td>
</tr>
<tr>
<td>Rope, cordage and twine production</td>
<td>100</td>
</tr>
<tr>
<td>Treatment or production of natural and synthetic fibres and textiles</td>
<td>1,000</td>
</tr>
<tr>
<td>Treatment or production of textiles using carbon disulphide</td>
<td>500</td>
</tr>
<tr>
<td>Wool scouring</td>
<td>200</td>
</tr>
</tbody>
</table>

**Transport and storage**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Threshold distance (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bus depot</td>
<td>200</td>
</tr>
<tr>
<td>Depot for refuse collection vehicles</td>
<td>100</td>
</tr>
<tr>
<td>Storage of bulk volatile organic compounds in quantities greater than 1,000 tonnes</td>
<td>1,000</td>
</tr>
</tbody>
</table>

- Storage of petroleum products and crude oil in tanks exceeding 2,000 tonnes capacity:
  - with fixed roofs: 300
  - with floating roofs: 100
- Storage of wet-salted or unprocessed hides: 250

**Waste, recycling and resource recovery**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Threshold distance (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chemical or oil recycling</td>
<td>1,000</td>
</tr>
<tr>
<td>Combustion, treatment or bio-reaction of waste to produce energy</td>
<td>None specified</td>
</tr>
<tr>
<td>Composting and other organic materials recycling</td>
<td>None specified</td>
</tr>
<tr>
<td>Hazardous waste storage or treatment</td>
<td>1,000</td>
</tr>
<tr>
<td>Landfill</td>
<td>None specified</td>
</tr>
<tr>
<td>Other recourse recovery or recycling operations</td>
<td>None specified</td>
</tr>
<tr>
<td>Soil conditioning or blending</td>
<td>None specified</td>
</tr>
<tr>
<td>Transfer station:</td>
<td></td>
</tr>
</tbody>
</table>
  - accepting organic wastes: 500                                              |
  - other: 200                                                                 |
<p>| Used plastics treatment or processing                                       | 500                         |</p>
<table>
<thead>
<tr>
<th>Type of use or activity (purpose)</th>
<th>Threshold distance (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waste tyre recycling and re-treading</td>
<td>1,000</td>
</tr>
<tr>
<td>Vehicle recycling or disposal</td>
<td>500</td>
</tr>
<tr>
<td>Water and wastewater</td>
<td></td>
</tr>
<tr>
<td>Sewage treatment plant, exceeding a design or actual flow rate of 5,000 litres per day</td>
<td>None specified</td>
</tr>
<tr>
<td>Water treatment plant</td>
<td>None specified</td>
</tr>
<tr>
<td>Wood, wood products and furniture</td>
<td></td>
</tr>
<tr>
<td>Charcoal production:</td>
<td></td>
</tr>
<tr>
<td>- by the retort process</td>
<td>500</td>
</tr>
<tr>
<td>- other than by the retort process</td>
<td>1,000</td>
</tr>
<tr>
<td>Joinery</td>
<td>100</td>
</tr>
<tr>
<td>Sawmill, wood products and furniture</td>
<td>500</td>
</tr>
<tr>
<td>Wood preservation plant</td>
<td></td>
</tr>
<tr>
<td>up to 10,000 cubic metres of timber per year</td>
<td>100</td>
</tr>
<tr>
<td>exceeding 10,000 cubic metres of timber per year</td>
<td>300</td>
</tr>
</tbody>
</table>
TIMBER PRODUCTION

Timber production on Crown land

Any requirement of this scheme which:

- requires timber production to be conducted in a particular way
- requires that a permit be obtained to use or develop land for timber production or to carry out timber production in a particular way
- requires that some aspect of timber production be carried out to the satisfaction of the responsible authority

does not apply to timber production on unalienated land of the Crown managed and controlled by the Minister responsible for administering the Forests Act 1958 and the Sustainable Forests (Timber) Act 2004, or the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forest and Lands Act 1987), whether or not occupied under a licence or other right. All requirements of this scheme apply to Crown land which has been leased.

Timber production to comply with the Code of Practice for Timber Production

All timber production activities (except agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), windbreaks and commercial plantations of 5 hectares or less) must comply with the Code of Practice for Timber Production (Department of Environment and Primary Industries, 2014). In accordance with Section 6(4A) of the Planning and Environment Act 1987, this applies whether the use of land for timber production is commenced before or after the coming into effect of this requirement.

The Code must be complied with to the satisfaction of the responsible authority.

A permit may require that matters required by the Code must be done to the satisfaction of the responsible authority or a Minister, public authority or referral authority, and may require the responsible authority to seek comments from any other person or authority before making a decision.

Road repairs

After a Timber Harvesting Plan is lodged with the responsible authority under the Code and before the commencement of harvesting operations, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which are proposed to be used as a cartage route.

The forest owner or manager must advise the responsible authority when harvesting operations are complete. After receiving this advice, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which were used as a cartage route.

It is the responsibility of the forest owner or manager to restore any roads which were used as a cartage route to the same condition that they were in before the commencement of harvesting operations to the extent of any damage caused as a result of the harvesting operations.

The cartage of timber associated with harvesting operations is extraordinary traffic for the purpose of Section 112 of the Road Management Act 2004.

Decision guidelines

Before deciding on an application to use or develop land for timber production, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The need to encourage plantation establishment and timber production in locations where it is of significance to national, state and regional economies, and in areas affected by salinity and other forms of land degradation.
The role of native forest and plantations in:
- Protecting water quality.
- Conserving flora and fauna.
- Preventing land degradation, including soil erosion, salinisation and water logging.
- Preventing adverse effects on groundwater recharge.

- The preservation of and impact on the natural environment, cultural heritage and visual amenity.
- Whether it is appropriate to require environmental protection standards greater than those in the Code.
RACING DOG HUSBANDRY

Purpose
To ensure the use and development of land for racing dog husbandry is consistent with orderly and proper planning.

Requirement
An application to use land, or construct a building or construct or carry out works, for racing dog husbandry under a provision of a rural zone must comply with Planning requirements for racing dog keeping and training (Department of Environment, Land, Water and Planning, August 2017). This requirement does not apply to an application to construct a building or construct or carry out works associated with a use that is a Section 1 use in the Table of uses of the zone.

Exemption from notice and review
An application to which the requirement in Clause 53.12-1 applies is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the approved measures specified in Planning requirements for racing dog keeping and training (Department of Environment, Land, Water and Planning, August 2017) are met.
RENEWABLE ENERGY FACILITY (OTHER THAN WIND ENERGY FACILITY)

Purpose
To facilitate the establishment and expansion of renewable energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

Application
This clause applies to an application under any provision of this planning scheme to use or develop land for a renewable energy facility (other than a wind energy facility).

Application requirements
An application must be accompanied by the following information, as appropriate:

- A site and context analysis, including:
  - A site plan, photographs or other techniques to accurately describe the site and the surrounding area.
  - A location plan showing the full site area, local electricity grid, access roads to the site and direction and distance to nearby accommodation, hospital or education centre.

- A design response, including:
  - Detailed plans of the proposed development including, the layout and height of the facility and associated building and works, materials, reflectivity, colour, lighting, landscaping, the electricity distribution starting point (where the electricity will enter the distribution system), access roads and parking areas.
  - Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.
  - The extent of vegetation removal and a rehabilitation plan for the site.
  - Written report and assessment, including:
    - An explanation of how the proposed design derives from and responds to the site analysis.
    - A description of the proposal, including the types of process to be utilised, materials to be stored and the treatment of waste.
    - Whether a Works Approval or Licence is required from the Environment Protection Authority.
    - the potential amenity impacts such as noise, glint, light spill, emissions to air, land or water, vibration, smell and electromagnetic interference.
    - the effect of traffic to be generated on roads.
    - the impact upon Aboriginal or non-Aboriginal cultural heritage.
    - A statement of why the site is suitable for a renewable energy facility including, a calculation of the greenhouse benefits.
    - An environmental management plan including, a construction management plan, any rehabilitation and monitoring.
Decision guidelines

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The effect of the proposal on the surrounding area in terms of noise, glint, light spill, vibration, smell and electromagnetic interference.
- The impact of the proposal on significant views, including visual corridors and sightlines.
- The impact of the proposal on strategically important agricultural land, particularly within declared irrigation districts.
- The impact of the proposal on the natural environment and natural systems.
- The impact of the proposal on the road network.

Amendment VC161 transitional provisions

Clauses 19.01-2S and 53.13 of this planning scheme, as in force immediately before the approval date of Amendment VC161, continue to apply to an application to use or develop land for a renewable energy facility (other than a wind energy facility) lodged before the approval date of Amendment VC161.

Clauses 14.02-3S and 66.02-12 of this planning scheme do not apply to an application to use or develop land for a renewable energy facility (other than a wind energy facility) lodged before the approval date of Amendment VC161.
53.14
31/07/2018
VC148

RESOURCE 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.

53.14-1
31/07/2018
VC148

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.

53.14-2
31/07/2018
VC148

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.

53.14-3
31/07/2018
VC148

Decision Guidelines
Before deciding on an application, in addition to the Decision Guidelines of Clause 65, the responsible authority must consider:

- The contribution of the proposal to achieving resource recovery targets established by the Victorian Government.
- The impact of the proposal on the amenity of the surrounding area.
- The Statewide Waste and Resource Recovery Infrastructure Plan (Sustainability Victoria, 2015).
Relevant guidelines applicable to the application including the guideline for *Designing, Constructing and Operating Composting Facilities* (Environmental Protection Authority, 2015), the *Guide to Best Practice for Organics Recovery* (Sustainability Victoria, 2009) and the *Guide to Best Practice at Resource Recovery Centres* (Sustainability Victoria, 2009).
STATEMENT OF UNDERLYING PROVISIONS

Purpose
To specify the planning scheme provisions which would have applied to land reserved for a public purpose pursuant to section 6(2)(i) of the Planning and Environment Act 1987 if the land had not been reserved for that purpose.

Application
In relation to any land identified in the schedule to this clause, the provisions of the planning scheme which would have applied to that land if it had not been reserved for a public purpose are the provisions which are contained in the relevant incorporated document, also identified in the schedule to this clause.

The incorporated document may contain some or all of the provisions which would have applied to the relevant land under this scheme if the land had not been reserved for a public purpose.

The incorporated document may also contain a statement or explanation of the strategic basis for those provisions. Alternatively, the incorporated document may make reference to a separate document, not forming part of the incorporated document, which contains a statement or explanation of the strategic basis for those provisions.
### Incorporated statement

<table>
<thead>
<tr>
<th>Land</th>
<th>Incorporated Document</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>
PIG FARM

Purpose
To facilitate the establishment and expansion of pig farms in a manner that is consistent with orderly and proper planning and the protection of the environment.

Application
This clause applies to permit applications to use land or construct a building or construct or carry out works for a pig farm, including to increase the farm capacity of an existing pig farm.

Exemption from notice and review
An application to use land or construct a building or construct or carry out works for a pig farm is exempt from the notice requirements of section 52 (1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the following requirements are met:

- The number of pigs does not exceed 150 sows or 1,000 Standard Pig Units as calculated in Table 1.
- The outdoor stocking density does not exceed 12 Standard Pig Units per hectare as calculated in Table 1.
- A Nutrient Management Plan demonstrates pigs are kept outdoors on paddocks with:
  - A minimum of 50% ground cover; and
  - Mobile housing and feeding infrastructure that is relocated at least every three months.
- Any area used as a pig range, including associated buildings and works, is setback a minimum distance of:
  - 100 metres from a building used for a sensitive use (accommodation, a child care centre, an education centre or a hospital), and
  - 400 metres from land in a residential zone.

Table 1 Standard Pig Unit conversion factors

<table>
<thead>
<tr>
<th>Pig Class</th>
<th>Mass Range (kg)</th>
<th>Age Range (weeks)</th>
<th>SPU Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gilt</td>
<td>100 – 160</td>
<td>24 -30</td>
<td>1.8</td>
</tr>
<tr>
<td>Boar</td>
<td>100 – 300</td>
<td>24 – 128</td>
<td>1.6</td>
</tr>
<tr>
<td>Gestating sow</td>
<td>160 – 230</td>
<td>-</td>
<td>1.6</td>
</tr>
<tr>
<td>Lactating sow</td>
<td>160 – 230</td>
<td>-</td>
<td>2.5</td>
</tr>
<tr>
<td>Sucker</td>
<td>1.4 – 8</td>
<td>0 – 4</td>
<td>0.1</td>
</tr>
<tr>
<td>Weaner</td>
<td>8 – 25</td>
<td>4 – 10</td>
<td>0.5</td>
</tr>
<tr>
<td>Grower</td>
<td>24 – 55</td>
<td>10 – 16</td>
<td>1.0</td>
</tr>
<tr>
<td>Finisher</td>
<td>55 – 100</td>
<td>16 – 24</td>
<td>1.6</td>
</tr>
<tr>
<td>Pig Class</td>
<td>Mass Range (kg)</td>
<td>Age Range (weeks)</td>
<td>SPU Factor</td>
</tr>
<tr>
<td>-----------------</td>
<td>-----------------</td>
<td>-------------------</td>
<td>------------</td>
</tr>
<tr>
<td>Heavy Finisher</td>
<td>100 – 130</td>
<td>24 -30</td>
<td>1.8</td>
</tr>
</tbody>
</table>

Note: Adapted from the National Environmental Guidelines for Piggeries 2010

53.16-3
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 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>
</tbody>
</table>
| The site is on a corner. | 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. | 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
<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></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. Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</td>
</tr>
</tbody>
</table>

**Side and rear setbacks**

A new building not on or within 200mm of a boundary should be set back from side or rear boundaries by 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Screens, sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.
Walls on boundaries

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports; whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Daylight to existing windows

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.
Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

**North-facing windows**

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
Overshadowing open space

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Overshadowing solar energy systems

Buildings should be sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

Overlooking

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.2 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.2 metres above floor level.
- Have permanently fixed external screens to at least 1.2 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.2 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:
- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

**Noise impacts**

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

**Daylight to new windows**

A window in a habitable room should be located to face:
- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

**Site coverage**

The site area covered by buildings should not exceed 80 percent.

**Access**

Access ways should be designed to:
- Provide direct access to on-site designated areas for car and bicycle parking.
- Provide direct access to the building for emergency vehicles.
- Provide access for service and delivery vehicles to on-site loading bays and storage areas.
- Ensure vehicles can enter and exit a development in a forward direction.
- Provide a carriageway width of at least 5.5 metres and an internal radius of at least 4 metres at a change of direction.
- The number and location of access points from streets to the site and the design of crossovers must be to the requirements of the relevant road authority.
- Shared access ways or car parks should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced by 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the access way.

**Building entry**

The main pedestrian entry to a building should:

- Have convenient access from a street.
- Be sheltered from the weather.
- Have convenient access from on-site car parking.
- Have a designated vehicle standing area suitable for use by a community bus and a disabled parking area should be provided in an area that is convenient for the drop-off and pick-up of residents.

**Communal open space**

Accessible and useable communal open space should be provided for residents and staff.

**Front fence**

A front fence within 3 metres of a street should not exceed:

- 2 metres in height in streets in a Road Category 1; and
- 1.5 metres in height on all other streets.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- How the proposed development responds to the site and context description.
- Where the requirements of this clause are not met, the impact on the amenity of the adjoining dwellings.
- The proposed amenity for future residents of the residential aged care facility.
- The effect of overshadowing on an appropriately located existing rooftop solar energy system on an adjoining lot.
STORMWATER MANAGEMENT IN URBAN DEVELOPMENT

Purpose

To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

Application

This clause applies to an application under a provision of a zone to subdivide land, construct a building, or construct or carry out works, other than the following applications:

- An application under a provision of the Farming Zone, Green Wedge Zone, Green Wedge A Zone, Low Density Residential Zone, Public Conservation and Resource Zone, Road Zone, Rural Activity Zone, Rural Conservation Zone, Rural Living Zone, Urban Floodway Zone or Urban Growth Zone.
- A VicSmart application.
- An application to subdivide land in a residential zone for residential purposes.
- An application to construct or extend a dwelling, fence or residential building in a residential zone.
- An application for development associated with the use of land for agriculture or earth and energy resources industry.
- An application to construct a building or construct or carry out works associated with one dwelling on a lot.
- An application to alter, extend or make structural changes to an existing building provided the gross floor area of the building is not increased by more than 50 square metres.
- An application to construct a building with a gross floor area not exceeding 50 square metres.
- An application to construct or carry out works with an area not exceeding 50 square metres.
- An application to subdivide land into lots each containing an existing building or car parking space.
- An application to construct a building or to construct or carry out works on a lot if all of the following requirements are met:
  - The lot was created in accordance with a permit granted under this planning scheme.
  - The application for that permit was assessed against the requirements of this clause.
- An application for land affected by a development plan or incorporated plan that was approved or incorporated in this planning scheme before the approval date of Amendment VC154.
- An application lodged before the approval date of Amendment VC154.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC154.

Operation

The provisions of this clause contain:

- **Objectives.** An objective describes the desired outcome to be achieved in the completed development.
- **Standards.** A standard contains the requirements to meet the objective.
A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative solution meets the objective, the alternative solution may be considered.

53.18-3
Requirements
An application to subdivide land:
- Must meet all of the objectives of Clauses 53.18-4 and 53.18-6.
- Should meet all of the standards of Clauses 53.18-4 and 53.18-6.

An application to construct a building or carry out works:
- Must meet all of the objectives of Clauses 53.18-5 and 53.18-6.
- Should meet all of the standards of Clauses 53.18-5 and 53.18-6.

An application must be accompanied by details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system.

53.18-4
Stormwater management objectives for subdivision
To minimise damage to properties and inconvenience to the public from stormwater.

To ensure that the street operates adequately during major storm events and provides for public safety.

To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

Standard W1
The stormwater management system should be:
- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:
- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
- Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.
For storm events greater than 20% AEP and up to and including 1% AEP standard:

- Provision must be made for the safe and effective passage of stormwater flows.
- All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
- Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $da \cdot V_{ave} < 0.35 \text{ m}^2/\text{s}$ (where, $da =$ 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.

53.18-5

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.

53.18-6

Site management objectives

To protect drainage infrastructure and receiving waters from sedimentation and contamination.

To protect the site and surrounding area from environmental degradation prior to and during construction of subdivision works.
Standard W3

An application should describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Stormwater.
- Litter, concrete and other construction wastes.
- Chemical contamination.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any relevant water and stormwater management objective, policy or statement set out in this planning scheme.
- The capacity of the site to incorporate stormwater retention and reuse and other water sensitive urban design features.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.
NON-GOVERNMENT SCHOOLS

Purpose
To facilitate new non-government schools.
To facilitate upgrades and extensions to existing non-government schools.

Application
This clause applies to an application under any provision of this scheme for any of the following provided that the proposed use or development is funded, or partly funded, by the Victorian Government's Non-Government Schools Capital Fund:

. Use or development of land for a new primary school or secondary school.
. Construction of a building on land used for a primary school or secondary school provided the combined gross floor area of all new buildings is 5,000 square metres or greater.
. Construction of additional classrooms on land used for a primary school or secondary school.
. An increase of the permitted number of students associated with additional classrooms on land used for a primary school or secondary school.
. Removal or replacement of non-conforming or non-compliant building products on land used for a primary school or secondary school.

This clause does not apply to an application lodged before the approval date of Amendment VC165.

Exemption from notice and review
An application to which Clause 53.19 applies is exempt from the notice requirements of section 52(1)(a), (b), (c) and (d), the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act.
ONE DWELLING ON A LOT

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.
To encourage residential development that provides reasonable standards of amenity for existing and new residents.
To encourage residential development that is responsive to the site and the neighbourhood.

Application
These provisions apply to an application to construct a building or construct or carry out works associated with one dwelling on a lot under the provisions of:

- A Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.
- A Neighbourhood Character Overlay if the land is in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.

Operation
The provisions of this clause contain:

- **Objectives.** An objective describes the desired outcome to be achieved in the completed development.
- **Standards.** A standard contains the requirements to meet the objective.
  A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
- **Decision guidelines.** The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements
A development:

- Must meet all of the objectives of this clause.
- Should meet all of the standards of this clause.

If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a schedule to the zone applies.

If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a requirement of a standard different from a requirement set out in this clause or a requirement in the zone or a schedule to the zone, the requirement in the schedule to the overlay applies.

If the land is included in an overlay, other than a Neighbourhood Character Overlay, and a schedule to the overlay specifies a requirement different from a requirement of a standard set out in this clause or a requirement of a standard set out in the zone or a schedule to the zone, the requirement in the overlay applies.
NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

An application must be accompanied by:

- A neighbourhood and site description.
- A design response.

Neighbourhood and site description

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the neighbourhood:
  - The built form, scale and character of surrounding development including front fencing.
  - Architectural and roof styles.
  - Any other notable features or characteristics of the neighbourhood.

- In relation to the site:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and to surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the neighbourhood and site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Satisfactory neighbourhood and site description

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 54.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

Design response

The design response must explain how the proposed design:
- Derives from and responds to the neighbourhood and site description.
- Meets the objectives of Clause 54.
- Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.
NEIGHBOURHOOD CHARACTER

Neighbourhood character objective
To ensure that the design respects the existing neighbourhood character or contributes to a preferred
eighbourhood character.
To ensure that the design responds to the features of the site and the surrounding area.

Standard A1
The design response must be appropriate to the neighbourhood and the site.
The proposed design must respect the existing or preferred neighbourhood character and respond
to the features of the site.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The neighbourhood and site description.
- The design response.

Integration with the street objective
To integrate the layout of development with the street.

Standard A2
Dwellings should be oriented to front existing and proposed streets.
High fencing in front of dwellings should be avoided if practicable.
Dwellings should be designed to promote the observation of abutting streets and any abutting
public open spaces.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
SITE LAYOUT AND BUILDING MASSING

Street setback objective
To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

Standard A3
Walls of buildings should be set back from streets:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, the distance specified in Table A1.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table A1 Street setback

<table>
<thead>
<tr>
<th>Development context</th>
<th>Minimum setback from front street (Metres)</th>
<th>Minimum setback from a side street (Metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</td>
<td>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>The site is on a corner.</td>
<td>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>The same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.
- The visual impact of the building when viewed from the street and from adjoining properties.
- The value of retaining vegetation within the front setback.
Building height objective
To ensure that the height of buildings respects the existing or preferred neighbourhood character.

Standard A4
The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.

If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.

Changes of building height between existing buildings and new buildings should be graduated.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.
- The design response.
- The effect of the slope of the site on the height of the building.
- The relationship between the proposed building height and the height of existing adjacent buildings.
- The visual impact of the building when viewed from the street and from adjoining properties.

Site coverage objective
To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

Standard A5
The site area covered by buildings should not exceed:

- The maximum site coverage specified in a schedule to the zone, or
- If no maximum site coverage is specified in a schedule to the zone, 60 per cent.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The existing site coverage and any constraints imposed by existing development or the features of the site.
- The site coverage of adjacent properties.
- The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.

Permeability objectives
To reduce the impact of increased stormwater run-off on the drainage system.

To facilitate on-site stormwater infiltration.
Standard A6

The site area covered by pervious surfaces should be at least:

- The minimum area specified in a schedule to the zone; or
- If no minimum area is specified in a schedule to the zone, 20 per cent of the site.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The existing site coverage and any constraints imposed by existing development.
- The capacity of the drainage network to accommodate additional stormwater.
- The capacity of the site to absorb run-off.
- The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.

Energy efficiency protection objectives

To achieve and protect energy efficient dwellings.

To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

Standard A7

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the dwelling, if practicable.

Dwellings should be designed so that solar access to north-facing windows is maximised.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and slope of the lot.
- The existing amount of solar access to abutting properties.
- The extent to which an existing rooftop solar energy system on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy system on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy system on an adjoining lot.
- The availability of solar access to north-facing windows on the site.
**Significant trees objectives**

To encourage development that respects the landscape character of the neighbourhood.

To encourage the retention of significant trees on the site.

**Standard A8**

Development should provide for the retention or planting of trees, where these are part of the neighbourhood character.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The health of any trees that were removed or are proposed to be removed.
- Whether a tree was removed to gain a development advantage.
AMENITY IMPACTS

Side and rear setbacks objective
To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard A10
A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Diagram A1 Side and rear setbacks

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.
- Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.
- Whether the wall abuts a side or rear lane.

### Walls on boundaries objective

To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

### Standard A11

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut the boundary:

- For a length more than the distance specified in a schedule to the zone; or
- If no distance is specified in a schedule to the zone, for a length of more than:
  - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
  - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where the slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The extent to which walls on boundaries are part of the neighbourhood character.
- The visual impact of the building when viewed from adjoining properties.
- The impact on the amenity of existing dwellings.
- The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.
- The orientation of the boundary that the wall is being built on.
- The width of the lot.
- The extent to which the slope and retaining walls or fences reduce the effective height of the wall.
- Whether the wall abuts a side or rear lane.
- The need to increase the wall height to screen a box gutter.
Daylight to existing windows objective
To allow adequate daylight into existing habitable room windows.

Standard A12
Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram A2 Daylight to existing windows

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.
- The impact on the amenity of existing dwellings.

North-facing windows objective
To allow adequate solar access to existing north-facing habitable room windows.

Standard A13
If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metre for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling.
- The impact on the amenity of existing dwellings.

Overshadowing open space objective
To ensure buildings do not unreasonably overshadow existing secluded private open space.

Standard A14
Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of existing dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling.
- The time of day that sunlight is available to the secluded private open space of the existing dwelling.
- The effect of a reduction in sunlight on the existing use of the secluded private open space.

**Overlooking objective**

To limit views into existing secluded private open space and habitable room windows.

**Standard A15**

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space and habitable room windows of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other, or
- Have sill heights of at least 1.7 metres above floor level, or
- Have obscure glazing in any part of the window below 1.7 metres above floor level, or
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

**Diagram A4 Overlooking open space**

**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.
DESTIRED 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</td>
<td>All of Clause 55 except Clause 55.07-1 to 55.07-15 (inclusive).</td>
</tr>
<tr>
<td>To construct or extend a residential building.</td>
<td></td>
</tr>
<tr>
<td>To construct or extend an apartment development, or</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>
<tr>
<td>To construct or extend a dwelling in or forming part of an apartment development.</td>
<td></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>Front walls of new development facing 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>
<td>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.

- The visual impact of the building when viewed from the street and from adjoining properties.
- The value of retaining vegetation within the front setback.

### Building height objective

To ensure that the height of buildings respects the existing or preferred neighbourhood character.

**Standard B7**

The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.

If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.

Changes of building height between existing buildings and new buildings should be graduated.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.
- The design response.
- The effect of the slope of the site on the height of the building.
- The relationship between the proposed building height and the height of existing adjacent buildings.
- The visual impact of the building when viewed from the street and from adjoining properties.

### Site coverage objective

To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

**Standard B8**

The site area covered by buildings should not exceed:

- The maximum site coverage specified in a schedule to the zone, or
- If no maximum site coverage is specified in a schedule to the zone, 60 per cent.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The existing site coverage and any constraints imposed by existing development or the features of the site.
- The site coverage of adjacent properties.
- The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.
Permeability and stormwater management objectives
To reduce the impact of increased stormwater run-off on the drainage system.
To facilitate on-site stormwater infiltration.
To encourage stormwater management that maximises the retention and reuse of stormwater.

Standard B9
The site area covered by the pervious surfaces should be at least:
- The minimum area specified in a schedule to the zone, or
- If no minimum is specified in a schedule to the zone, 20 percent of the site.
The stormwater management system should be designed to:
- Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The capacity of the site to incorporate stormwater retention and reuse.
- The existing site coverage and any constraints imposed by existing development.
- The capacity of the drainage network to accommodate additional stormwater.
- The capacity of the site to absorb run-off.
- The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

Energy efficiency objectives
To achieve and protect energy efficient dwellings and residential buildings.
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

Standard B10
Buildings should be:
- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.
Developments should be designed so that solar access to north-facing windows is maximised.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and slope of the lot.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The extent to which an existing rooftop solar energy system on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy system on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy system on an adjoining lot.

Open space objective
To integrate the layout of development with any public and communal open space provided in or adjacent to the development.

Standard B11
If any public or communal open space is provided on site, it should:

- Be substantially fronted by dwellings, where appropriate.
- Provide outlook for as many dwellings as practicable.
- Be designed to protect any natural features on the site.
- Be accessible and useable.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for open space in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.

Safety objective
To ensure the layout of development provides for the safety and security of residents and property.

Standard B12
Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.

Planting which creates unsafe spaces along streets and accessways should be avoided.

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

Decision guideline
Before deciding on an application, the responsible authority must consider the design response.

Landscaping objectives
To encourage development that respects the landscape character of the neighbourhood.
To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.

To provide appropriate landscaping.

To encourage the retention of mature vegetation on the site.

**Standard B13**

The landscape layout and design should:

- Protect any predominant landscape features of the neighbourhood.
- Take into account the soil type and drainage patterns of the site.
- Allow for intended vegetation growth and structural protection of buildings.
- In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
- Provide a safe, attractive and functional environment for residents.

Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.

Development should meet any additional landscape requirements specified in a schedule to the zone.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Any relevant plan or policy for landscape design in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The location and size of gardens and the predominant plant types in the neighbourhood.
- The health of any trees to be removed.
- Whether a tree was removed to gain a development advantage.

**Access objective**

To ensure the number and design of vehicle crossovers respects the neighbourhood character.

**Standard B14**

The width of accessways or car spaces should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street.

The location of crossovers should maximise the retention of on-street car parking spaces.

The number of access points to a road in a Road Zone should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the neighbourhood character.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and footpath.

Parking location objectives
To provide convenient parking for resident and visitor vehicles.
To protect residents from vehicular noise within developments.

Standard B15
Car parking facilities should:

- Be reasonably close and convenient to dwellings and residential buildings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

Decision guideline
Before deciding on an application, the responsible authority must consider the design response.
AMENITY IMPACTS

Side and rear setbacks objective
To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard B17
A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Diagram B1 Side and rear setbacks

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.

Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.

Whether the wall abuts a side or rear lane.

55.04-2
10/12/2013
VC99

Walls on boundaries objective

To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard B18

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:

- For a length of more than the distance specified in a schedule to the zone; or
- If no distance is specified in a schedule to the zone, for a length of more than:
  - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
  - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The extent to which walls on boundaries are part of the neighbourhood character.
- The impact on the amenity of existing dwellings.
- The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.
- The orientation of the boundary that the wall is being built on.
- The width of the lot.
- The extent to which the slope and retaining walls or fences reduce the effective height of the wall.
- Whether the wall abuts a side or rear lane.
- The need to increase the wall height to screen a box gutter.

55.04-3
18/01/2006
VC37

Daylight to existing windows objective

To allow adequate daylight into existing habitable room windows.
Standard B19
Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram B2 Daylight to existing windows

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.
- The impact on the amenity of existing dwellings.

North-facing windows objective
To allow adequate solar access to existing north-facing habitable room windows.

Standard B20
If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
Diagram B3 North-facing windows

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling.
- The impact on the amenity of existing dwellings.

Overshadowing open space objective
To ensure buildings do not significantly overshadow existing secluded private open space.

Standard B21
Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of existing dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling.
- The time of day that sunlight will be available to the secluded private open space of the existing dwelling.
- The effect of a reduction in sunlight on the existing use of the existing secluded private open space.

**Overlooking objective**

To limit views into existing secluded private open space and habitable room windows.

**Standard B22**

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.7 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.

- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

**Diagram B4 Overlooking open space**

![Diagram B4 Overlooking open space](image)

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:
- The design response.
- The impact on the amenity of the secluded private open space or habitable room window.
- The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.
- The internal daylight to and amenity of the proposed dwelling or residential building.

**Internal views objective**

To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.

**Standard B23**

Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.

**Noise impacts objectives**

To contain noise sources in developments that may affect existing dwellings.

To protect residents from external noise.

**Standard B24**

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.

Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.
ON-SITE AMENITY AND FACILITIES

Accessibility objective
To encourage the consideration of the needs of people with limited mobility in the design of developments.

Standard B25
The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.

Dwelling entry objective
To provide each dwelling or residential building with its own sense of identity.

Standard B26
Entries to dwellings and residential buildings should:
- Be visible and easily identifiable from streets and other public areas.
- Provide shelter, a sense of personal address and a transitional space around the entry.

Daylight to new windows objective
To allow adequate daylight into new habitable room windows.

Standard B27
A window in a habitable room should be located to face:
- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- Whether there are other windows in the habitable room which have access to daylight.

Private open space objective
To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard B28
A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:
- An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or
- A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or
- A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

The balcony requirements in Clause 55.05-4 do not apply to an apartment development.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability of the private open space, including its size and accessibility.
- The availability of and access to public or communal open space.
- The orientation of the lot to the street and the sun.

**Solar access to open space objective**

To allow solar access into the secluded private open space of new dwellings and residential buildings.

**Standard B29**

The private open space should be located on the north side of the dwelling or residential building, if appropriate.

The southern boundary of secluded private open space should be set back from any wall on the north of the space at least \((2 + 0.9h)\) metres, where ‘h’ is the height of the wall.

**Diagram B5 Solar access to open space**

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the secluded private open space based on the sunlight it will receive.

**Storage objective**

To provide adequate storage facilities for each dwelling.
Standard B30
Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.
**DETAILED DESIGN**

**Design detail objective**
To encourage design detail that respects the existing or preferred neighbourhood character.

**Standard B31**
The design of buildings, including:
- Facade articulation and detailing,
- Window and door proportions,
- Roof form, and
- Verandahs, eaves and parapets,
should respect the existing or preferred neighbourhood character.
Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.
- Whether the design is innovative and of a high architectural standard.

**Front fences objective**
To encourage front fence design that respects the existing or preferred neighbourhood character.

**Standard B32**
The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.
A front fence within 3 metres of a street should not exceed:
- The maximum height specified in a schedule to the zone, or
- If no maximum height is specified, the maximum height specified in Table B3.

**Table B3 Maximum front fence height**

<table>
<thead>
<tr>
<th>Street Context</th>
<th>Maximum front fence height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Streets in a Road Zone, Category 1</td>
<td>2 metres</td>
</tr>
<tr>
<td>Other streets</td>
<td>1.5 metres</td>
</tr>
</tbody>
</table>

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The setback, height and appearance of front fences on adjacent properties.
- The extent to which slope and retaining walls reduce the effective height of the front fence.
- Whether the fence is needed to minimise noise intrusion.

**Common property objectives**

To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.

To avoid future management difficulties in areas of common ownership.

**Standard B33**

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

**Site services objectives**

To ensure that site services can be installed and easily maintained.

To ensure that site facilities are accessible, adequate and attractive.

**Standard B34**

The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.

Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

Bin and recycling enclosures should be located for convenient access by residents.

Mailboxes should be provided and located for convenient access as required by Australia Post.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.
APARTMENT DEVELOPMENTS

Purpose
Clause 55.07 sets out requirements for an apartment development.

Energy efficiency objectives
To achieve and protect energy efficient dwellings and buildings.
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.
To ensure dwellings achieve adequate thermal efficiency.

Standard B35
Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy system must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified Table B4 in should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table B4 Cooling load

<table>
<thead>
<tr>
<th>NatHERS climate zone</th>
<th>NatHERS maximum cooling load 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 Warmambool</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 64 Cape Otway</td>
<td>19</td>
</tr>
<tr>
<td>Climate zone 66 Ballarat</td>
<td>23</td>
</tr>
</tbody>
</table>

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
The size, orientation and layout of the site.

The existing amount of solar access to abutting properties.

The availability of solar access to north-facing windows on the site.

The annual cooling load for each dwelling.

The extent to which an existing rooftop solar energy system on an adjoining lot is overshadowed by existing buildings or other permanent structures.

Whether the existing rooftop solar energy system on an adjoining lot is appropriately located.

The effect of overshadowing on an existing rooftop solar energy facility on an adjoining lot.

**Communal open space objective**

To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.

**Standard B36**

Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.

Communal open space should:

- Be located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.

- Be designed to protect any natural features on the site.

- Maximise landscaping opportunities.

- Be accessible, useable and capable of efficient management.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.

- The design response.

- The useability and amenity of the communal open space based on its size, location, accessibility and reasonable recreation needs of residents.

- The availability of and access to public open space.

**Solar access to communal outdoor open space objective**

To allow solar access into communal outdoor open space.

**Standard B37**

The communal outdoor open space should be located on the north side of a building, if appropriate.

At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.

Deep soil areas and canopy trees objective
To promote climate responsive landscape design and water management in developments to support thermal comfort and reduce the urban heat island effect.

Standard B38
The landscape layout and design should:

- Be responsive to the site context.
- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration.
- Maximise deep soil areas for planting of canopy trees.
- Integrate planting and water management.

Developments should provide the deep soil areas and canopy trees specified in Table B5.
If the development cannot provide the deep soil areas and canopy trees specified in Table B5, an equivalent canopy cover should be achieved by providing either:

- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.

Table B5 Deep soil areas and canopy trees

<table>
<thead>
<tr>
<th>Site area</th>
<th>Deep soil areas</th>
<th>Minimum tree provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>750 - 1000</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>square metres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1001 - 1500</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>square metres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1501 - 2500</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>square metres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>&gt;2500 square</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>
<tr>
<td>metres</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.
Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for environmental sustainability in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The suitability of the proposed location and soil volume for canopy trees.
- The ongoing management of landscaping within a development.
- The soil type and drainage patterns of the site.

Integrated water and stormwater management objectives

To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.

To facilitate stormwater collection, utilisation and infiltration within the development.

To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

Standard B39

Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.

Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).

- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant water and stormwater management objective, policy or statement set out in this scheme.
- The design response.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

Noise impacts objectives

To contain noise sources in developments that may affect existing dwellings.

To protect residents from external and internal noise sources.
Standard B40

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site. Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table B6 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an L_{eq,8h} from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed L_{eq,16h} from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table B6 Noise influence area

<table>
<thead>
<tr>
<th>Noise source</th>
<th>Noise influence area</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Zone interface</strong></td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>300 metres from the Industrial 1, 2 and 3 zone boundary</td>
</tr>
<tr>
<td><strong>Roads</strong></td>
<td></td>
</tr>
<tr>
<td>Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume</td>
<td>300 metres from the nearest trafficable lane</td>
</tr>
<tr>
<td><strong>Railways</strong></td>
<td></td>
</tr>
<tr>
<td>Railway servicing passengers in Victoria</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight outside Metropolitan Melbourne</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight in Metropolitan Melbourne</td>
<td>135 metres from the centre of the nearest track</td>
</tr>
</tbody>
</table>

Note: The noise influence area should be measured from the closest part of the building to the noise source.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether it can be demonstrated that the design treatment incorporated into the development meets the specified noise levels or an acoustic report by a suitably qualified specialist submitted with the application.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
- Whether the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
Accessibility objective
To ensure the design of dwellings meets the needs of people with limited mobility.

Standard B41
At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B7.

Table B7 Bathroom design

<table>
<thead>
<tr>
<th></th>
<th>Design option A</th>
<th>Design option B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Door opening</td>
<td>A clear 850mm wide door opening.</td>
<td>A clear 820mm wide door opening located opposite the shower.</td>
</tr>
<tr>
<td>Door design</td>
<td>Either:</td>
<td>Either:</td>
</tr>
<tr>
<td></td>
<td>- A slide door, or</td>
<td>- A slide door, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens outwards, or</td>
<td>- A door that opens outwards, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens inwards that is clear of the circulation area and has readily removable hinges.</td>
<td>- A door that opens inwards and has readily removable hinges.</td>
</tr>
<tr>
<td>Circulation area</td>
<td>A clear circulation area that is:</td>
<td>A clear circulation area that is:</td>
</tr>
<tr>
<td></td>
<td>- A minimum area of 1.2 metres by 1.2 metres.</td>
<td>- A minimum width of 1 metre.</td>
</tr>
<tr>
<td></td>
<td>- Located in front of the shower and the toilet.</td>
<td>- The full length of the bathroom and a minimum length of 2.7 metres.</td>
</tr>
<tr>
<td></td>
<td>- Clear of the toilet, basin and the door swing.</td>
<td>- Clear of the toilet and basin.</td>
</tr>
<tr>
<td></td>
<td>The circulation area for the toilet and shower can overlap.</td>
<td>The circulation area can include a shower area.</td>
</tr>
<tr>
<td>Path to circulation area</td>
<td>A clear path with a minimum width of 900mm from the door opening to the circulation area.</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>Shower</td>
<td>A hobless (step-free) shower.</td>
<td>A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.</td>
</tr>
<tr>
<td>Toilet</td>
<td>A toilet located in the corner of the room.</td>
<td>A toilet located closest to the door opening and clear of the circulation area.</td>
</tr>
</tbody>
</table>

Building entry and circulation objectives
To provide each dwelling and building with its own sense of identity.

To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.

To ensure internal communal areas provide adequate access to daylight and natural ventilation.

Standard B42
Entries to dwellings and buildings should:
- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:
- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
  - Include at least one source of natural light and natural ventilation.
  - Avoid obstruction from building services.
  - Maintain clear sight lines.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability and amenity of internal communal areas based on daylight access and the natural ventilation it will receive.

### Private open space above ground floor objective
To provide adequate private open space for the reasonable recreation and service needs of residents.

**Standard B43**
A dwelling should have private open space consisting of:
- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or
- A balcony with an area and dimensions specified in Table B8 and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.

**Table B8 Balcony size**

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum area</th>
<th>Minimum dimension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio or 1 bedroom dwelling</td>
<td>8 square metres</td>
<td>1.8 metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>8 square metres</td>
<td>2 metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>12 square metres</td>
<td>2.4 metres</td>
</tr>
</tbody>
</table>

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability and functionality of the private open space, including its size and accessibility.
- The amenity of the private open space based on the orientation of the lot, the wind conditions and the sunlight it will receive.
- The availability of and access to public or communal open space.
Storage objective

To provide adequate storage facilities for each dwelling.

Standard B44

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table B9.

Table B9 Storage

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Total minimum storage volume</th>
<th>Minimum storage volume within the dwelling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>8 cubic metres</td>
<td>5 cubic metres</td>
</tr>
<tr>
<td>1 bedroom dwelling</td>
<td>10 cubic metres</td>
<td>6 cubic metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>14 cubic metres</td>
<td>9 cubic metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>18 cubic metres</td>
<td>12 cubic metres</td>
</tr>
</tbody>
</table>

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and location of storage facilities provided for the dwelling.

Waste and recycling objectives

To ensure dwellings are designed to encourage waste recycling.

To ensure that waste and recycling facilities are accessible, adequate and attractive.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

Standard B45

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
  - Adequate in size, durable, waterproof and blend in with the development.
  - Adequately ventilated.
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.

- Adequate facilities for bin washing. These areas should be adequately ventilated.

- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.

- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.

- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.

- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.
Waste and recycling management facilities should be design and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the better practice design options specified in *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019).
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- The design response.
- Any relevant waste and recycling objective, policy or statement set out in this scheme.

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**55.07-12**

**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.

---

**55.07-13**

**Room depth objective**

To allow adequate daylight into single aspect habitable rooms.

**Standard B47**

Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:
- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability, functionality and amenity of the dwelling based on layout, siting, size and orientation of habitable rooms.
- Any overhang above habitable room windows that limits daylight access.

---

**55.07-14**

**Windows objective**

To allow adequate daylight into new habitable room windows.

**Standard B48**

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.

The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability and amenity of the dwelling based on the layout, siting, size and orientation of habitable rooms.

---

**55.07-15**

**Natural ventilation objectives**

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

**Standard B49**

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
Ventilation openings with approximately the same area.
The breeze path is measured between the ventilation openings on different orientations of the dwelling.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation, slope and wind exposure of the site.
- The extent to which the orientation of the building and the layout of dwellings maximises opportunities for cross ventilation.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
RESIDENTIAL SUBDIVISION

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To create liveable and sustainable neighbourhoods and urban places with character and identity.
To achieve residential subdivision outcomes that appropriately respond to the site and its context for:
  - Metropolitan Melbourne growth areas.
  - Infill sites within established residential areas.
  - Regional cities and towns.
To ensure residential subdivision design appropriately provides for:
  - Policy implementation.
  - Liveable and sustainable communities.
  - Residential lot design.
  - Urban landscape.
  - Access and mobility management.
  - Integrated water management.
  - Site management.
  - Utilities.

Application

These provisions apply to an application to subdivide land in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone and any Comprehensive Development Zone or Priority Development Zone that provides for residential development.

These provisions do not apply to an application to subdivide land into lots each containing an existing dwelling or car parking space.

Operation

The provisions of this clause contain:

- **Objectives.** An objective describes the desired outcome to be achieved in the completed subdivision.
- **Standards.** A standard contains the requirements to meet the objective.

A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

Requirement

An application to subdivide land:

  - Must be accompanied by a site and context description and a design response.
  - Must meet all of the objectives included in the clauses specified in the zone.
  - Should meet all of the standards included in the clauses specified in the zone.
Certification of standards

A subdivision may be certified by a person authorised by the Minister for Planning as meeting the requirements of a standard in this clause.

A standard that is certified as met is deemed to have met the objective of that standard.
Subdivision site and context description

The site and context description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the site:
  - Site shape, size, dimensions and orientation.
  - Levels and contours of the site.
  - Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
  - The siting and use of existing buildings and structures.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Access points.
  - Location of drainage and other utilities.
  - Easements.
  - Any identified natural or cultural features of the site.
  - Significant views to and from the site.
  - Noise and odour sources or other external influences.
  - Soil conditions, including any land affected by contamination, erosion, salinity, acid sulphate soils or fill.
  - Any other notable features or characteristics of the site.
  - Adjacent uses.
  - Any other factor affecting the capacity to develop the site including whether the site is affected by inundation.

- An application for subdivision of 3 or more lots must also describe in relation to the surrounding area:
  - The pattern of subdivision.
  - Existing land uses.
  - The location and use of existing buildings on adjacent land.
  - Abutting street and path widths, materials and detailing.
  - The location and type of significant vegetation.

- An application for subdivision of 60 or more lots must also describe in relation to the surrounding area:
  - Location, distance and type of any nearby public open space and recreational facilities.
  - Direction and distances to local shops and community facilities.
  - Directions and walking distances to public transport routes and stops.
  - Direction and walking distances to existing neighbourhood, major and principal activity centres and major employment areas.
- Existing transport routes, including freeways, arterial roads and streets connecting
  neighbourhoods.
- Local street network including potential connections to adjacent subdivisions.
- Traffic volumes and movements on adjacent roads and streets.
- Pedestrian, bicycle and shared paths identifying whether their primary role is
  neighbourhood or regional access.
- Any places of cultural significance.
- Natural features including trees and other significant vegetation, drainage lines, water
  courses, wetlands, ridgelines and hill tops.
- Proximity of any fire threats.
- Pattern of ownership of adjoining lots.

If in the opinion of the responsible authority a requirement of the site and context description is
not relevant to the assessment of an application, the responsible authority may waive or reduce
the requirement.

**Satisfactory subdivision site and context description**

If the responsible authority decides that the site and context description is not satisfactory, it may
require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an
application until it is satisfied that the site and context description meets the requirements of Clause
56.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of
the Act.

**Subdivision design response**

The design response must explain how the proposed design:

- Derives from and responds to the site and context description.
- Responds to any site and context features for the area identified in a local planning policy or
  a Neighbourhood Character Overlay.
- Responds to any relevant objective, policy, strategy or plan set out for the area in this scheme.
- Meets the relevant objectives of Clause 56.

The design response must include a dimensioned plan to scale showing the layout of the subdivision
in context with the surrounding area. If in the opinion of the responsible authority this requirement
is not relevant to the assessment of an application, it may waive or reduce the requirement.

An application for subdivision of 60 or more lots must also include a plan that meets the
requirements of Standard C2. The plan must also show the:

- Proposed uses of each part of the site.
- Natural features of the site and identify any features proposed to be altered.
- Proposed integrated water management system.
- Proposed staging of the subdivision.
POLICY IMPLEMENTATION

Strategic implementation objective

To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.

Standard C1

An application must be accompanied by a written statement that describes how the subdivision is consistent with and implements any relevant growth area, activity centre, housing, access and mobility, community facilities, open space and recreation, landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy or plan for the area set out in this scheme.
LIVEABLE AND SUSTAINABLE COMMUNITIES

Compact and walkable neighbourhoods objectives
To create compact neighbourhoods that are oriented around easy walking distances to activity centres, schools and community facilities, public open space and public transport.
To allow easy movement through and between neighbourhoods for all people.

Standard C2
A subdivision should implement any relevant growth area or any approved land-use and development strategy, plan or policy for the area set out in this scheme.
An application for subdivision must include a plan of the layout of the subdivision that:
- Meets the objectives (if relevant to the class of subdivision specified in the zone) of:
  - Clause 56.03-2 Activity centres
  - Clause 56.03-3 Planning for community facilities
  - Clause 56.04-1 Lot diversity and distribution
  - Clause 56.06-2 Walking and cycling network
  - Clause 56.06-3 Public transport network
  - Clause 56.06-4 Neighbourhood street network
- Shows the 400 metre street walking distance around each existing or proposed bus stop, 600 metres street walking distance around each existing or proposed tram stop and 800 metres street walking distance around each existing or proposed railway station and shows the estimated number of dwellings within those distances.
- Shows the layout of the subdivision in relation to the surrounding area.
- Is designed to be accessible for people with disabilities.

Activity centre objective
To provide for mixed-use activity centres, including neighbourhood activity centres, of appropriate area and location.

Standard C3
A subdivision should implement any relevant activity centre strategy, plan or policy for the area set out in this scheme.
Subdivision should be supported by activity centres that are:
- Accessible by neighbourhood and regional walking and cycling networks.
- Served by public transport that is connected to the regional public transport network.
- Located at public transport interchange points for the convenience of passengers and easy connections between public transport services.
- Located on arterial roads or connector streets.
- Of appropriate size to accommodate a mix of uses that meet local community needs.
- Oriented to support active street frontages, support street-based community interaction and pedestrian safety.
Planning for community facilities objective
To provide appropriately located sites for community facilities including schools, libraries, preschools and childcare, health services, police and fire stations, recreation and sports facilities.

Standard C4
A subdivision should:

- Implement any relevant regional and local community facility strategy, plan or policy for the area set out in this scheme.
- Locate community facilities on sites that are in or near activity centres and public transport.

School sites should:

- Be integrated with the neighbourhood and located near activity centres.
- Be located on walking and cycling networks.
- Have a bus stop located along the school site boundary.
- Have student drop-off zones, bus parking and on-street parking in addition to other street functions in abutting streets.
- Adjoin the public open space network and community sporting and other recreation facilities.
- Be integrated with community facilities.
- Be located on land that is not affected by physical, environmental or other constraints.

Schools should be accessible by the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.

Primary schools should be located on connector streets and not on arterial roads.

New State Government school sites must meet the requirements of the Department of Education and Training and abut at least two streets with sufficient widths to provide student drop-off zones, bus parking and on-street parking in addition to other street functions.

Built environment objective
To create urban places with identity and character.

Standard C5
The built environment should:

- Implement any relevant urban design strategy, plan or policy for the area set out in this scheme.
- Provide living and working environments that are functional, safe and attractive.
- Provide an integrated layout, built form and urban landscape.
- Contribute to a sense of place and cultural identity.

An application should describe the identity and character to be achieved and the elements that contribute to that identity and character.

Neighbourhood character objective
To design subdivisions that respond to neighbourhood character.

Standard C6
Subdivision should:
- Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme.

- Respond to and integrate with the surrounding urban environment.

- Protect significant vegetation and site features.
LOT DESIGN

Lot diversity and distribution objectives
To achieve housing densities that support compact and walkable neighbourhoods and the efficient
provision of public transport services.
To provide higher housing densities within walking distance of activity centres.
To achieve increased housing densities in designated growth areas.
To provide a range of lot sizes to suit a variety of dwelling and household types.

Standard C7
A subdivision should implement any relevant housing strategy, plan or policy for the area set out
in this scheme.
Lot sizes and mix should achieve the average net residential density specified in any zone or
overlay that applies to the land or in any relevant policy for the area set out in this scheme.
A range and mix of lot sizes should be provided including lots suitable for the development of:
  • Single dwellings.
  • Two dwellings or more.
  • Higher density housing.
  • Residential buildings and Retirement villages.
Unless the site is constrained by topography or other site conditions, lot distribution should provide
for 95 per cent of dwellings to be located no more than 400 metre street walking distance from
the nearest existing or proposed bus stop, 600 metres street walking distance from the nearest
existing or proposed tram stop and 800 metres street walking distance from the nearest existing
or proposed railway station.
Lots of 300 square metres or less in area, lots suitable for the development of two dwellings or
more, lots suitable for higher density housing and lots suitable for Residential buildings and
Retirement villages should be located in and within 400 metres street walking distance of an activity
centre.

Lot area and building envelopes objective
To provide lots with areas and dimensions that enable the appropriate siting and construction of
a dwelling, solar access, private open space, vehicle access and parking, water management,
easements and the retention of significant vegetation and site features.

Standard C8
An application to subdivide land that creates lots of less than 300 square metres should be
accompanied by information that shows:
  • That the lots are consistent or contain building envelope that is consistent with a development
    approved under this scheme, or
  • That a dwelling may be constructed on each lot in accordance with the requirements of this
    scheme.
Lots of between 300 square metres and 500 square metres should:
  • Contain a building envelope that is consistent with a development of the lot approved under
    this scheme, or
If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope.

If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.

Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope.

A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:

- The objectives of the relevant standards are met, and
- The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act.

Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:

- The building envelope must meet Standards A10 and A11 of Clause 54 in relation to the adjoining lot, and
- The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.

Lot dimensions and building envelopes should protect:

- Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.
- Existing or proposed easements on lots.
- Significant vegetation and site features.

**Solar orientation of lots objective**

To provide good solar orientation of lots and solar access for future dwellings.

**Standard C9**

Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.

Lots have appropriate solar orientation when:

- The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.
- Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north.
- Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.

**Street orientation objective**

To provide a lot layout that contributes to community social interaction, personal safety and property security.
Standard C10
Subdivision should increase visibility and surveillance by:

- Ensuring lots front all roads and streets and avoid the side or rear of lots being oriented to connector streets and arterial roads.

- Providing lots of 300 square metres or less in area and lots for 2 or more dwellings around activity centres and public open space.

- Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries.

- Providing roads and streets along public open space boundaries.

Common area objectives
To identify common areas and the purpose for which the area is commonly held.
To ensure the provision of common area is appropriate and that necessary management arrangements are in place.
To maintain direct public access throughout the neighbourhood street network.

Standard C11
An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:

- The common area to be owned by the body corporate, including any streets and open space.

- The reasons why the area should be commonly held.

- Lots participating in the body corporate.

- The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.
URBAN LANDSCAPE

Integrated urban landscape objectives

To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.

To incorporate natural and cultural features in the design of streets and public open space where appropriate.

To protect and enhance native habitat and discourage the planting and spread of noxious weeds.

To provide for integrated water management systems and contribute to drinking water conservation.

Standard C12

An application for subdivision that creates streets or public open space should be accompanied by a landscape design.

The landscape design should:

- Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme.
- Create attractive landscapes that visually emphasise streets and public open spaces.
- Respond to the site and context description for the site and surrounding area.
- Maintain significant vegetation where possible within an urban context.
- Take account of the physical features of the land including landform, soil and climate.
- Protect and enhance any significant natural and cultural features.
- Protect and link areas of significant local habitat where appropriate.
- Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space.
- Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread into the surrounding environment.
- Ensure landscaping supports surveillance and provides shade in streets, parks and public open space.
- Develop appropriate landscapes for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas.
- Provide for walking and cycling networks that link with community facilities.
- Provide appropriate pathways, signage, fencing, public lighting and street furniture.
- Create low maintenance, durable landscapes that are capable of a long life.
- The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.

Public open space provision objectives

To provide a network of quality, well-distributed, multi-functional and cost-effective public open space that includes local parks, active open space, linear parks and trails, and links to regional open space.

To provide a network of public open space that caters for a broad range of users.

To encourage healthy and active communities.
To provide adequate unencumbered land for public open space and integrate any encumbered land with the open space network.

To ensure land provided for public open space can be managed in an environmentally sustainable way and contributes to the development of sustainable neighbourhoods.

**Standard C13**

The provision of public open space should:

- Implement any relevant objective, policy, strategy or plan (including any growth area precinct structure plan) for open space set out in this scheme.

- Provide a network of well-distributed neighbourhood public open space that includes:

  - Local parks within 400 metres safe walking distance of at least 95 percent of all dwellings. Where not designed to include active open space, local parks should be generally 1 hectare in area and suitably dimensioned and designed to provide for their intended use and to allow easy adaptation in response to changing community preferences.

  - Additional small local parks or public squares in activity centres and higher density residential areas.

  - Active open space of a least 8 hectares in area within 1 kilometre of 95 percent of all dwellings that is:

    - Suitably dimensioned and designed to provide for the intended use, buffer areas around sporting fields and passive open space

    - Sufficient to incorporate two football/cricket ovals

    - Appropriate for the intended use in terms of quality and orientation

    - Located on flat land (which can be cost effectively graded)

    - Located with access to, or making provision for, a recycled or sustainable water supply

    - Adjoin schools and other community facilities where practical

    - Designed to achieve sharing of space between sports.

    - Linear parks and trails along waterways, vegetation corridors and road reserves within 1 kilometre of 95 percent of all dwellings.

Public open space should:

- Be provided along foreshores, streams and permanent water bodies.

- Be linked to existing or proposed future public open spaces where appropriate.

- Be integrated with floodways and encumbered land that is accessible for public recreation.

- Be suitable for the intended use.

- Be of an area and dimensions to allow easy adaptation to different uses in response to changing community active and passive recreational preferences.

- Maximise passive surveillance.

- Be integrated with urban water management systems, waterways and other water bodies.

- Incorporate natural and cultural features where appropriate.
ACCESS AND MOBILITY MANAGEMENT

Integrated mobility objectives
To achieve an urban structure where compact and walkable neighbourhoods are clustered to support larger activity centres on the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.
To provide for walking (including persons with impaired mobility), cycling, public transport and other motor vehicles in an integrated manner.
To contribute to reduced car dependence, improved energy efficiency, improved transport efficiency, reduced greenhouse gas emissions and reduced air pollution.

Standard C14
An application for a subdivision must include a plan of the layout of the neighbourhood that meets the objectives of:
- Clause 56.06-2 Walking and cycling network.
- Clause 56.06-3 Public transport network.
- Clause 56.06-4 Neighbourhood street network.

Walking and cycling network objectives
To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.
To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.
To reduce car use, greenhouse gas emissions and air pollution.

Standard C15
The walking and cycling network should be designed to:
- Implement any relevant regional and local walking and cycling strategy, plan or policy for the area set out in this scheme.
- Link to any existing pedestrian and cycling networks.
- Provide safe walkable distances to activity centres, community facilities, public transport stops and public open spaces.
- Provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood streets and regional public open spaces.
- Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling.
- Ensure safe street and road crossings including the provision of traffic controls where required.
- Provide an appropriate level of priority for pedestrians and cyclists.
- Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night.
- Be accessible to people with disabilities.

Public transport network objectives
To provide an arterial road and neighbourhood street network that supports a direct, efficient and safe public transport system.
To encourage maximum use of public transport.

**Standard C16**

The public transport network should be designed to:

- Implement any relevant public transport strategy, plan or policy for the area set out in this scheme.
- Connect new public transport routes to existing and proposed routes to the satisfaction of the relevant public transport authority.
- Provide for public transport links between activity centres and other locations that attract people using the Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne.
- Locate regional bus routes principally on arterial roads and locate local bus services principally on connector streets to provide:
  - Safe and direct movement between activity centres without complicated turning manoeuvres.
  - Direct travel between neighbourhoods and neighbourhood activity centres.
  - A short and safe walk to a public transport stop from most dwellings.

**Neighbourhood street network objective**

To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.

**Standard C17**

The neighbourhood street network must:

- Take account of the existing mobility network of arterial roads, neighbourhood streets, cycle paths, shared paths, footpaths and public transport routes.
- Provide clear physical distinctions between arterial roads and neighbourhood street types.
- Comply with the Roads Corporation’s arterial road access management policies.
- Provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport.
- Provide safe and efficient access to activity centres for commercial and freight vehicles.
- Provide safe and efficient access to all lots for service and emergency vehicles.
- Provide safe movement for all vehicles.
- Incorporate any necessary traffic control measures and traffic management infrastructure.

The neighbourhood street network should be designed to:

- Implement any relevant transport strategy, plan or policy for the area set out in this scheme.
- Include arterial roads at intervals of approximately 1.6 kilometres that have adequate reservation widths to accommodate long term movement demand.
- Include connector streets approximately halfway between arterial roads and provide adequate reservation widths to accommodate long term movement demand.
- Ensure connector streets align between neighbourhoods for direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles.
- Provide an interconnected and continuous network of streets within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles.
- Provide an appropriate level of local traffic dispersal.
Indicate the appropriate street type.

Provide a speed environment that is appropriate to the street type.

Provide a street environment that appropriately manages movement demand (volume, type and mix of pedestrians, cyclists, public transport and other motor vehicles).

Encourage appropriate and safe pedestrian, cyclist and driver behaviour.

Provide safe sharing of access lanes and access places by pedestrians, cyclists and vehicles.

Minimise the provision of culs-de-sac.

Provide for service and emergency vehicles to safely turn at the end of a dead-end street.

Facilitate solar orientation of lots.

Facilitate the provision of the walking and cycling network, integrated water management systems, utilities and planting of trees.

Contribute to the area’s character and identity.

Take account of any identified significant features.

**Walking and cycling network detail objectives**

To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities.

To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.

**Standard C18**

Footpaths, shared paths, cycle paths and cycle lanes should be designed to:

- Be part of a comprehensive design of the road or street reservation.

- Be continuous and connect.

- Provide for public transport stops, street crossings for pedestrians and cyclists and kerb crossovers for access to lots.

- Accommodate projected user volumes and mix.

- Meet the requirements of Table C1.

- Provide pavement edge, kerb, channel and crossover details that support safe travel for pedestrians, footpath bound vehicles and cyclists, perform required drainage functions and are structurally sound.

- Provide appropriate signage.

- Be constructed to allow access to lots without damage to the footpath or shared path surfaces.

- Be constructed with a durable, non-skid surface.

- Be of a quality and durability to ensure:
  - Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles.
  - Discharge of urban run-off.
  - Preservation of all-weather access.
  - Maintenance of a reasonable, comfortable riding quality.
  - A minimum 20 year life span.
- Be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with disabilities.

**Public transport network detail objectives**

To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users.

To provide public transport stops that are accessible to people with disabilities.

**Standard C19**

Bus priority measures must be provided along arterial roads forming part of the existing or proposed Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne to the requirements of the relevant roads authority.

Road alignment and geometry along bus routes should provide for the efficient, unimpeded movement of buses and the safety and comfort of passengers.

The design of public transport stops should not impede the movement of pedestrians.

Bus and tram stops should have:

- Surveillance from streets and adjacent lots.
- Safe street crossing conditions for pedestrians and cyclists.

Safe pedestrian crossings on arterial roads and at schools including the provision of traffic controls as required by the roads authority.

- Continuous hard pavement from the footpath to the kerb.
- Sufficient lighting and paved, sheltered waiting areas for forecast user volume at neighbourhood centres, schools and other locations with expected high patronage.

- Appropriate signage.

Public transport stops and associated waiting areas should be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with physical disabilities.

**Neighbourhood street network detail objective**

To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.

**Standard C20**

The design of streets and roads should:

- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met.

- Provide street blocks that are generally between 120 metres and 240 metres in length and generally between 60 metres to 120 metres in width to facilitate pedestrian movement and control traffic speed.

- Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management, street tree planting, lighting and utility needs.

- Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users.

- Provide a low-speed environment while allowing all road users to proceed without unreasonable inconvenience or delay.
• Provide a safe environment for all street users applying speed control measures where appropriate.

• Ensure intersection layouts clearly indicate the travel path and priority of movement for pedestrians, cyclists and vehicles.

• Provide a minimum 5 metre by 5 metre corner splay at junctions with arterial roads and a minimum 3 metre by 3 metre corner splay at other junctions unless site conditions justify a variation to achieve safe sight lines across corners.

• Ensure streets are of sufficient strength to:
  - Enable the carriage of vehicles.
  - Avoid damage by construction vehicles and equipment.

• Ensure street pavements are of sufficient quality and durability for the:
  - Safe passage of pedestrians, cyclists and vehicles.
  - Discharge of urban run-off.
  - Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality.

• Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority.

• Ensure carriageways of neighbourhood streets are designed for a minimum 20 year life span.

• Provide pavement edges, kerbs, channel and crossover details designed to:
  - Perform the required integrated water management functions.
  - Delineate the edge of the carriageway for all street users.
  - Provide efficient and comfortable access to abutting lots at appropriate locations.
  - Contribute to streetscape design.

• Provide for the safe and efficient collection of waste and recycling materials from lots.

• Be accessible to people with disabilities.

• Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met. Where the widths of connector streets do not comply with the requirements of Table C1, the requirements of the relevant public transport authority must be met.

A street detail plan should be prepared that shows, as appropriate:

• The street hierarchy and typical cross-sections for all street types.

• Location of carriageway pavement, parking, bus stops, kerbs, crossovers, footpaths, tactile surface indicators, cycle paths and speed control and traffic management devices.

• Water sensitive urban design features.

• Location and species of proposed street trees and other vegetation.

• Location of existing vegetation to be retained and proposed treatment to ensure its health.

• Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes.
Lot access objective

To provide for safe vehicle access between roads and lots.

Standard C21

Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.

Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets.

The design and construction of a crossover should meet the requirements of the relevant road authority.

Table C1 Design of roads and neighbourhood streets

**Access Lane**

A side or rear lane principally providing access to parking on lots with another street frontage.

<table>
<thead>
<tr>
<th>Traffic volume(^1)</th>
<th>300vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed(^2)</td>
<td>10kph</td>
</tr>
<tr>
<td>Carriageway width(^3) &amp; parking provision within street reservation</td>
<td>5.5m(^6) with no parking spaces to be provided. Appropriately signed.</td>
</tr>
<tr>
<td>Verge width(^4)</td>
<td>No verge required.</td>
</tr>
<tr>
<td>Kerbing(^5)</td>
<td>None</td>
</tr>
</tbody>
</table>

**Footpath provision**

None

Carriageway designed as a shared zone and appropriately signed.

**Cycle path provision**

None

**Access Place**

A minor street providing local residential access with shared traffic, pedestrian and recreation use, but with pedestrian priority.

<table>
<thead>
<tr>
<th>Traffic volume(^1)</th>
<th>300vpd to1000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed(^2)</td>
<td>15kph</td>
</tr>
<tr>
<td>Carriageway width(^3) &amp; parking provision within street reservation</td>
<td>5.5m wide with 1 hard standing verge parking space per 2 lots. or 5.5m wide with parking on carriageway - one side. Appropriately signed.</td>
</tr>
<tr>
<td>Verge width(^4)</td>
<td>7.5m minimum total width. For services provide a minimum of 3.5m on one side and a minimum of 2.5m on the other.</td>
</tr>
</tbody>
</table>

---

\(^1\) Traffic volume

\(^2\) Target speed

\(^3\) Carriageway width

\(^4\) Verge width

\(^5\) Kerbing

\(^6\) Street reservation
<table>
<thead>
<tr>
<th>Kerbing&lt;sup&gt;5&lt;/sup&gt;</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.

<table>
<thead>
<tr>
<th>Traffic volume&lt;sup&gt;1&lt;/sup&gt;</th>
<th>1000vpd to 2000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed&lt;sup&gt;2&lt;/sup&gt;</td>
<td>30kph</td>
</tr>
<tr>
<td><strong>Carriageway width&lt;sup&gt;3&lt;/sup&gt; &amp; parking provision within street reservation</strong></td>
<td>5.5m wide with 1 hard standing verge parking space per 2 lots.</td>
</tr>
<tr>
<td><strong>Verge width&lt;sup&gt;4&lt;/sup&gt;</strong></td>
<td>4m minimum each side</td>
</tr>
<tr>
<td><strong>Kerbing&lt;sup&gt;5&lt;/sup&gt;</strong></td>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
</tbody>
</table>
| **Footpath provision** | 1.5m wide footpaths on both sides.  
Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre.  
Be offset a minimum distance of 1m from the kerb. |
| **Cycle path provision** | Carriageway designed as a shared zone and appropriately signed. |

**Access Street - Level 2**
A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

<table>
<thead>
<tr>
<th>Traffic volume&lt;sup&gt;1&lt;/sup&gt;</th>
<th>2000vpd to 3000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed&lt;sup&gt;2&lt;/sup&gt;</td>
<td>40kph</td>
</tr>
<tr>
<td><strong>Carriageway width&lt;sup&gt;3&lt;/sup&gt; &amp; parking provision within street reservation</strong></td>
<td>7m-7.5m wide with parking on both sides of carriageway</td>
</tr>
<tr>
<td><strong>Verge width&lt;sup&gt;4&lt;/sup&gt;</strong></td>
<td>4.5m minimum each side</td>
</tr>
<tr>
<td><strong>Kerbing&lt;sup&gt;5&lt;/sup&gt;</strong></td>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
</tbody>
</table>
| **Footpath provision** | 1.5m wide footpaths on both sides.  
Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre. |
Be offset a minimum distance of 1m from the kerb.

| Cycle path provision | Carriageway designed as a shared zone and appropriately signed. |

**Connector Street - Level 1**
A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

<table>
<thead>
<tr>
<th>Traffic volume</th>
<th>3000 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed</td>
<td>50 kph(^2) reduced to 40 kph at schools and 20 kph at pedestrian and cycle crossing points.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Carriageway width, cycle lane provision, parking provision and bus stops within street reservation</th>
<th>3.5m minimum lane width in each direction of travel.</th>
</tr>
</thead>
<tbody>
<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>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Verge width</th>
<th>4.5m minimum each side.</th>
</tr>
</thead>
</table>

<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>

<table>
<thead>
<tr>
<th>Footpath provision</th>
<th>1.5m wide footpaths on both sides.</th>
</tr>
</thead>
<tbody>
<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</th>
<th>3,000 vpd to 7,000 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed</td>
<td>60 kph(^3) or 50km/h reduced to 40kph at schools.</td>
</tr>
</tbody>
</table>
Carriageway width\(^3\), cycle lane provision, parking provision and bus stops within street reservation

- 3.5m minimum lane width in each direction of travel.
- 4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections.
- 7.0m minimum carriageway width in each direction of travel where there are two lanes in each direction separated by a non-trafficable central medium.
- 8.0m minimum carriageway width at approaches to and departures from roundabouts and T-intersections where there are two lanes in each direction separated by an non-trafficable central medium.
- For on-street cycling, increase the minimum clear carriageway in each direction by:
  - 0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or
  - 1.7m where a dedicated 1.7m wide dedicated bicycle lane is marked on the carriageway
  - 0.3m where there are two trafficable lanes in each direction separated by a non-trafficable central median and the carriageways are shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or
  - 0.5m where there are two trafficable lanes in each direction separated by a non-trafficable central median and a 1.7m wide dedicated bicycle lane is marked on the carriageway.
- An additional dedicated parking lane or indented parking within the verge must be provided where street parking is required. A parking lane width of 2.3m is required where parallel parking is provided.
- Bus stops located at the kerbside, not indented within the verge.

Verge width\(^4\)

- 6m minimum each side (plus central median).

Kerbing\(^5\)

- Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.

Footpath and cycle path provision

- 1.5m wide footpath on each side and 1.7m bicycle lanes on the carriageway; or
- 2.5m wide shared foot and cycle path on both sides and no dedicate bicycle lanes marked on the carriageway.
- Footpaths widened to a minimum of 2.0m in the vicinity of a school, shop, public transport stop or other activity centre.
- Footpaths or shared foot and cycle paths offset a minimum distance of 1m from the kerb.

Arterial Road

Traffic volume\(^1\)

- Greater than 7000vpd

Target speed\(^2\)

- Arterial road design as required by the relevant roads authority.

Carriageway width\(^3\) & parking provision within street reservation

- Arterial road design as required by the relevant roads authority.
<table>
<thead>
<tr>
<th>Verge width</th>
<th>Arterial road design as required by the relevant roads authority.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kerbing</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>

**Key to Table C1**

1. Indicative maximum traffic volume for 24-hour period. These volumes depend upon location. Generation rates may vary between existing and newly developing areas.

2. Target speed is the desired speed at which motorists should travel. This is not necessarily the design speed and is not greater than the marked legal speed limit.

3. Width is measured from kerb invert to kerb invert. Widening may be required at bends to allow for wider vehicle paths using appropriate Australian Standards for on street and off-street parking but should not negate the function of bends serving as slow points.

4. Verge width includes footpaths. Additional width may be required to accommodate a bicycle path.

5. Where drainage is not required a flush pavement edge treatment can be used. Layback kerbs are preferred for safety reasons. Upright kerbs may be considered for drainage purposes or in locations where on-street parking should be clearly defined and parking within the verge is not desired.

6. Turning requirements to access and egress parking on abutting lots may require additional carriageway width. The recommended carriageway width of 5.5m will provide adequate access to a standard 3.5m wide single garage built to the property line.

7. 50kph is the default urban speed limit in Victoria.

8. Target speed must not exceed the legal speed limit.
INTEGRATED WATER MANAGEMENT

Drinking water supply objectives

To reduce the use of drinking water.

To provide an adequate, cost-effective supply of drinking water.

Standard C22

The supply of drinking water must be:

- Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.
- Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.

Reused and recycled water objective

To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.

Standard C23

Reused and recycled water supply systems must be:

- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health and Human Services.
- Provided to the boundary of all lots in the subdivision where required by the relevant water authority.

Waste water management objective

To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.

Standard C24

Waste water systems must be:

- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority.
- Consistent with any relevant approved domestic waste water management plan.

Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.

Stormwater management objectives

To minimise damage to properties and inconvenience to residents from stormwater.

To ensure that the street operates adequately during major storm events and provides for public safety.

To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.
Standard C25

The stormwater management system must be:

- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:

- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
- Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.

For storm events greater than 20% AEP and up to and including 1% AEP standard:

- Provision must be made for the safe and effective passage of stormwater flows.
- All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
- Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria \(d_a \times V_{ave} < 0.35 \text{ m}^3/\text{s}\) (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.
Plants which create 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</td>
<td></td>
</tr>
<tr>
<td>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</td>
<td></td>
</tr>
<tr>
<td>Melbourne</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight in Metropolitan</td>
<td></td>
</tr>
<tr>
<td>Melbourne</td>
<td>135 metres from the centre of the nearest track</td>
</tr>
</tbody>
</table>

Note: The noise influence area should be measured from the closest part of the building to the noise source.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether it can be demonstrated that the design treatment incorporated into the development meets the specified noise levels or an acoustic report by a suitably qualified consultant submitted with the application.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
- Whether the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.

- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
ON-SITE AMENITY AND FACILITIES

Accessibility objective
To ensure the design of dwellings meets the needs of people with limited mobility.

Standard D17
At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D4.

Table D4 Bathroom design

<table>
<thead>
<tr>
<th></th>
<th>Design option A</th>
<th>Design option B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Door opening</td>
<td>A clear 850mm wide door opening.</td>
<td>A clear 820mm wide door opening located opposite the shower.</td>
</tr>
<tr>
<td>Door design</td>
<td>Either: A slide door, or A door that opens outwards, or A door that opens inwards and has readily removable hinges.</td>
<td>Either: A slide door, or A door that opens outwards, or A door that opens inwards and has readily removable hinges.</td>
</tr>
<tr>
<td>Circulation area</td>
<td>A clear circulation area that is: A minimum area of 1.2 metres by 1.2 metres. Located in front of the shower and the toilet. Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.</td>
<td>A clear circulation area that is: A minimum width of 1 metre. The full length of the bathroom and a minimum length of 2.7 metres. Clear of the toilet and basin. The circulation area can include a shower area.</td>
</tr>
<tr>
<td>Path to circulation area</td>
<td>A clear path with a minimum width of 900mm from the door opening to the circulation area.</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>Shower</td>
<td>A hobless (step-free) shower.</td>
<td>A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.</td>
</tr>
<tr>
<td>Toilet</td>
<td>A toilet located in the corner of the room.</td>
<td>A toilet located closest to the door opening and clear of the circulation area.</td>
</tr>
</tbody>
</table>

Building entry and circulation objectives
To provide each dwelling and building with its own sense of identity.
To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.
To ensure internal communal areas provide adequate access to daylight and natural ventilation.
Standard D18
Entries to dwellings and buildings should:
- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.
The layout and design of buildings should:
- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
  - Include at least one source of natural light and natural ventilation.
  - Avoid obstruction from building services.
  - Maintain clear sight lines.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability and amenity of internal communal areas based on daylight access and the natural ventilation it will receive.

Private open space objective
To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard D19
A dwelling should have private open space consisting of:
- An area of 25 square metres, with a minimum dimension of 3 metres at natural ground floor level and convenient access from a living room, or
- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or
- A balcony with an area and dimensions specified in Table D5 and convenient access from a living room, or
- A roof-top area of 10 square metres with a minimum dimension of 2 metres and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.

Table D5 Balcony size

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum area</th>
<th>Minimum dimension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio or 1 bedroom dwelling</td>
<td>8 square metres</td>
<td>1.8 metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>8 square metres</td>
<td>2 metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>12 square metres</td>
<td>2.4 metres</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:
The design response.

The useability and functionality of the private open space, including its size and accessibility.

The amenity of the private open space based on the orientation of the lot, the wind conditions and the sunlight it will receive.

The availability of and access to public or communal open space.

**Storage objective**

To provide adequate storage facilities for each dwelling.

**Standard D20**

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D6.

**Table D6 Storage**

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Total minimum storage volume</th>
<th>Minimum storage volume within the dwelling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>8 cubic metres</td>
<td>5 cubic metres</td>
</tr>
<tr>
<td>1 bedroom dwelling</td>
<td>10 cubic metres</td>
<td>6 cubic metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>14 cubic metres</td>
<td>9 cubic metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>18 cubic metres</td>
<td>12 cubic metres</td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and location of storage facilities provided for the dwelling.
**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.

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**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.

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**Waste and recycling objectives**

To ensure dwellings are designed to encourage waste recycling.

To ensure that waste and recycling facilities are accessible, adequate and attractive.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

**Standard D23**

Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
  - Adequate in size, durable, waterproof and blend in with the development.
  - Adequately ventilated.
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.

- Adequate facilities for bin washing. These areas should be adequately ventilated.

- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.

- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.

- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the better practice design options specified in *Waste Management and Recycling in Multi-unit Developments* (Sustainability Victoria, 2019).

- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.

- Any relevant waste and recycling objective, policy or statement set out in this scheme.
INTERNAL AMENITY

Functional layout objective
To ensure dwellings provide functional areas that meet the needs of residents.

Standard D24
Bedrooms should:

- Meet the minimum internal room dimensions specified in Table D7.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Table D7 Bedroom dimensions

<table>
<thead>
<tr>
<th>Bedroom type</th>
<th>Minimum width</th>
<th>Minimum depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main bedroom</td>
<td>3 metres</td>
<td>3.4 metres</td>
</tr>
<tr>
<td>All other bedrooms</td>
<td>3 metres</td>
<td>3 metres</td>
</tr>
</tbody>
</table>

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D8.

Table D8 Living area dimensions

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum width</th>
<th>Minimum area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio and 1 bedroom dwelling</td>
<td>3.3 metres</td>
<td>10 sqm</td>
</tr>
<tr>
<td>2 or more bedroom dwelling</td>
<td>3.6 metres</td>
<td>12 sqm</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and amenity of habitable rooms.

Room depth objective
To allow adequate daylight into single aspect habitable rooms.

Standard D25
Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height.

The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
Windows objective

To allow adequate daylight into new habitable room windows.

Standard D26

Habitable rooms should have a window in an external wall of the building. A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.

The secondary area should be:
- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

Decision guidelines

Before deciding on an application, the responsible authority must consider:
- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability, functionality and amenity of the dwelling based on layout, siting, size and orientation of habitable rooms.
- Any overhang above habitable room windows that limits daylight access.

Natural ventilation objectives

To encourage natural ventilation of dwellings. To allow occupants to effectively manage natural ventilation of dwellings.

Standard D27

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:
- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

Decision guidelines

Before deciding on an application, the responsible authority must consider:
- The design response.
- The size, orientation, slope and wind exposure of the site.
- The extent to which the orientation of the building and the layout of dwellings maximises opportunities for cross ventilation.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
REALIGN THE COMMON BOUNDARY BETWEEN TWO LOTS

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, car parking area, driveways, storage areas, loading areas and private open space.
  - The location of any easements on the subject land.
  - The location of the approved stormwater discharge point.
  - The location and details of any significant vegetation.
  - The location of any street trees, poles, pits or other street furniture.
  - Existing and proposed vehicle access to the lots.
  - Any abutting roads.
  - The location of the existing and proposed common boundary between the lots and the proposed size and shape of the realigned lots.
  - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.
- If the land is in more than one ownership, the consent of the owners of the land.
- If common property is proposed, an explanation of why the common property is required.
- A written statement that describes:
  - The existing use of the land and its possible future development.
  - The reason for the realignment of the common boundary.
  - For land in an overlay, how the proposal responds to any statement of significance, objectives or requirements specified in the schedule to the overlay.
- If the land is in an area where reticulated sewerage is not provided, a plan which shows the location of any existing effluent disposal area for each lot or a land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- If the land is in a residential zone and the realignment of the common boundary will result in a vacant lot, information that shows that the vacant lot meets the requirements of Standard C8 of Clause 56.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Respond to and integrate with the surrounding urban or rural environment.
  - Protect significant vegetation.
  - Appropriately accommodate any existing or proposed easements on the lots.
- Protect solar access for existing and any future dwellings on the lots.
- Appropriately accommodate any existing waste storage areas, loading bays and vehicle standing areas on the site.
- Appropriately accommodate private open space.
- Appropriately accommodate the provision of utility services to each lot.
- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
- Appropriately accommodate the siting of buildings having regard to the risk of spread of fire.
- Appropriately accommodate the existing use and possible future development of the land.

  • Whether the provision of common property is appropriate for the purpose for which the land is to be commonly held.

  • If the land is in a residential zone and the realignment of the common boundary will result in a vacant lot, the objective and standard of Clause 56.04-2.

  • The statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.

  • Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.
SUBDIVISION OF BUILDINGS AND CAR PARKING SPACES

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A copy of the relevant planning permit and approved plans for the development.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, car parking areas and private open space.
  - The location, shape and size of the proposed lots to be created.
  - The location of any easements on the subject land.
  - The location and details of any significant vegetation.
  - The location of the approved stormwater discharge point.
  - Any abutting roads.
  - The location of any street trees, poles, pits and other street furniture.
  - Existing and proposed vehicle access to the lots.
  - Any loading bays and vehicle standing areas.
  - Any waste storage areas.
  - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.

- For the subdivision of existing buildings and car parking spaces, a copy of the occupancy permit or a certificate of final inspection for the development.
- For the subdivision of land into two lots with an approved development currently under construction, evidence that the construction has commenced.
- If common property is proposed, an explanation of why the common property is required.
- If the land is in an area where reticulated sewerage is not provided, a plan which shows the location of any existing effluent disposal area for each lot or a land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- For land in an overlay, a written statement that describes how the proposal responds to any statement of significance, objectives or requirements specified in the schedule to the overlay.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Are consistent with the approved plans and conditions of any relevant planning permit for the development.
  - Are consistent with the layout of existing buildings and car parking spaces on the land.
  - Appropriately accommodate any existing waste storage areas.
  - Appropriately accommodate any existing loading bay and vehicle storage area.
- Appropriately accommodate significant vegetation.
- Appropriately accommodate existing or proposed easements on the lots.
- Appropriately accommodate the provision of utility services to each lot.
- Appropriately accommodate the siting of buildings having regard to safety and the risk of spread of fire.

- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.

- For the subdivision of existing buildings and car parking spaces, whether each new lot, other than common property, contains an existing building, part of an existing building or a car parking space.

- Whether the provision and location of common property is appropriate for the purpose for which the land is to be commonly held.

- Whether any public open space contribution is required under Clause 53.01 of this scheme or under Section 18 of the Subdivision Act 1988.

- The statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.

- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.
FRONT FENCE IN A RESIDENTIAL ZONE

Information requirements
An application must be accompanied by the following information as appropriate:

- A copy of the title for the subject land and a copy of any registered restrictive covenant.
- A plan drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location, length, height and design of the proposed fence including details of materials.
  - The location, height and design of any existing front fence on adjoining and nearby properties including details of materials.
- A photograph of the site and adjoining and nearby properties along the street frontage.
- The reason for the proposed height.

Decision guidelines
In assessing an application the responsible authority must consider as appropriate:

- Whether the setback, height and design of the proposed fence are:
  - Appropriate to the neighbourhood character and the site.
  - Consistent with any relevant neighbourhood character objective or policy set out in the scheme.
  - Appropriate with the setback, height and appearance of front fences on adjoining and nearby properties.
  - Complement the design of the dwelling.
- The extent to which slope and retaining walls reduce the effective height of the proposed fence.
- Whether the proposed fence is needed to minimise noise intrusion.
- The reason for the proposed height.
BUILDINGS AND WORKS IN A ZONE (EXCEPT A RURAL ZONE)

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A description of the use of the land and the proposed buildings and works.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and use of buildings and works on adjoining land.
  - Relevant ground levels.
  - Any contaminated soils and filled areas, where known.
  - The layout of existing and proposed buildings and works.
  - All existing and proposed driveways, car parking, bicycle parking and loading areas.
  - Existing and proposed landscape areas.
  - All external storage and waste treatment areas.
  - The location of easements and services.
  - Elevation drawings to scale showing the height, colour and materials of all proposed buildings and works.
- A photograph of the building or area affected by the proposal.
- A written statement describing the proposal and if relevant:
  - The built form and character of adjoining and nearby buildings.
  - The heritage character of any adjoining heritage places.
  - Ground floor street frontages, including visual impacts and pedestrian safety.
- A written statement describing whether the proposed buildings and works meet:
  - The number of car parking spaces required under Clause 52.06 or in the schedule to Clause 45.09.
  - Any development requirement specified in the zone or the schedule to the zone.
- Any relevant requirement in an approved development plan or incorporated plan for the land.
- Any other information specified in the schedule to the zone.
- For land in a residential zone, a written statement, plan or diagram showing how the proposal meets:
  - The requirements in the following standards of Clause 54:
    - A10 Side and rear setbacks.
    - A11 Walls on boundaries.
    - A12 Daylight to existing windows.
    - A13 North-facing windows.
    - A14 Overshadowing open space.
A15 Overlooking.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard the schedule to the zone applies.

**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant urban design and built form policy set out in the scheme.
- Whether the movement of pedestrians and cyclists, and vehicles providing for supplies and waste removal are appropriately accommodated.
- Whether the design complements the built form of the surrounding properties and the streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- Whether the land and building have availability of and connection to services.
- Whether the proposed development adversely impacts the amenity of the land and the locality including existing dwellings on adjoining sites.
- Whether the proposed development appropriately provides for landscaping.
- Whether the proposed development adversely affects solar access to existing open spaces and public places.
- Whether the proposal meets the car parking requirements specified in Clause 52.06 or in the schedule to the Parking Overlay.
- Whether the proposal meets the maximum building height specified in the schedule to the zone.
- Whether the proposal meets any relevant requirements specified in the zone or the schedule to the zone.
- Whether the proposal is consistent with any relevant approved development plan or incorporated plan.
- The objectives set out in the schedule to the zone.
- Whether the proposal provides adequate vehicle loading and unloading facilities.
- For land in a residential zone:
  - Whether the proposed development is consistent with any neighbourhood character objectives set out in the schedule to the zone.
  - Whether the development is compatible with residential use.
  - The scale and intensity of the development.
  - The design, height, setback and appearance of the proposed buildings and works.
BUILDINGS AND WORKS IN AN OVERLAY

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location, height and design of the proposed buildings and works including details of materials.
  - The location of any existing buildings, including fences and trees.
  - For land in a Neighbourhood Character Overlay, any buildings proposed to be demolished.
- For land in a Neighbourhood Character Overlay, a written description of the proposal including:
  - The built form and character of adjoining and nearby buildings.
  - How the proposal responds to the key features and objectives specified in the schedule to the overlay.
  - If demolition is proposed, the reason for the demolition.
  - How the proposal meets the requirements of Clause 54.02-1, 54.02-2, 54.03-1, 54.03-2, 54.03-3, 54.03-4, 54.04-1, 54.04-2, 54.04-3, 54.04-4, 54.06-1, 54.06-2, including any Clause 54 modification specified in the schedule to the overlay.
- For land in a Design and Development Overlay, a written description of the proposal including:
  - How the proposal responds to the design objectives specified in a schedule to the overlay.
  - How the proposal meets the requirements specified in a schedule to the overlay.
  - The built form and character of adjoining and nearby buildings.
- A photograph of the building or area affected by the proposal.
- For land in an Erosion Management Overlay, information showing:
  - The extent of any proposed earthworks.
  - The means proposed to stabilise disturbed areas.
- For an application under the Salinity Management Overlay, written advice including plan references and any conditions from the referral authority demonstrating that the referral authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the buildings and works will adversely affect that significance or the objectives.
- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.
- For an application in a Salinity Management Overlay, any comments from the relevant referral authority.
For an application in a Neighbourhood Character Overlay, the relevant objectives, standards and decision guidelines of Clause 54.

Any relevant decision guideline specified in the overlay and the schedule to the overlay.
REMOVE, DESTROY OR LOP A TREE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- If the tree to be removed, destroyed or lopped is identified as a significant tree in a schedule to the overlay, a report prepared by an arborist.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape, size and slope of the site.
  - The location of the tree to be removed, destroyed or lopped.
  - The location and type of other significant vegetation on the site.
  - The location, species and height of any significant trees on the site that have been removed or approved to be removed in the past 3 years.
- A written statement that describes:
  - The species, height and trunk girth of the tree to be removed, destroyed or lopped.
  - The reason the tree is to be removed, destroyed or lopped.
  - If provision is to be made to replace the tree elsewhere on the land.
  - If the tree is to be lopped, the extent of lopping proposed.
  - Any impacts on the significance of the area.
- A photograph of the tree to be removed, destroyed or lopped.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the proposal will adversely affect that significance or the objectives.
- Whether the tree proposed to be removed, destroyed or lopped contributes to the significance of the area and whether the proposal will adversely affect that significance.
- Whether the removal or lopping of the tree is needed because of the health of the tree.
- Whether the lopping of the tree will adversely affect the health, appearance or significance of the tree.
- Whether the removal of the tree will contribute to soil erosion, slippage or salinisation.
- Whether the removal or lopping of the tree is needed to create a defendable space to reduce the risk of bushfire to life and property.
- If the tree is a native tree, its role in conserving flora and fauna and whether the proposal will adversely affect the conservation of flora and fauna of the area.
- Whether provision is made to plant a new tree elsewhere on the land.
- The reasons for removing the tree including the health of the tree to be removed.
- The cumulative impact of the number of trees that have been removed or been approved for removal in the past 3 years.
- Any relevant decision guideline specified in the overlay or the schedule to the overlay.
APPLICATIONS UNDER A HERITAGE OVERLAY

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, including fences and trees.
  - The location, height and design of the proposed building or works including details of proposed materials.
  - Any buildings to be demolished.
  - An elevation of the proposed building.
  - The size and design of any proposed sign, including details of the supporting structure and any proposed illumination.
  - The location, style, size, colour and materials of any proposed solar energy facility (that is visible from the street frontage or any nearby public park), including details of the supporting structure.
- A written description of the proposal including:
  - Any impacts on the significance of the heritage place.
  - How the proposal responds to any relevant local heritage policy set out in the scheme.
  - If lopping of a tree is proposed, the reason for the lopping, the extent of lopping and an arborist report.
- The proposed colour schedule and nature of any materials and finishes.
- A photograph of the area affected by the proposal including any building, outbuilding, fence or tree which may be affected by the proposal.
- A photograph of the subject site and adjoining properties along the street frontage.
- If subdivision is proposed, the location, shape and size of the proposed lots to be created.
- If a sign is proposed:
  - The location, size and design of the proposed sign on the site or building.
  - The location and size of existing signage on the site including details of any signs to be retained or removed.
- If a solar energy system is proposed that is visible from the street frontage or any nearby public park:
  - Measures proposed to minimise the visibility of the facility and protect the structural integrity of heritage features.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

General

- The significance of the heritage place and whether the proposal will adversely affect that significance.
- Any applicable statement of significance, heritage study and any applicable conservation policy.
- Whether the proposal will adversely affect the character or appearance of the building or heritage place.
- Whether the proposal meets any relevant local heritage policy set out in the scheme.

**Demolition**
- Whether the outbuilding to be demolished contributes to the significance, character or appearance of the building or heritage place.

**Buildings and works**
- Whether the location, bulk, form and appearance of the proposed building or works will adversely affect the significance of the building or heritage place.
- Whether the proposed building or works will affect the health or appearance of a tree which is the subject of a Heritage Overlay.

**Alterations**
- Whether the proposed alterations will restore or reconstruct original fabric which has been removed or damaged.
- Whether the proposed alterations will adversely affect the significance, character and appearance of the heritage place.

**Fences**
- Whether the fence proposed to be demolished contributes to the significance, character and appearance of the building or heritage place.
- Whether the proposed fence, including its style, height and materials, is appropriate to the building or heritage place.

**Trees**
- Whether the proposed lopping will adversely affect the health, appearance or significance of the tree.

**Subdivision**
- Whether the proposed subdivision retains the significant setting (landscapes, landscape features and views) of the heritage place.
- Whether the proposed subdivision respects the rhythm and spacing of buildings in the streetscape.
- Whether the proposed subdivision will result in a new boundary fence, wall or structure that adversely affects the setting of the heritage place.

**Signage**
- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.
APPLICATIONS UNDER A SPECIAL BUILDING OVERLAY

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - The layout, size and use of existing and proposed buildings and works, including floor plan layout and vehicle parking areas.
  - Setbacks between existing and proposed buildings and site boundaries.
  - Natural surface levels of the site to Australian Height Datum.
  - Floor and surface levels of any existing and proposed buildings and works to Australian Height Datum.
  - Cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.
  - If subdivision is proposed, the location, shape and size of the proposed lots to be created.
- If a referral to the floodplain management authority is required, written advice, including endorsed plans of the proposal and any conditions, from the relevant floodplain management authority demonstrating that the floodplain management authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Clauses 13.01 and 13.03 of the Planning Policy Framework.
- Whether the proposal is consistent with any local floodplain development plan for the area incorporated into this scheme.
- If a referral to the floodplain management authority is required, any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The flood risk including:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessways.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
SIGNS

Information requirements
An application must be accompanied by the following information, as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A site context report, using a site plan, photographs or other methods to accurately describe:
  - The location of the proposed sign on the site or building and distance from property boundaries.
  - The location and size of existing signs on the site including details of any signs to be retained or removed.
  - The location and form of existing signs on adjoining properties and in the locality.
  - The location of closest traffic control signs.
  - Identification of any view lines or vistas that could be affected by the proposed sign.
- The dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width and depth of the total sign structure including the method of support and any associated structures such as safety devices and service platforms.
- The colour, lettering style and materials of the proposed sign.
- The size of the proposed display (total display area including all sides of a multi-sided sign).

Decision guidelines
In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant local advertising policy set out in the scheme.
- Whether the proposal will impact the character of the area including:
  - Natural environment, heritage, waterway, open space and rural landscape values.
  - The desired future character of the area.
  - The cumulative impact of signs on the character of an area.
  - The need to avoid visual disorder or clutter of signs.
- Whether the proposal will impact views and vistas including:
  - Important views from the public realm.
  - Significant public views.
  - Views to existing signs.
- Whether the proportion, scale and form of the proposed sign relates to the site, building, streetscape, setting or landscape including:
  - The position of the proposed sign, including if it protrudes above existing buildings or landscape and natural elements.
  - Screening of unsightly elements.
  - The number, scale and location of existing signs.
  - The ability to rationalise or simplify the number of signs.
  - The ability to include landscaping to reduce the visual impact of the proposed sign structure.
- The extent to which the proposed sign requires the removal of vegetation.
  
  - Whether the proposed sign is consistent with any outdoor advertising theme.
  
  - Whether there is a need for identification and the opportunities for adequate identification on the site or locality.
  
  - Whether the proposed sign will adversely impact road safety.
CAR PARKING

Information requirements
An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - The location of existing buildings.
  - All car parking spaces and access lanes.
  - Allocation of car parking spaces to different uses or tenancies, if applicable.
  - Landscaping and sensitive water design treatments.
- A written statement that describes:
  - The proposed use of the site, number of employees and patrons and hours of operation.
  - The previous use of the site.
  - The site and floor area to be occupied.
  - The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.
  - The total number of car parking spaces provided.
  - The likely impact of a reduction in car parking on the amenity of the area and on the area’s existing car parking.

Decision guidelines
In assessing an application the responsible authority must consider as appropriate:

- Whether the reduction of the car parking requirement is consistent with any relevant local planning policy or incorporated plan.
- The objectives contained in the schedule to the Parking Overlay.
- Whether there is availability of alternative car parking in the locality including:
  - Efficiencies gained from the consolidation of shared car parking spaces.
  - Public car parks intended to serve the land.
  - On street parking in non-residential zones.
  - Streets in residential zones specifically managed for non-residential parking.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- Whether there is any car parking deficiency associated with the existing use of the land.
- Whether there is any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.
- Whether fewer car parking spaces will impact local amenity, including pedestrian amenity and the amenity of nearby residential areas.
- Whether there is a need to create safe, functional and attractive parking areas.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the use.
- The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.
- On street parking in residential zones in the locality of the land that is intended to be for residential use.
- The future growth and development of any nearby activity centre.
- Local traffic management in the locality of the land.
- Access to or provision of alternative transport modes to and from the land.
- Whether any car parking spaces to be provided meet the design standards of Clause 52.06.
- Any relevant decision guideline specified in a schedule to the Parking Overlay.
TWO LOT SUBDIVISION IN A RURAL ZONE

Information requirements
An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings and associated works.
  - The location, shape and size of the proposed lots to be created.
  - The location of any easements on the subject land.
  - The location of any significant vegetation, waterways and wetlands.
  - The location of the approved stormwater discharge point and effluent disposal areas.
  - Any abutting roads.
  - Existing and proposed vehicle access to the lots.

Decision guidelines
In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Are consistent with the layout of existing buildings and associated works on the land.
  - Appropriately accommodate significant vegetation.
  - Appropriately accommodate existing or proposed easements on the lots.
  - Appropriately accommodate the provision of utility services to each lot.
  - Appropriately accommodate existing and proposed vehicle access to the lots.

- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.

- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.

- Any Regional Catchment Strategy applying to the land.

- If the land is in an overlay, statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.

- Whether any public open space contribution is required under Clause 53.01 of this scheme or under Section 18 of the Subdivision Act 1988.
BUILDINGS AND WORKS IN A RURAL ZONE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A description of the use of the land and the proposed buildings and works.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location of any waterway or wetlands.
  - The location and use of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All existing and proposed driveways, car parking and loading areas.
  - Existing and proposed landscape areas.
  - All external storage and waste treatment areas.
- Elevation drawings to scale showing the height, colour and materials of all proposed buildings and works.
- A photograph of the building or area affected by the proposal.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, character and appearance of the area, landscape features, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- Whether the proposal will have an adverse impact on adjoining and nearby land uses.
- The need to protect amenity of existing residents.
- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses.
- The likely environmental impact on the natural physical features and biodiversity of the area, including the need to retain vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
- The capability of the land to accommodate the proposed development.
- Whether the development will support and enhance agricultural production.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The impact of the proposal on any wetlands or waterways.
- Any integrated land management plan prepared for the site.
- Whether the development will require traffic management measures.
For buildings and works associated with a dwelling:

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, nose, odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.
EXTENSION TO ONE DWELLING ON A LOT IN A RESIDENTIAL ZONE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.

- A site plan, drawn to scale and fully dimensioned showing:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Any other notable features of the site.
  - In relation to the neighbourhood:
    - The built form, scale and character of surrounding development.
    - Architectural and roof styles.
    - Any other notable features or characteristics of the neighbourhood.

- A site and layout plan, drawn to scale and fully dimensioned showing:
  - Site shape, size, orientation, easements and site levels.
  - Adjoining roads.
  - The location and use of buildings and works on adjoining land.
  - The layout and use of existing buildings being retained and all proposed buildings, including finished floor levels.
  - All existing and proposed driveways and crossovers.
  - Existing and proposed landscape and open space areas.
  - All external storage, waste areas and services.

- An elevation plan, drawn to scale showing the height, colour and materials of the proposed extension.

- Photographs of the building or area affected by the proposal.

- A written statement, plan or diagram demonstrating how the proposal meets:
  - The garden area requirement specified in the zone.
  - The requirements in the following standards of Clause 54:
A10 Side and rear setbacks.
A11 Walls on boundaries.
A12 Daylight to existing windows.
A13 North-facing windows.
A14 Overshadowing open space.
A15 Overlooking.

- The objectives and requirements in the following standards of Clause 54:
  - Clause 54.02-1 Neighbourhood character objective and standard A1.
  - Clause 54.03-3 Site coverage objective and standard A5.
  - Clause 54.03-4 Permeability objectives and standard A6.
  - Clause 54.03-5 Energy efficiency protection objectives and standard A7.
  - Clause 54.03-6 Significant trees objectives and standard A8.
  - Clause 54.05-1 Daylight to new windows objective and standard A16.
  - Clause 54.05-2 Private open space objective and standard A17.
  - Clause 54.05-3 Solar access to open space objective and Standard A18.
  - Clause 54.06-1 Design detail objective and Standard A19.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies.

**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- The following objectives, standards and decision guidelines of Clause 54:
  - Clause 54.02-1 Neighbourhood character objective and standard A1.
  - Clause 54.03-3 Site coverage objective and standard A5.
  - Clause 54.03-4 Permeability objective and standard A6.
  - Clause 54.03-5 Energy efficiency protection objective and standard A7.
  - Clause 54.03-6 Significant trees objective and standard A8.
  - Clause 54.05-1 Daylight to new windows objective and standard A16.
  - Clause 54.05-2 Private open space objective and standard A17.
  - Clause 54.05-3 Solar access to open space objective and Standard A18.
  - Clause 54.06-1 Design detail objective and Standard A19.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies.
LOCAL VICSMART APPLICATIONS

The schedule to this clause may specify classes of application that are VicSmart applications to which Clause 71.06 applies. A class of application specified must not be a class of VicSmart application specified in another provision of this planning scheme.

The classes of VicSmart application are specified in three tables:

- Table 1 specifies classes VicSmart application under a zone.
- Table 2 specifies classes VicSmart application under an overlay.
- Table 3 specifies classes VicSmart application under a particular provision.

Each table in the schedule is divided into four columns:

- Column 1 specifies the name or class of zone or overlay or name of particular provision.
- Column 2 specifies the development.
- Column 3 specifies the provision of the planning scheme that contains the permit requirement applicable to the development.
- Column 4 specifies the information requirements and decision guidelines in Clauses 59.01 to 59.14 or the schedule to Clause 59.16 applicable to the class of VicSmart application.

Subject to Clause 71.06, an application under a provision specified in Column 3 for a use or development specified in Column 2 is a class of VicSmart application and must be assessed against the provision specified in Column 4.
## SCHEDULE TO CLAUSE 59.15 LOCAL VICSMART APPLICATIONS

### 1.0 Table 1 Classes of local VicSmart application under zone provisions

<table>
<thead>
<tr>
<th>Name of zone or class of zone</th>
<th>Class of application</th>
<th>Permit requirement provision</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 2.0 Table 2 Classes of local VicSmart application under overlay provisions

<table>
<thead>
<tr>
<th>Name of overlay or class of overlay</th>
<th>Class of application</th>
<th>Permit requirement provision</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
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</tbody>
</table>

### 3.0 Table 3 Classes of local VicSmart application under Particular Provisions

<table>
<thead>
<tr>
<th>Name of particular provision</th>
<th>Class of application</th>
<th>Permit requirement provision</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

A schedule to this clause may set out information requirements and decision guidelines for a class of VicSmart application specified in the Schedule to Clause 59.15.
SCHEDULE TO CLAUSE 59.16 INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

1.0 Information requirements
None specified

2.0 Decision guidelines
None specified
GENERAL PROVISIONS

This section sets out provisions about existing uses, decision guidelines, referral of applications and other matters.
USES NOT REQUIRING A PERMIT

Any requirement in this scheme relating to the use of land, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- The use of land for a Road except within the Urban Floodway Zone and a Public Conservation and Resource Zone.
- The use of land for Natural systems.
- The use of land in a road if the use is associated with the use of adjoining land and is authorised by the Council under a local law.
- The use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.
- The use of land for wind measurement by an anemometer for three years or less.
- The use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.
- The use of land for a carnival or circus if the requirements of A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997 are met.
- The use of land for apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
- The use of land for temporary portable land sales office located on the land for sale.
- The use of land for a Telecommunications facility if the associated buildings and works meet the requirements of Clause 52.19.
- The use of land for a helicopter landing site if the use meets the requirements of Clause 52.15-1.
- The use of land for a minor utility installation.
- The use of land to display a sign.
- The use of land for power lines and electrical sub-stations associated with an energy generation facility or geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157.
BUILDINGS AND WORKS

Clauses 62.02-1 and 62.02-2 set out exemptions from permit requirements in this scheme relating to the construction of a building or the construction or carrying out of works. These exemptions do not apply to the removal, destruction or lopping of trees and the removal of vegetation. Exemptions for vegetation removal are set out in Clause 62.02-3.

Buildings and works not requiring a permit

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- Buildings or works which provide for fire protection under relevant legislation.
- Emergency works undertaken by, or on behalf of, a municipality, public authority or utility service provider in the exercise of any power conferred on them under any Act.
- Buildings or works with an estimated cost of $1,000,000 or less carried out by or on behalf of a municipality.
- Maintenance works carried out by a municipality or public authority to prevent or alleviate flood damage.
- An anemometer located on a site for three years or less.
- Buildings and works associated with a use on adjoining land or street trading if authorised under a local law.
- Gardening.
- Buildings and works associated with a minor utility installation.
- Power lines and electrical sub-stations associated with an Energy generation facility or Geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157.
- Buildings or works which are a modification necessary to comply with a direction under the Dangerous Goods Act 1985 or the Occupational Health and Safety Act 2004 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.
- Buildings and works associated with a telecommunications facility if the requirements of Clause 52.19 are met.
- Buildings and works associated with a dam if a licence is required to construct the dam or to take and use water from the dam under the Water Act 1989.
- Buildings and works associated with a carnival or circus if the requirements of A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997 are met.
- Buildings and works associated with apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
- A temporary portable classroom associated with an education centre located on a site for three years or less.
- A temporary shed or temporary structure for construction purposes, or a temporary portable land sales office located on the land for sale.
- A children’s cubbyhouse.
- External lighting normal to a dwelling.
- The construction, alteration, removal or demolition of an observational bore where a licence has been issued for those works under Part 5 of the Water Act 1989.
Any works associated with the use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.

A crop support or protection structure associated with horticulture, including a trellis, cloche, net and shadecloth. It does not include a structure with a solid roof or solid wall such as a glass house or igloo.

An annexe attached to a movable caravan located on land used for a camping and caravan park.

Works associated with geotechnical testing or service proving.

Buildings and works associated with the use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.

The construction of or putting up for display a sign consistent with the requirements of Clause 52.05-10.

Buildings and works not requiring a permit unless specifically required by the planning scheme

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- A fence.
- The construction of or putting up for display a sign (except for a sign consistent with the requirements of Clause 52.05-10 which is provided for in Clause 62.02-1).
- Roadworks.
- Street furniture including post boxes, telephone booths, fire hydrants, bus shelters, shade sails, traffic control devices and public toilets.
- Park furniture including seating, tables, shelters, rubbish bins, playground equipment, barbeques, shade sails, drinking fountains and public toilets.
- Furniture and works normally associated with an education centre including, but not limited to, outdoor furniture, playground equipment, art works, drinking fountains, rubbish bins and landscaping.
- Disability access and disability facilities associated with an education centre (not including a lift external to a building).
- Art work that is carried out by or on behalf of a public land manager.
- Oil pipelines.
- Buildings and works associated with a dependent person’s unit.
- The internal rearrangement of a building or works provided the gross floor area of the building, or the size of the works, is not increased and the number of dwellings is not increased.
- Repairs and routine maintenance to an existing building or works.
- Domestic services normal to a dwelling.
- A rainwater tank with a capacity of not more than 10,000 litres.
- Bicycle pathways and trails.
- A television antenna.
- A flagpole.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
An open-sided pergola or verandah to a dwelling with a finished floor level not more than 800 mm above ground level and a maximum building height of three metres above ground level.

A deck to a dwelling with a finished floor level not more than 800 mm above ground level.

A disabled access ramp.

Any works necessary to prevent soil erosion, or to ensure soil conservation or reclamation.

A solar energy facility attached to a building that primarily services the land on which it is situated.

Buildings and works associated with cat cages and runs, bird cages, dog houses, and other domestic animal enclosures associated with the use of the land as a dwelling.

Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.

An electric vehicle charging station.

This does not apply if a permit is specifically required for any of these matters.

**Vegetation removal**

Any requirement in this scheme relating to the construction or carrying out of works does not apply to the removal, destruction or lopping of trees and the removal of vegetation.

This does not apply if a permit is specifically required to remove, destroy or lop trees or to remove vegetation.
EVENTS ON PUBLIC LAND

Any requirement in this scheme relating to the use of land or the construction of a building or the construction or carrying out of works does not apply to:

- an event on public land; or
- temporary buildings or works required for the event;

where that event has been authorised by the public land manager or by the council under a local law.

An event includes land used to provide temporary cultural or community activities and entertainment such as a concert, festival or exhibition.

This does not apply to public land where a local provision of this scheme specifically regulates an event for a particular site.
SUBDIVISIONS NOT REQUIRING A PERMIT

Any requirement in this scheme relating to the subdivision of land does not apply to:

- A subdivision by an authority acquiring the land which does not create an additional lot.
- A subdivision by a public authority or utility service provider which does not create an additional lot other than for the sole purpose of a minor utility installation. This does not apply if a permit is required to subdivide land under any overlay.
- A subdivision by an authority acquiring the land which creates additional lots if the additional lots are severed parcels of land without legal access to an existing road and the additional lots are retained by the acquiring authority or sold to an abutting land owner on the condition that the lot be consolidated with abutting land.
- A subdivision which realigns the common boundary between two lots if all the land is in one urban zone and any of the following apply:
  - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is more than 230 square metres, and the area of either lot is reduced by less than 30 square metres.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is 230 square metres or less, and the area of either lot is reduced by less than 5 percent or by less than 30 square metres, which ever is lesser.
  - The new boundary coincides with a boundary fence that is more than five years old. This does not apply if all the land is in one ownership.
- A subdivision which realigns the common boundary between two lots if all the land is in one non-urban zone, the re-subdivision does not allow the number of dwellings the whole of the land could be used for under this scheme to increase, and any of the following apply:
  - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, and no part of the boundary is moved more than 1 metre. This does not apply if the area of the smaller lot would be less than the area specified by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, the new boundary coincides with the location of a fence that is more than 5 years old, and no part of the boundary is moved more than three metres.
DEMOLITION

A permit is not required for the demolition or removal of a building or works unless a permit is specifically required for demolition or removal.
EXTENT OF EXISTING USE RIGHTS

An existing use right is established in relation to use of land under this scheme if any of the following apply:

- The use was lawfully carried out immediately before the approval date.
- A permit for the use had been granted immediately before the approval date and the use commences before the permit expires.
- A permit for the use has been granted under Clause 63.08 and the use commences before the permit expires.
- Proof of continuous use for 15 years is established under Clause 63.11.
- The use is a lawful continuation by a utility service provider or other private body of a use previously carried on by a Minister, government department or public authority, even where the continuation of the use is no longer for a public purpose.
CHARACTERISATION OF USE

If a use of land is being characterised to assess the extent of any existing use right, the use is to be characterised by the purpose of the actual use at the relevant date, subject to any conditions or restrictions applying to the use at that date, and not by the classification in the table to Clause 73.03 or in Section 1, 2 or 3 of any zone.
EFFECT OF DEFINITIONS ON EXISTING USE RIGHTS

The definition of a term in this scheme, or the amendment of any definition, does not increase or restrict the extent of any existing use right established prior to the inclusion of the definition or amendment.
SECTION 1 USES

A use in Section 1 of a zone for which an existing use right is established may continue provided any condition or restriction to which the use was subject and which applies to the use in Section 1 of the zone continues to be met.
SECTIONS 2 AND 3 USES

A use in Section 2 or 3 of a zone for which an existing use right is established may continue provided:

- No building or works are constructed or carried out without a permit. A permit must not be granted unless the building or works complies with any other building or works requirement in this scheme.
- Any condition or restriction to which the use was subject continues to be met. This includes any implied restriction on the extent of the land subject to the existing use right or the extent of activities within the use.
- The amenity of the area is not damaged or further damaged by a change in the activities beyond the limited purpose of the use preserved by the existing use right.
EXPIRATION OF EXISTING USE RIGHTS

An existing use right expires if either:

- The use has stopped for a continuous period of 2 years, or has stopped for two or more periods which together total 2 years in any period of 3 years.
- In the case of a use which is seasonal in nature, the use does not take place for 2 years in succession.
COMPLIANCE WITH CODES OF PRACTICE

A use for which an existing use right is established must comply with any relevant code of practice incorporated in this scheme if either:

- The code of practice has been incorporated or adopted in accordance with Section 39 of the Conservation Forests and Lands Act 1987.
- The code of practice is approved or ratified by Parliament under an Act.
ALTERNATIVE USE

If land is used for a use in Section 3 of a zone for which an existing use right is established, a permit may be granted to use the land for an alternative use which does not comply with this scheme. The responsible authority must be satisfied that the use of the land for the alternative use will be less detrimental to the amenity of the locality.
SHOP CONDITIONS

A permit must not be granted to:

- Construct or carry out a building or works under Clause 63.05 for a shop with a leasable floor area exceeding 500 square metres.
- Use land under Clause 63.08 for a shop with a leasable floor area exceeding 500 square metres.
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.
GENERAL PROVISIONS FOR USE AND DEVELOPMENT OF LAND
LAND USED FOR MORE THAN ONE USE

If land is used for more than one use and one is not ancillary to the other, each use must comply with this scheme.
LAND USED IN CONJUNCTION WITH ANOTHER USE

If a provision of this scheme provides that a use of land must be used ‘in conjunction with’ another use of the land:

- there must be an essential association between the two uses; and
- the use must have a genuine, close and continuing functional relationship in its operation with the other use.
SUBDIVISION OF LAND IN MORE THAN ONE ZONE

If a provision of this scheme provides that a permit is required to subdivide land and the land is in more than one zone a permit may be granted even if one of the lots does not comply with the minimum lot size requirements of a zone.

Permit Requirement

A permit may be granted to create one lot smaller than specified in the scheme if all of the following are met:

- The lot to be subdivided is in more than one zone and cannot comply with the minimum lot area specified in the scheme.
- The proposed subdivision does not create lots where any lot extends into more than one zone. This does not apply to any lots created for the following purposes:
  - To comply with the requirements of the Urban Floodway Zone.
  - To provide access to a road.
- The remainder of the proposed lots must comply with the minimum lot area specified in the scheme.
DECISION GUIDELINES

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.
APPROVAL OF AN APPLICATION OR PLAN

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

This clause does not apply to a VicSmart application.
APPROVAL OF AN APPLICATION TO SUBDIVIDE LAND

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any body corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

This clause does not apply to a VicSmart application.
REFERRAL AND NOTICE PROVISIONS

Scope

These provisions set out the kinds of applications which must be referred under section 55 of the Act or for which notice must be given under section 52(1)(c) of the Act. The provisions do not apply to the seeking of advice about an application or where a responsible authority may choose to give notice under another sub-section of section 52(1) of the Act.

These provisions also specify when a plan must be referred under section 8(1)(a) of the Subdivision Act 1988.

Referrals

Applications of the kind listed in Clauses 66.01, 66.02, 66.03 and 66.04 must be referred to the person or body specified as a referral authority in accordance with section 55 of the Act.

Any requirement for referral under this or another clause does not apply if:

- In the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the referral authority, or the referral authority has considered the proposal for which the application is made within the past three months and has stated in writing that it does not object to the granting of the permit for the proposal; or

- The application is for the use or development of land for extractive industry or mining and a copy of a work plan or variation to an approved work plan accompanying the application was given to the referral authority (other than the Roads Corporation) under section 77TE of the Mineral Resources (Sustainable Development) Act 1990.

Notice

Notice of an application of the kind listed in Clauses 66.05 and 66.06 must be given in accordance with section 52(1)(c) of the Act to the person or body specified as a person or body to be notified.

Any requirement for notice under this or another clause does not apply if, in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the person or body to be notified.
# SUBDIVISION REFERRALS

An application of the kind listed in the table below must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To subdivide land other than:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A boundary realignment.</td>
<td>The relevant water, drainage or sewerage authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- The subdivision of an existing building already connected to services.</td>
<td>The relevant electricity supply or distribution authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A two lot subdivision.</td>
<td>The relevant gas supply authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- The subdivision of land into lots each containing an existing dwelling or car parking space.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>To subdivide land outside the metropolitan fire district which creates a road, where the requirements of Clause 56.09-3 are not met.</td>
<td>Country Fire Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide land if the only access to a lot is over Crown land which has not been reserved or proclaimed as a road.</td>
<td>Minister administering the Land Act 1958</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide land crossed by a gas transmission pipeline or a gas transmission pipeline easement.</td>
<td>The relevant gas supply authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement.</td>
<td>The relevant electricity transmission authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide a heritage place of which all or part is included in the Victorian Heritage Register.</td>
<td>The Executive Director specified in the Heritage Act 2017</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

**Note:** A subdivision which does not require referral under Clause 66.01 must be referred if it is listed as a requirement under any other provision of Clause 66.

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### Mandatory conditions for subdivision permits

A permit for subdivision must contain the following conditions:

The owner of the land must enter into an agreement with:

- a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider’s requirements and relevant legislation at the time; and

- a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider’s requirements and relevant legislation at the time; and
- a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

This requirement does not apply to a permit granted to:

- Subdivide land in a rural zone, public land zone, Urban Floodway Zone or Special Use Zone if the responsible authority is satisfied that connection to telecommunication services is not warranted.
- Realign the common boundary between two lots (boundary realignment).
- Subdivide an existing building already connected to telecommunication services.

A permit granted to subdivide land in a manner that does not require referral under Clause 66.01 must contain the following conditions:

- The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority’s requirements and relevant legislation at the time.
- All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
- The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

This requirement does not apply to a permit granted to subdivide land into lots each containing an existing dwelling or car parking space.

**Referrals under the Subdivision Act – certification of plans**

For the purpose of Section 8(1)(a) of the Subdivision Act 1988 referral of a plan is required if:

- A referral is required by a permit issued under this scheme. The plan must be referred to the relevant referral authority.
- A plan creates, varies or removes an easement or restriction likely to be of interest to a referral authority. The plan must be referred to the relevant referral authority.
- The only access to a lot on a plan is over Crown land and the Minister administering the Land Act 1958 has not consented or provision has not been made for a road to be reserved or proclaimed. The plan must be referred to that Minister.
- In the opinion of the Council the plan may affect existing sewerage, water, drainage or other works. The plan must be referred to the referral authority responsible for those works.
USE AND DEVELOPMENT REFERRALS

An application of the kind listed in the tables below must be referred to the person or body specified as the referral authority. The tables below specify whether the referral authority is a determining referral authority or a recommending referral authority.

Works approval or licence

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>For a use or development requiring any of the following:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Works approval in accordance with Section 19A of the Environment Protection Act 1970.</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>• A licence to discharge or emit waste in accordance with Section 20 of the Environment Protection Act 1970.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Amendment of a licence under Section 20A of the Environment Protection Act 1970.</td>
<td></td>
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</tr>
</tbody>
</table>

Native vegetation

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>• To remove, destroy or lop native vegetation in the Detailed Assessment Pathway as defined in the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017).</td>
<td>Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987)</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>• To remove, destroy or lop native vegetation if a property vegetation plan applies to the site.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• To remove, destroy or lop native vegetation on Crown land which is occupied or managed by the responsible authority.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Cattle feedlot

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for a cattle feedlot.</td>
<td>Minister for Agriculture</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>If the site is located within a special water supply catchment area under the Catchment and Land Protection Act 1994, the relevant water authority under the Water Act 1989 and the Secretary to the Department administering the Catchment and Land Protection Act 1994</td>
<td></td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>If the number of cattle is 5000 or more, the Environment Protection Authority</td>
<td></td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
### Major electricity line or easement

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To construct a building or construct or carry out works on land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement.</td>
<td>The relevant electricity transmission authority</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Special water supply catchment area

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use, subdivide or consolidate land, to construct a building or construct or carry out works, or to demolish a building or works that are within a Special Water Supply Catchment Area listed in Schedule 5 of the <em>Catchment and Land Protection Act 1994</em> and which provides water to a domestic supply.</td>
<td>The relevant water board or water supply authority</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

This does not apply to an application for a sign, fence, roadworks or unenclosed building or works ancillary to a dwelling.

### Timber production

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for timber production by establishing a plantation.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>)</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To use or develop land for timber production by harvesting timber from native forest, including thinning, if the area of native forest to be subjected to timber production operations is 10 hectares or greater.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>)</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Industry, utility installation or warehouse

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use land for an industry, utility installation or warehouse for a purpose listed in the table to Clause 53.10 with no threshold distance specified or if the threshold distance is not to be met.</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

- To use land for an industry, utility installation or warehouse if any of the following apply:
  - A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012.
### Kind of application

<table>
<thead>
<tr>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>- A notification is required under the Occupational Health and Safety Regulations 2017.</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A licence is required under the Dangerous Goods (Explosives) Regulations 2011.</td>
<td></td>
</tr>
<tr>
<td>- A licence is required under Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture.</td>
<td></td>
</tr>
</tbody>
</table>

### Extractive industry

#### Kind of application

<table>
<thead>
<tr>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>- To use or develop land for extractive industry.</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Secretary to the Department administering the <em>Heritage Act 1995</em>.</td>
<td></td>
</tr>
<tr>
<td>Secretary to the Department administering the <em>Mineral Resources (Sustainable Development) Act 1990</em>.</td>
<td></td>
</tr>
</tbody>
</table>

#### Kind of application

<table>
<thead>
<tr>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>- To use or develop land for extractive industry on Crown land or land abutting Crown land, other than a government road.</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>- To use or develop land for extractive industry:</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- In Special Areas declared under Section 27 of the <em>Catchment and Land Protection Act 1994</em>.</td>
<td></td>
</tr>
</tbody>
</table>
### Kind of application

- 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.
- 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.

<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 extractive industry:</td>
<td>Secretary to the Department administering the Flora and Fauna Guarantee Act 1988</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- In areas with communities or taxa listed or critical habitat determined under the Flora and Fauna Guarantee Act 1988.</td>
<td>Secretary to the Department administering Section 201 of the Water Act 1989</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- On land which has been identified in this scheme as containing sites of flora or fauna significance.</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To use or develop land for extractive industry on land which has been identified in this scheme as flood prone.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To use or develop land for extractive industry if the land is intended to be used for land fill at a future date.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- On land which abuts a local road which intersects with a road declared as a freeway or an arterial road under the Road Management Act 2004 and if the development is expected to increase traffic movement at the intersection of the local road and the declared road by ten percent or more.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- On land which abuts a road declared as a freeway or an arterial road under the Road Management Act 2004. This does not apply to a development which generates less than one hundred commercial trips per day, with roadworks at the entrance to the site built in accordance with the requirements of the Roads Corporation and the declared road is not a freeway.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
### Geothermal energy extraction

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for geothermal energy extraction.</td>
<td>Secretary to the Department administering the <em>Geothermal Energy Resources Act 2005</em></td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Greenhouse gas sequestration

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for greenhouse gas sequestration.</td>
<td>Secretary to the Department administering the <em>Greenhouse Gas Geological Sequestration Act 2008</em></td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Integrated Public Transport Planning

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
</table>
| 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. | Head, Transport for Victoria | Determining referral authority |
### Declared irrigation districts

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>An application to use or develop land for a renewable energy facility located within an irrigation district declared under Part 6A of the <em>Water Act 1989</em>.</td>
<td>Secretary to the Department administering the <em>Water Act 1989</em>.</td>
<td>Recommending referral authority</td>
</tr>
</tbody>
</table>
REFERRAL OF PERMIT APPLICATIONS UNDER OTHER STATE STANDARD PROVISIONS

An application of the kind listed in the table below, where the planning scheme includes the specified clause, must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 36.03-5</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>(PCRZ)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clause 37.03-5</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>(UFZ)</td>
<td>An application under the zone outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 37.07-5</td>
<td>An application under the zone within Metropolitan Melbourne.</td>
<td>Victorian Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>(UGZ)</td>
<td>An application under the zone outside Metropolitan Melbourne.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 44.02-8</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>(SMO)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clause 44.03-6</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>(FO)</td>
<td>An application under the overlay outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 44.04-7</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>(LSIO)</td>
<td>An application under the overlay outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 44.05-6</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>(SBO)</td>
<td></td>
<td></td>
<td></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>| Clause 44.07-4 (SRO) | An application of the kind specified in a schedule to the overlay. | Referral authority specified in a schedule to the overlay | Determining referral authority |
| Clause 45.01-3 (PAO) | An application under the overlay. | Acquiring authority specified in the schedule to the overlay | Determining referral authority |
| Clause 45.07-6 (CLPO) | An application under the overlay. | Roads Corporation | Determining referral authority |
| Clause 52.05 | An application to display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the <em>Road Management Act 2004</em>. | Roads Corporation | Determining referral authority |
| Clause 52.27 | An application under the Clause in association with a bar, hotel or nightclub that is to operate after 1am. | Victorian Commission for Gambling and Liquor Regulation | Determining referral authority |</p>
<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 52.29</td>
<td>An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or an arterial road under the Road Management Act 2004, land owned by the Roads Corporation for the purpose of a road, or land in a PAO if the Roads Corporation is the acquiring authority for the land, subject to exemptions specified in the clause.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>Any other application under the Clause.</td>
<td>Owner of, or the acquiring authority for, the adjacent land in the Road Zone, Category 1 or the PAO</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 53.05-1</td>
<td>An application to use or develop land for a Freeway service centre.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

In addition to the referral requirements of Clause 66.01, 66.02 and 66.03, an application of the kind listed in the schedule to this clause must be referred to the referral authority specified in the schedule. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

If a local provision of the scheme specifies a person or body as a referral authority for a kind of application or contains a referral requirement, and that specification or requirement is not included in the schedule to this clause, it is not a referral requirement under section 55 of the Act.
## Referral of permit applications under local provisions

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Referral authority type</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 4.0 to Schedule 2 to Clause 37.07</td>
<td>Subdivision</td>
<td>Metropolitan Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 5.0 of Schedule 6 to Clause 42.01 (ESO)</td>
<td>An application required under Schedule 6 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 2.7 of Schedule 6 to Clause 37.07 (UGZ6)</td>
<td>Subdivision; and Construct a building or carry out works where the value of the building or works is in excess of $500,000.</td>
<td>Metropolitan Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 2.8 of Schedule 6 to Clause 37.07 (UGZ6)</td>
<td>To develop land for a sensitive use within 220 metres of the 415 Tuckers Road and 105 Hardys Road, Clyde North.</td>
<td>Secretary to the Department of Economic Development, Jobs, Transport and Resources</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 2.9 of Schedule 7 to Clause 37.07 (UGZ7)</td>
<td>Subdivision; and Construct a building or carry out works where the value of the building or works is in excess of $500,000.</td>
<td>Metropolitan Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 2.10 of Schedule 7 to Clause 37.07 (UGZ7)</td>
<td>To develop land for a sensitive use within 220 metres of the 415 Tuckers Road and 105 Hardys Road, Clyde North.</td>
<td>Secretary to the Department of Economic Development, Jobs, Transport and Resources</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 6.0 of Schedule 5 to Clause 37.01 (SUZ5)</td>
<td>An application to develop land.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 2.8 of Schedule 10 to Clause 37.07 (UGZ10)</td>
<td>Subdivision; and Construct a building or carry out works where the value of the building or works is in excess of $500,000.</td>
<td>Metropolitan Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 2.7 of Schedule 11 to Clause 37.07 (UGZ11)</td>
<td>Subdivision; use or construct a building or carry out works</td>
<td>Department of Economic Development, Jobs, Transport and Resources</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 2.8 of Schedule 11 to Clause 37.07 (UGZ11)</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>Growth Areas Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Schedule 14 to Clause 37.07 (UGZ14)</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 identified on Plan 3 in the incorporated Minta Farm Precinct Structure Plan as ‘Local Town Centre’.</td>
<td>Victorian Planning Authority</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
NOTICE OF PERMIT APPLICATIONS UNDER STATE STANDARD PROVISIONS

Notice of an application of the kind listed in the table below must be given to the person or body specified as a person or body to be notified.

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Person or body to be notified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 45.08-6</td>
<td>An application to use or subdivide land, or to construct a building or construct or carry out works.</td>
<td>The airport lessee company of Melbourne Airport in accordance with the Commonwealth Airports Act 1996</td>
</tr>
</tbody>
</table>
| Clause 52.09-8 | An application to use or subdivide land or construct a building for accommodation, education centre or hospital:  
- Within an Extractive Industry Interest Area.  
- On land which is within 500 metres of land on which a work plan has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.  
An application to construct a building or construct or carry out works on land for which a work plan has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.  
These requirements do not apply to an application to extend a building or works. | The Secretary of the Department administering the Mineral Resources (Sustainable Development) Act 1990 |
| Clause 52.21  | An application to construct, use or illuminate a private tennis court under any provision of this scheme. | The owners and occupiers of adjoining and opposite properties |
| Clause 52.27  | An application in association with a bar, hotel or nightclub that is to operate after 1am. | Chief Commissioner of Victoria Police |
| Clause 53.09  | An application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the Victorian Code for Broiler Farms 2009. | Environment Protection Authority |
| Clause 67.02  | An application for a permit which, except for the provisions of Clause 67, would be made to the Minister in accordance with section 96 of the Act. This does not apply to an application for a sign or advertisement, or to remove, destroy or lop native vegetation under Clause 52.17 of this scheme. | The owners and occupiers of adjoining land  
The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust |
| Clause 67.03  | An application for a permit to remove, destroy or lop native vegetation under Clause 52.17, which, except for the provisions of Clause 67, would be made to the Minister in accordance with section 96 of the Act. This does not apply if the application is of a kind which must be referred to the Secretary under section 55 of the Act. | The Secretary to the Department administering the Flora and Fauna Guarantee Act 1988 |
NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

In addition to the notice requirements of Clause 66.05, notice of an application of the kind specified in the schedule to this clause must be given to the person or body specified in the schedule. If a local provision of the scheme specifies a notice requirement and that requirement is not included in the schedule to this clause, it is not a notice requirement under Section 52(1)(c) of the Act.
### SCHEDULE TO CLAUSE 66.06

**Notice of permit applications under local provisions**

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Person or body to be notified</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
APPLICATIONS UNDER SECTION 96 OF THE ACT

This clause applies to an application for a permit which, except for the provisions of this clause, would be made to the Minister in accordance with Section 96 of the Act.
EXEMPTIONS FROM SECTION 96(1) AND 96(2) OF THE ACT

In accordance with section 6(2)(ka) of the Act, the following classes of use and development are exempted from section 96(1) and 96(2) of the Act:

Class 1

Use of land for:

- Car park, camping and caravan park, community facility (including child care centre, maternal and infant welfare centre, neighbourhood house, place of assembly and toilet block), dwelling, extractive industry, hospital, industry, leisure and recreation, office, residential village, retail premises or service station.

Class 2

Development of land for:

- A Class 1 use, demolition of a building or works, lighting and floodlighting of a recreation facility or building, sign or advertisement or subdivision.

Class 3

Any other use or development.
NOTICE REQUIREMENTS

In accordance with Section 52(1)(c) of the Act, notice must be given to:

- The owners and occupiers of adjoining land.
- The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust.

This does not apply to an application:

- For a sign or advertisement.
- To remove, destroy or lop native vegetation under Clause 52.17 of this scheme.
- If a permit is only required under any of the following overlays:
  - Salinity Management Overlay
  - Floodway Overlay
  - Land Subject to Inundation Overlay
  - Special Building Overlay
  - Bushfire Management Overlay
NOTICE REQUIREMENTS - NATIVE VEGETATION

In accordance with Section 52(1)(c) of the Act, notice of an application to remove, destroy or lop native vegetation under Clause 52.17 of this scheme must be given to the Secretary to the Department administering the Flora and Fauna Guarantee Act 1988.

This does not apply if the application is of a kind which must be referred to the Secretary under Section 55 of the Act.
NOTICE EXEMPTION

In accordance with Section 52(4) of the Act, an application for a sign or advertisement on land managed, occupied or owned by the responsible authority is exempt from the notice requirement of Clause 52(1)(a) of the Act.
OPERATIONAL PROVISIONS

This section sets out provisions about the operation, administration and enforcement of this planning scheme, the meaning of terms used in this planning scheme, and other matters.
OPERATION OF THIS PLANNING SCHEME
OPERATION OF THE MUNICIPAL PLANNING STRATEGY

Municipal Planning Strategy
The Municipal Planning Strategy at Clause 02 provides an overview of important local planning issues in an introductory context, sets out the vision for future use and development in the municipality and establishes strategic directions about how the municipality is expected to change through the implementation of planning policy and the planning scheme.

A planning authority must take into account the Municipal Planning Strategy when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Municipal Planning Strategy when it makes a decision under this planning scheme.

Relationship to the Municipal Strategic Statement
For the purposes of section 12A(3) of the Act, the Municipal Strategic Statement is:

- A Municipal Strategic Statement at Clause 21.
- Where Clause 21 is not included in this scheme:
  - The Municipal Planning Strategy at Clause 02.
  - Local provisions in the Planning Policy Framework at Clauses 10 to 19.
  - A schedule to Clause 74.01.

Transitional
If this planning scheme includes a Municipal Strategic Statement at Clause 21, the provisions of Clauses 23.01 and 23.02 apply.
OPERATION OF THE PLANNING POLICY FRAMEWORK

Purpose of the Planning Policy Framework
The Planning Policy Framework provides a context for spatial planning and decision making by planning and responsible authorities. The Planning Policy Framework is dynamic and will be built upon as planning policy is developed and refined, and changed as the needs of the community change.

The Planning Policy Framework seeks to ensure that the objectives of planning in Victoria (as set out in section 4 of the Act) are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

Operation
The Planning Policy Framework sets out the planning policies that form part of this planning scheme. It comprises Clauses 10 to 19.

A planning policy applies to all land subject to this planning scheme unless the policy specifies otherwise.

A planning policy provides guidance for decision making and can help the community to understand how the responsible authority will consider a proposal.

The consistent application of planning policy over time should achieve a desired outcome.

A planning authority must take into account the Planning Policy Framework when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Planning Policy Framework when it makes a decision under this planning scheme. This does not apply to policy guidelines and policy documents.

Policy guidelines
A planning policy may include policy guidelines. Policy guidelines indicate how objectives can be met and how strategies can be implemented.

A responsible authority must take a relevant policy guideline into account when it makes a decision under this planning scheme, but is not required to give effect to it. If the responsible authority is satisfied that an alternative approach meets the objective, the alternative may be considered.

Policy documents
A planning policy may include reference to a policy document. A policy document may be an incorporated, background and other document.

A background document listed in the table or the schedule to Clause 72.08 that applies to Clauses 10 to 19 is a policy document for applicable planning policies.

Integrated decision making
Society has various needs and expectations such as land for settlement, protection of the environment, economic wellbeing, various social needs, proper management of resources and infrastructure. Planning aims to meet these needs and expectations by addressing aspects of economic, environmental and social wellbeing affected by land use and development.

Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.
Planning authorities should identify the potential for regional impacts in their decision making and coordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources.

**Transitional**

If this planning scheme includes a Municipal Strategic Statement at Clause 21 and local planning policies at Clause 22, the provisions of Clauses 23.01, 23.02 and 23.03 apply. To the extent of any inconsistency, Clauses 23.02 and 23.03 prevail over this clause.
OPERATION OF ZONES

In each zone and schedule to a zone which contains a table of uses, the controls over the use of land are divided into three sections.

Section 1 uses

A use in Section 1 does not require a permit. Any condition opposite the use must be met. If the condition is not met, the use is in Section 2 and requires a permit unless the use is specifically included in Section 3 as a use that does not meet the Section 1 condition.

Section 2 uses

A use in Section 2 requires a permit. Any condition opposite the use must be met. If the condition is not met, the use is prohibited.

Making decisions about Section 2 uses

Because a use is in Section 2 does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the zone and any of the other decision guidelines in Clause 65.

Section 3 uses

A use in Section 3 is prohibited.
OPERATION OF OVERLAYS

If an overlay is shown on the planning scheme map, the provisions of the overlay apply in addition to the provisions of the zone and any other provision of this scheme.

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the overlay and any of the other decision guidelines in Clause 65.
OPERATION OF PARTICULAR PROVISIONS

The requirements of particular provisions apply to the specified categories of use and development and other matters in addition to any provisions which apply due to any other provision of this planning scheme.
VicSmart applications

Any provision of this planning scheme may specify:

- Classes of application that are VicSmart applications to which Clause 71.06 applies.
- Information requirements for each class of VicSmart application.
- Decision guidelines for each class of VicSmart application.

An application is a VicSmart application if all of the following requirements are met:

- The application is in a class or classes specified in a provision of this planning scheme.
- A permit is required only under the provisions of this planning scheme that are specified as a VicSmart application, and not under any other provision of this planning scheme.
- Nothing authorised by the grant of a permit would result in a breach of a registered restrictive covenant.
- If the application requires referral to a referral authority under Clause 66, the referral requirements in Clause 71.06-2 are met.

VicSmart process

Despite any other provision of this planning scheme:

- A VicSmart application is exempt from the requirements of the Act and planning scheme specified in this clause.
- The responsible authority must assess a VicSmart application in accordance with the requirements of this clause.

If there is any inconsistency between the requirements of this clause and another provision of this planning scheme, this clause prevails.

Referral requirements

If an application requires referral to a referral authority under Clause 66:

- The application must have been considered by the referral authority within the past 3 months of the application being made to the responsible authority.
- The referral authority must have stated in writing that it does not object to the granting of the permit for the proposal.

Information requirements

A VicSmart application must be accompanied by the information requirements specified for the relevant class of application. The information requirements of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, do not apply unless the information requirements for the relevant class of application specify otherwise.

If in the opinion of the responsible authority an information requirement is not relevant to the evaluation of a VicSmart application, the responsible authority may waive or reduce the information requirement.

Exemption from notice and review

A VicSmart application is exempt from:

- The notice requirements of section 52(1)(a), (b), (c) and (d) of the Act.
- The decision requirements of section 64(1), (2) and (3) of the Act.
- The review rights of section 82(1) of the Act.
Matters to be considered

In deciding a VicSmart application, the responsible authority:

- Must only consider the decision guidelines specified for the relevant class of application.
- Is exempt from considering the following matters:
  - The requirements of section 60(1)(b), (c), (e) and (f) and (1A) (b) to (h) and (j) of the Act.
  - The Municipal Planning Strategy and Planning Policy Framework unless the decision guidelines for the relevant class of application specify otherwise.
  - The decision guidelines of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, unless the decision guidelines for the relevant class of application specify otherwise.
  - The decision guidelines in Clause 65.
- In deciding an application for review in relation to a VicSmart application, the Tribunal is exempt from the matters specified in section 84B(2)(b) to (g) and (i) to (ja) of the Act.

Decision guidelines

Before deciding a VicSmart application, the responsible authority must consider the decision guidelines specified for the relevant class of application unless in the opinion of the responsible authority a decision guideline is not relevant to the evaluation of the application.
RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

The responsible authority for the administration and enforcement of this planning scheme or a provision of this planning scheme is specified in this clause and the schedule to this clause.

The person nominated under section 198(1)(a) of the Act or the responsible authority under section 198(1)(b) of the Act, to whom a person may apply for a planning certificate, is specified in the schedule to this clause.

Minister is responsible authority

The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for a:

- Renewable energy facility with an installed capacity of 1 megawatt or greater.
- Utility installation used to store, transmit or distribute electricity generated by a renewable energy facility with an installed capacity of 1 megawatt or greater.
- Primary school or secondary school to which Clause 53.19 applies.

with the exception of the following:

- in relation to permits for the use and development of land for a wind energy facility issued prior to 2 April 2015 under Division 1 of Part 4 of the Act, the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.

- in relation to 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.
1.0 Responsible authority for administering and enforcing this planning scheme:
The Casey 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:

- Clause 51.01 of the planning scheme in respect of the “Victorian Desalination Project Incorporated Document, June 2009”.
- Any other provision of the planning scheme as it applies to the use or development of land authorised by the State under an agreement between the State and the entity appointed to undertake the Victorian Desalination Project.
- 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.

The Minister for Planning is the responsible authority for land contained in Volume 10312 Folio 225, being Lot A, Plan of Subdivision 401933L, Matipo Street, Doveton.

3.0 Person or responsible authority for issuing planning certificates:
Minister for Planning.

4.0 Responsible authority for VicSmart and other specified applications:
The Chief Executive Officer of the Casey City Council is the responsible authority for considering and determining VicSmart applications to which Clause 71.06 applies, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.

The Chief Executive Officer of the Casey City Council is the responsible authority for considering and determining any application that the notice and review exemption in Clause 52.10-2 applies to, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.
WHAT AREA IS COVERED BY THIS PLANNING SCHEME?

This planning scheme applies to the municipal district or other area specified in the schedule to this clause.
SCHEDULE TO CLAUSE 72.02 WHAT AREA IS COVERED BY THIS PLANNING SCHEME?

1.0

Area covered by this planning scheme:

Municipal District of the City of Casey.
WHAT DOES THIS PLANNING SCHEME CONSIST OF?

This planning scheme consists of this document, any maps specified in the schedule to this clause, and any document incorporated in the scheme in accordance with the Act. A document is not incorporated in this scheme by reason only that it is referred to in the scheme.

This document consists of State standard provisions and local provisions. Local provisions are:

- If included in this planning scheme:
  - Clause 02 (Municipal Planning Strategy).
  - Clause 21 (Municipal Strategic Statement).
  - Clause 22 (Local Planning Policies).
- All clauses in the Planning Policy Framework that include the letter ‘L’ in the clause number.
- All schedules to zones, overlays, particular provisions, general provisions and operational provisions.

All other provisions are State standard provisions.

Maps specified in the schedule to this clause show how land is zoned and whether land is affected by an overlay. This information is indicated by a letter and/or number code that is explained on each map.

Note: A clause numbered ‘11.01-1L’ would be an example of a local provision in the Planning Policy Framework. ‘C1Z’ is an example of a code on a map that may be specified in the schedule to this clause. It stands for ‘Commercial 1 Zone’.
SCHEDULE TO CLAUSE 72.03 WHAT DOES THIS PLANNING SCHEME CONSIST OF?

Maps comprising part of this planning scheme:

1. 1ESO8, 1HO, 1LSIO, 1SBO, 1BMO
2. 2ESO7, 2DPO, 2HO, 2LSIO, 2SBO, 2SLO, 2BMO
3. 3ESO8, 3DPO, 3HO, 3LSIO, 3PAO, 3SBO, 3SLO, 3BMO
4. 4ESO7, 4ESO8, 4DPO, 4HO, 4LSIO, 4SBO, 4SCO, 4RXO
5. 5ESO7, 5ESO8, 5DCPO, 5DPO, 5HO, 5PAO, 5SBO, 5SLO, 5LSIO, 5BMO, 5RXO, 5SCO
6. 6ESO8, 6DPO, 6HO, 6LSIO, 6SBO, 6SLO, 6BMO
7. 7ESO7, 7ESO8, 7DCPO, 7DDO, 7DPO, 7HO, 7LSIO, 7PAO, 7SBO, 7SCO
8. 8ESO7, 8ESO8, 8DCPO, 8DDO, 8DPO, 8EAO, 8HO, 8LSIO, 8PAO, 8SBO, 8SCO
9. 9ESO7, 9ESO8, 9DCPO, 9DPO, 9HO, 9IC0, 9LSIO, 9PAO, 9SBO, 9SLO, 9VPO, 9BMO, 9PO, 9SCO
10. 10ESO7, 10DCPO, 10DPO, 10HO, 10LSIO, 10PAO, 10SBO, 10SCO
11. 11ESO7, 11ESO8, 11DCPO, 11DPO, 11EAO, 11HO, 11LSIO, 11PAO, 11SBO, 11SCO
12. 12ESO7, 12ESO8, 12DCPO, 12EAO, 12HO, 12ICO, 12LSIO, 12PAO, 12SCO
13. 13DCPO, 13EAO, 13ESO, 13ESO7, 13HO, 13ICO, 13PAO, 13LSIO, 13SCO
14. 14DCPO, 14DPO, 14EAO, 14ESO, 14ESO7, 14HO, 14LSIO, 14PAO, 14SBO, 14SCO, 14VPO, 14BMO
15. 15DCPO, 15DPO, 15EA0, 15ESO, 15ESO7, 15HO, 15LSIO, 15PAO, 15SBO, 15BMO, 15SCO
16. 16ESO8, 16DPC0, 16EAO, 16HO, 16ICO, 16LSIO, 16PAO
17. 17ESO, 17ESO7, 17LSIO, 17PAO, 17BMO
18. 18ESO, 18ESO7, 18HO, 18LSIO, 18PAO, 18SLO, 18BMO
19. 19ESO, 19ESO8, 19HO, 19LSIO, 19PAO, 19BMO
20. 20ESO, 20ESO8, 20HO, 20LSIO, 20PAO, 20SBO, 20SLO, 20BMO
21. 21ESO, 21HO, 21LSIO, 21PAO, 21SLO, 21BMO
22. 22ESO, 22ESO8, 22HO, 22LSIO, 22PAO, 22SLO, 22BMO
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

<table>
<thead>
<tr>
<th>Name of document</th>
<th>Introduced by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997</td>
<td>V3</td>
</tr>
<tr>
<td>A Code of Practice for Telecommunications Facilities in Victoria, July 2004</td>
<td>VC26</td>
</tr>
<tr>
<td>Apiary Code of Practice, May 2011</td>
<td>VC81</td>
</tr>
<tr>
<td>Australian Standard AS2890.2-2002 Parking facilities: Off-street commercial vehicle facilities, Standards Australia 2002</td>
<td>VC77</td>
</tr>
<tr>
<td>Australian/New Zealand Standard AS/NZS1158.3.1:1999, Road lighting, Part 3.1: Pedestrian Area (Category P) lighting – Performance and installation design requirements. Standards Australia/Standards New Zealand 1999</td>
<td>VC12</td>
</tr>
<tr>
<td>Building in bushfire-prone areas - CSIRO &amp; Standards Australia (SAA HB36-1993), May 1993</td>
<td>NPS1</td>
</tr>
<tr>
<td>Code of Practice for Bushfire Management on Public Land, 2012</td>
<td>VC101</td>
</tr>
<tr>
<td>Code of Practice for Timber Production 2014</td>
<td>VC101</td>
</tr>
<tr>
<td>Construction Techniques for Sediment Pollution Control, Environment Protection Authority May 1991</td>
<td>NPS1</td>
</tr>
<tr>
<td>Design Vehicles and Turning Path Templates, Austroads, 1995 (AP-34/95)</td>
<td>VC12</td>
</tr>
<tr>
<td>Growth Area Framework Plans, Department of Sustainability and Environment, September 2006</td>
<td>VC41</td>
</tr>
<tr>
<td>Guide to Road Design, Part 6A: Pedestrian and Cycle Paths, Austroads</td>
<td>VC77</td>
</tr>
<tr>
<td>Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management (Publication 891.4, Environment Protection Authority, 2016)</td>
<td>VC132</td>
</tr>
<tr>
<td>Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning 2017)</td>
<td>VC138</td>
</tr>
<tr>
<td>Local Government Planning Guide for Dry Land Salinity - Department Conservation and Natural Resources, 1995</td>
<td>NPS1</td>
</tr>
<tr>
<td>Name of document</td>
<td>Introduced by:</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------------</td>
<td>----------------</td>
</tr>
<tr>
<td>Pavement Design - A Guide to the Structural Design of Road Pavements, Austroads, (AP-17/92)</td>
<td>VC12</td>
</tr>
<tr>
<td>Planning requirements for racing dog keeping and training (Department of Environment, Land, Water and Planning, August 2017)</td>
<td>VC139</td>
</tr>
<tr>
<td>Principal Public Transport Network 2017 (State Government of Victoria, 2017)</td>
<td>VC132</td>
</tr>
<tr>
<td>Principal Public Transport Network Area Maps (State Government of Victoria, August 2018)</td>
<td>VC151</td>
</tr>
<tr>
<td>Private Tennis Court Development Code of Practice – Revision 1, March 1999</td>
<td>VC5</td>
</tr>
<tr>
<td>Victorian Code for Broiler Farms 2009 (plus 2018 amendments)</td>
<td>VC60</td>
</tr>
<tr>
<td>Victorian Code for Cattle Feedlots, August 1995</td>
<td>NPS1</td>
</tr>
<tr>
<td>Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines (Department of Economic Development, Jobs, Transport and Resources, June 2018)</td>
<td>VC150</td>
</tr>
<tr>
<td>Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines (Department of Economic Development, Jobs, Transport and Resources, June 2018)</td>
<td>VC150</td>
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## Incorporated documents

<table>
<thead>
<tr>
<th>Name of document</th>
<th>Introduced by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>'2-106 Soldiers Road, Berwick' Incorporated Document, March 2019</td>
<td>GC120</td>
</tr>
<tr>
<td>Berwick South Development Contributions Plan, City of Casey, April 1998</td>
<td>NPS1</td>
</tr>
<tr>
<td>Berwick Waterways Development Contributions Plan, October 2014 (Amended June 2017)</td>
<td>GC75</td>
</tr>
<tr>
<td>Berwick Waterways Precinct Structure Plan, October 2014 (Amended December 2014)</td>
<td>C182</td>
</tr>
<tr>
<td>Botanic Ridge Development Contributions Plan, December 2012 (Amended September 2017)</td>
<td>GC75</td>
</tr>
<tr>
<td>Botanic Ridge Native Vegetation Precinct Plan, December 2012</td>
<td>C133</td>
</tr>
<tr>
<td>Brechin Gardens Incorporated Plan, April 2019</td>
<td>C224</td>
</tr>
<tr>
<td>Brompton Lodge Development Contributions Plan, August 2016 (Amended July 2017)</td>
<td>GC75</td>
</tr>
<tr>
<td>Brompton Lodge Native Vegetation Precinct Plan, August 2016</td>
<td>C190</td>
</tr>
<tr>
<td>Brompton Lodge Precinct Structure Plan, August 2016</td>
<td>C190</td>
</tr>
<tr>
<td>Cardinia Creek South Infrastructure Contributions Plan, March 2019</td>
<td>C261case</td>
</tr>
<tr>
<td>Cardinia Creek South Precinct Structure Plan, March 2018</td>
<td>C221Pt1</td>
</tr>
<tr>
<td>Casey Central Town Centre Precinct Structure Plan, May 2016</td>
<td>C189</td>
</tr>
<tr>
<td>Casey Cultural Precinct Incorporated Document, August 2014</td>
<td>C201</td>
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<tr>
<td>Casey Fields South Residential Precinct Structure Plan, October 2015</td>
<td>C208</td>
</tr>
<tr>
<td>Caulfield Dandenong Rail Upgrade Project, Incorporated Document, April 2016</td>
<td>GC37</td>
</tr>
<tr>
<td>Clyde Creek Precinct Structure Plan, October 2015</td>
<td>C208</td>
</tr>
<tr>
<td>Clyde Development Contributions Plan, October 2015 (Amended June 2017)</td>
<td>GC75</td>
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<tr>
<td>Clyde North Precinct Structure Plan (including the Clyde North Native Vegetation Precinct Plan) September 2011</td>
<td>C153</td>
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<tr>
<td>Clyde North Precinct Structure Plan Development Contributions Plan, August 2011 (Amended June 2017)</td>
<td>GC75</td>
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<tr>
<td>Clyde Road, Berwick Level Crossing Removal Project Incorporated Document, February 2020</td>
<td>C270case</td>
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<tr>
<td>Cranbourne East Precinct Structure Plan (including the Cranbourne East Native Vegetation Precinct Plan) May 2010</td>
<td>C119</td>
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<tr>
<td>Cranbourne East Precinct Structure Plan Development Contributions Plan, May 2010</td>
<td>C119</td>
</tr>
<tr>
<td>Cranbourne Line Upgrade Incorporated Document, February 2020</td>
<td>GC143</td>
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<tr>
<td>Cranbourne North Precinct Structure Plan Development Contributions Plan, June 2011 (Amended June 2017)</td>
<td>GC75</td>
</tr>
<tr>
<td>Name of document</td>
<td>Introduced by:</td>
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<tr>
<td>Cranbourne North Stage 2 Precinct Structure Plan (including the Cranbourne North</td>
<td>C125</td>
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<tr>
<td>Stage 2 Native Vegetation Precinct Plan), June 2011</td>
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<tr>
<td>Cranbourne Racing Complex and Surrounds Investment and Development Plan, City of</td>
<td>C166</td>
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<tr>
<td>Casey, January 2015</td>
<td></td>
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<tr>
<td>Cranbourne West Development Contributions Plan, City of Casey, August 2015</td>
<td>GC75</td>
</tr>
<tr>
<td>(Amended August 2017)</td>
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<tr>
<td>Cranbourne West Precinct Structure Plan, City of Casey, May 2012</td>
<td>C159</td>
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<tr>
<td>Development Contribution Plan for Local Structure Plan 3 Cranbourne - East, 7</td>
<td>C212</td>
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<tr>
<td>July 2015</td>
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<tr>
<td>Evans Road, Lyndhurst Level Crossing Removal Project Incorporated Document, June</td>
<td>C267case</td>
</tr>
<tr>
<td>2019</td>
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<tr>
<td>Fountain Gate-Narre Warren CBD Development Contributions Plan – Development</td>
<td>C146</td>
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<tr>
<td>Contribution Rates and Explanatory Material - City of Casey, January 2011</td>
<td></td>
</tr>
<tr>
<td>Hallam North Road (Heatherton Road to James Cook Drive) Upgrade Project</td>
<td>C260case</td>
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<tr>
<td>Incorporated Document, February 2019</td>
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<tr>
<td>Lyndhurst Development Contributions Plan, November 2015</td>
<td>C218</td>
</tr>
<tr>
<td>Lyndhurst Neighbourhood Activity Centre Comprehensive Development Plan, City of</td>
<td>C102</td>
</tr>
<tr>
<td>Casey, October 2009</td>
<td></td>
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<tr>
<td>Melbourne Metro Rail Project: Upgrades to the Rail Network Incorporated Document,</td>
<td>GC96</td>
</tr>
<tr>
<td>May 2018</td>
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<tr>
<td>Minta Farm Infrastructure Contributions Plan, May 2019</td>
<td>C266case</td>
</tr>
<tr>
<td>Minta Farm Precinct Structure Plan, October 2018</td>
<td>C228</td>
</tr>
<tr>
<td>Monash Freeway Upgrade Project Incorporated Document, March 2016</td>
<td>GC47</td>
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<tr>
<td>Monash Freeway Upgrade Project (Stage 2) Incorporated Document, August 2018</td>
<td>GC103</td>
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<tr>
<td>Narre Warren - Cranbourne Road (Thompsons Road to South Gippsland Highway)</td>
<td>C262case</td>
</tr>
<tr>
<td>Upgrade Project Incorporated Document, May 2019</td>
<td></td>
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<tr>
<td>Site-Specific Control – Units 2 &amp; 3/270 South Gippsland Highway, Cranbourne,</td>
<td>C141</td>
</tr>
<tr>
<td>Use of the land as a shop for the sale of fishing supplies, November 2010</td>
<td></td>
</tr>
<tr>
<td>Small Lot Housing Code (Victorian Planning Authority, November 2019)</td>
<td>GC150</td>
</tr>
<tr>
<td>South Gippsland Highway, Dandenong South Level Crossing Removal Project</td>
<td>GC136</td>
</tr>
<tr>
<td>Incorporated Document, September 2019</td>
<td></td>
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<tr>
<td>Statement of Significance: Willurah Park, Harkaway, March 2019</td>
<td>C229case</td>
</tr>
<tr>
<td>Thompsons Road Precinct Structure Plan, October 2015</td>
<td>C208</td>
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<tr>
<td>Treeby Cottage Incorporated Plan, August 2019</td>
<td>C192case</td>
</tr>
<tr>
<td>Tuliiilan Incorporated Plan, June 2015</td>
<td>C215</td>
</tr>
<tr>
<td>Victorian Desalination Project Incorporated Document, June 2009</td>
<td>C140</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:

26 August 1999
EFFECT OF THIS PLANNING SCHEME

Land may be used or developed only in accordance with this planning scheme.

Land must not be developed unless the land as developed can be used in accordance with this planning scheme.

If this planning scheme allows a particular use of land, it may be developed for that use provided all requirements of the scheme are met.
DETERMINATION OF BOUNDARIES

If a boundary in this planning scheme is not precisely shown on a planning scheme map or is not otherwise defined, the certificate issuing authority must determine the boundary if asked to do so and must notify the applicant within 60 days.
BACKGROUND DOCUMENTS

The documents listed in the table and the schedule to this clause are background documents. The table and the schedule to this clause must specify the amendment that listed the background document and may specify the clause of this planning scheme that the background document relates to.

A background document may:

- Have informed the preparation of, or an amendment to, this planning scheme.
- Provide information to explain the context within which a provision has been framed.
- Assist the understanding of this planning scheme.

A background document does not form part of this planning scheme.

Table to Clause 72.08

<table>
<thead>
<tr>
<th>Name of background document</th>
<th>Amendment number - clause reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Central Highlands Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>G21 Regional Growth Plan (Geelong Region Alliance, 2013).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Gippsland Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Great South Coast Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Hume Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Loddon Mallee North Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Loddon Mallee South Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Wimmera Southern Mallee Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
</tbody>
</table>
SCHEDULE TO CLAUSE 72.08 BACKGROUND DOCUMENTS

1.0

Background documents

<table>
<thead>
<tr>
<th>Name of background document</th>
<th>Amendment number - clause reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
MEANING OF TERMS

A term used in this planning scheme has its ordinary meaning unless that term is defined:

- In this planning scheme; or
- In the Planning and Environment Act 1987 or the Interpretation of Legislation Act 1984, in which case the term has the meaning given to it in those Acts unless it is defined differently in this scheme.
The following table lists general terms which may be used in this planning scheme. A term listed in the first column, under the heading "General term", has the meaning set out beside that term in the second column, under the heading "Definition".

<table>
<thead>
<tr>
<th>General term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural production</td>
<td>Any form of primary production of renewable commodities. It does not include extractive industry, Mineral extraction, or timber production from native forest.</td>
</tr>
<tr>
<td>Anemometer</td>
<td>A wind measuring device.</td>
</tr>
<tr>
<td>Apartment</td>
<td>A dwelling located above the ceiling level or below the floor level of another dwelling and is part of a building containing two or more dwellings.</td>
</tr>
<tr>
<td>Approval date</td>
<td>The date this scheme began, or the date of notice in the Victoria Government Gazette of approval of an amendment to this scheme.</td>
</tr>
<tr>
<td>Basement</td>
<td>A storey below ground level, or that projects no more than 1.2 metres above ground level.</td>
</tr>
<tr>
<td>Building height</td>
<td>The vertical distance from natural ground level to the roof or parapet at any point.</td>
</tr>
<tr>
<td>Carriageway</td>
<td>The area of a street reserve which is provided for the movement or parking of vehicles. It is determined by the invert of a kerb and channel and the point adjacent to the pavement edge for kerb (only) and edge strips.</td>
</tr>
<tr>
<td>Central Highlands region</td>
<td>The area covered by the Ararat, Ballarat, Golden Plains, Hepburn, Moorabool and Pyrenees planning schemes.</td>
</tr>
<tr>
<td>Clear to the sky</td>
<td>An unroofed area or area roofed with material that transmits 90 per cent of light.</td>
</tr>
<tr>
<td>Defendable space</td>
<td>An area of land around a building where vegetation is modified and managed to reduce the effects of flame contact and radiant heat associated with bushfire.</td>
</tr>
<tr>
<td>Deflection angle</td>
<td>The angle between two tangent sections of a carriageway.</td>
</tr>
<tr>
<td>Design speed</td>
<td>The speed fixed for the design and correlation of the geometric features of a carriageway that influence vehicle operation. It is the speed which is not exceeded by 85 per cent of vehicles.</td>
</tr>
<tr>
<td>Domestic services normal to a dwelling</td>
<td>A domestic appliance or apparatus that is normal to and services a dwelling. It includes disabled access ramps and handrails, an air conditioner, cooling or heating system, a hot water service, security systems and cameras, shade sails, a barbeque, downpipes and flues, a skylight, security screens, and the like.</td>
</tr>
<tr>
<td>Earthworks</td>
<td>Land forming, laser grading, levee banks, raised access roads and tracks, building pads, storage embankments, channel banks and drain banks and associated structures.</td>
</tr>
<tr>
<td>Frontage</td>
<td>The road alignment at the front of a lot. If a lot abuts two or more roads, the one to which the building, or proposed building, faces.</td>
</tr>
<tr>
<td>Gaming</td>
<td>The playing of a gaming machine.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>--------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Gaming machine</strong></td>
<td>Has the same meaning as it has in the <em>Gambling Regulation Act 2003</em>.</td>
</tr>
</tbody>
</table>
| **Garden area**                      | Any area on a lot with a minimum dimension of 1 metre that does not include:  
  a) a dwelling or residential building, except for:  
   - an eave, fascia or gutter that does not exceed a total width of 600mm;  
   - a pergola;  
   - unroofed terraces, patios, decks, steps or landings less than 800mm in height;  
   - a basement that does not project above ground level;  
   - any outbuilding that does not exceed a gross floor area of 10 square metres;  
   - domestic services normal to a dwelling or residential building;  
  b) a driveway; or  
  c) an area set aside for car parking.                                                                                                       |
| **Geelong G21 region**               | The area covered by the Colac Otway, Golden Plains, Greater Geelong, Queenscliffe and Surf Coast planning schemes.                                                                                       |
| **Gippsland region**                 | The area covered by the Bass Coast, Baw Baw, East Gippsland, Latrobe, South Gippsland and Wellington planning schemes.                                                                                   |
| **Great South Coast region**         | The area covered by the Corangamite, Glenelg, Moyne, Southern Grampians and Warrnambool planning schemes.                                                                                               |
| **Gross floor area**                 | The total floor area of a building, measured from the outside of external walls or the centre of party walls, and includes all roofed areas.                                                               |
| **Ground level**                     | The natural level of a site at any point.                                                                                                                                                                |
| **Habitable room**                   | Any room of a dwelling or residential building other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, lobby, photographic darkroom, clothes drying room and other space of a specialised nature occupied neither frequently nor for extended periods. |
| **High quality productive agricultural land** | Land which is used for animal husbandry or crop raising, and is capable of continuing to sustain agricultural production, and:  
  a) is of prime, or very good, agricultural quality, having regard to soil type, growing season, and availability of infrastructure, and is of sufficient extent to support agricultural activities on an economically viable scale; or  
  b) has been identified through a regional, sub-regional, or local study as being of particularly good quality and strategic significance for agriculture in the regional or local context. |
<p>| <strong>Hume region</strong>                      | The area covered by the Alpine, Benalla, Greater Shepparton, Indigo, Mansfield, Mitchell, Moira, Murrindindi, Strathbogie, Towong, Wangaratta and Wodonga planning schemes. |
| <strong>Land capability assessment</strong>       | The assessment of the physical ability of the land to sustain specific uses having regard to its management, and without long term on-site detriment to the environment. |</p>
<table>
<thead>
<tr>
<th>General term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leasable floor area</td>
<td>That part of the net floor area able to be leased. It does not include public or common tenancy areas, such as malls, verandahs, or public conveniences.</td>
</tr>
<tr>
<td>Loddon Mallee North region</td>
<td>The area covered by the Buloke, Campaspe, Gannawarra, Mildura and Swan Hill planning schemes.</td>
</tr>
<tr>
<td>Loddon Mallee South region</td>
<td>The area covered by the Central Goldfields, Greater Bendigo, Loddon, Macedon Ranges and Mount Alexander planning schemes.</td>
</tr>
<tr>
<td>Lot</td>
<td>A part (consisting of one or more pieces) of any land (except a road, a reserve, or common property) shown on a plan, which can be disposed of separately and includes a unit or accessory unit on a registered plan of strata subdivision and a lot or accessory lot on a registered cluster plan.</td>
</tr>
<tr>
<td>Mean building height</td>
<td>The vertical distance between the mean ground level and the finished roof height at its highest point.</td>
</tr>
<tr>
<td>Mean ground level</td>
<td>One half the sum of the highest and lowest levels along ground level of the outer surface of all external building walls.</td>
</tr>
<tr>
<td>Metropolitan Melbourne</td>
<td>The area covered by the Banyule, Bayside, Boronodara, Brimbank, Cardinia, Casey, Darebin, Frankston, Glen Eira, Greater Dandenong, Hobsons Bay, Hume, Kingston, Knox, Manningham, Maribyrnong, Maroondah, Melbourne, Metton, 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>
</tbody>
</table>
| Radio mast                   | 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.                                                                                                                                                                                   |
| Retail                       | The sale of goods or materials, in any quantity or manner, other than by wholesale.                                                                                                                                                                                                                                                      |
| Secluded private open space  | That part of private open space primarily intended for outdoor living activities which enjoys a reasonable amount of privacy.                                                                                                                                                                                                             |
| Setback                      | The minimum distance from any allotment boundary to a building.                                                                                                                                                                                                                                                                           |
| Sexual services              | Has the same meaning as it has in the *Sex Work Act 1994*.                                                                                                                                                                                                                                                                               |
| Site coverage                | The proportion of a site covered by buildings.                                                                                                                                                                                                                                                                                           |
| Stone                        | 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.                                                                                |
| Storey                       | 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.                                                                                                                                               |
| Stormwater                   | 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.                                                                                                                                                                                     |
| Street leg length            | 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.                                                                                                                                                                         |
| Street reserve               | Land set aside for a street pavement and verge.                                                                                                                                                                                                                                                                                           |
| Sustainable agriculture      | 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.                                                                                                                                                                                                 |
<p>| | |
|                              |                                                                                                                                                                                                                                                                                                                                           |</p>
<table>
<thead>
<tr>
<th>General term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<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 Yarrambiack 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>
</tbody>
</table>
| Display area                     | 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.                                                                      |
| Animated sign                     | A sign that can move, contains moving or scrolling parts, changes its message, flashes, or has a moving or flashing border.               |
| Bed and breakfast sign            | A sign at a dwelling that advertises bed and breakfast accommodation in the dwelling.                                                      |
| Bunting sign                      | An advertisement that consists of bunting, streamers, flags, windvanes, or the like.                                                      |
| Business identification sign      | 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. |
| Direction sign                    | A sign not exceeding 0.3 square metre that directs vehicles or pedestrians. It does not include a sign that contains commercial information. |
| Electronic sign                   | A sign that can be updated electronically. It includes screens broadcasting still or moving images.                                      |
| Floodlit sign                     | A sign illuminated by external lighting provided for that purpose.                                                                        |
| High-wall sign                    | A sign on the wall of a building so that part of it is more than 10 metres above the ground.                                              |
| Home based business sign          | A sign at a dwelling that advertises a home based business carried on in the dwelling, or on the land around the dwelling.             |
| Internally illuminated sign       | A sign illuminated by internal lighting or which contains lights or illuminated tubes arranged as an advertisement.                    |
| Major promotion sign              | A sign which is 18 square metres or greater that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited. |
| Panel sign                        | A sign with an advertisement area exceeding 10 square metres.                                                                          |
| Pole sign                         | A sign:  
                                  | a) on a pole or pylon that is not part of a building or another structure;  
<pre><code>                              | b) that is no more than 7 metres above the ground;                                                                                   |
</code></pre>
<table>
<thead>
<tr>
<th>Sign term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>c) with an advertisement area not exceeding 6 square metres; and</td>
</tr>
<tr>
<td></td>
<td>d) that has a clearance under it of at least 2.7 metres.</td>
</tr>
<tr>
<td>Promotion sign</td>
<td>A sign of less than 18 square metres that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.</td>
</tr>
<tr>
<td>Reflective sign</td>
<td>A sign finished with material specifically made to reflect external light.</td>
</tr>
<tr>
<td>Sign</td>
<td>Includes a structure specifically built to support or illuminate a sign.</td>
</tr>
<tr>
<td>Sky sign</td>
<td>A sign:</td>
</tr>
<tr>
<td></td>
<td>a) on or above the roof of a building, but not a verandah;</td>
</tr>
<tr>
<td></td>
<td>b) fixed to the wall of a building and which projects above the wall; or</td>
</tr>
<tr>
<td></td>
<td>c) fixed to a structure (not a building) so that part of it is more than 7 metres above the ground.</td>
</tr>
</tbody>
</table>
LAND USE TERMS

The table to this clause lists terms which may be used in this planning scheme in relation to the use of land. A term describing a use or activity in relation to land which is not listed in the table must not be characterised as a separate use of land if the term is obviously or commonly included within one or more of the terms listed in the table.

Meaning of terms

A term listed in the first column, under the heading "Land use term", has the meaning set out beside that term in the second column, under the heading "Definition".

No definition of listed term indicates ordinary meaning

A term listed in the first column, under the heading "Land use term", which does not have a meaning set out beside that term in the second column, under the heading "Definition", has its ordinary meaning.

Terms which specifically include other listed terms

A term listed in the first column, under the heading "Land use term", which has other terms listed beside it in the third column, under the heading "Includes", includes any term so listed in the third column and any term included within that term in the third column, but does not include any other term listed in the first column.

A term listed in the first column which has other terms listed beside it in the third column may also include other terms which are not listed in the first column.

All terms listed in the third column are also listed in the first column.

Terms which do not specifically include other listed terms

If a term listed in the first column, under the heading "Land use term", does not have any term listed beside it in the third column, under the heading "Includes", that term does not include any term listed in the first column.

However, a term listed in the first column which does not have any term listed beside it in the third column may include other terms which are not listed in the first column.

Terms which are included within other listed terms

A term listed in the first column, under the heading "Land use term", which has a term listed beside it in the fourth column, under the heading "Included in", is included within the term so listed in the fourth column and any term which includes that term in the fourth column.

All terms listed in the fourth column are also listed in the first column.

Terms which are not included within other listed terms

If a term listed in the first column, under the heading "Land use term", does not have a term listed beside it in the fourth column, under the heading "Included in", that term is not included within any other term listed in the first column.

Table to Clause 73.03

<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
<td>Land used to slaughter animals, including birds. It may include the processing of animal products.</td>
<td>Rural industry</td>
<td></td>
</tr>
<tr>
<td>Accommodation</td>
<td>Land used to accommodate persons.</td>
<td>Camping and caravan park</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Adult sex product shop</td>
<td>Land used to sell or hire sexually explicit material, including:</td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) publications classified as restricted under the <em>Classification (Publications, Films and Computer Games) (Enforcement) Act 1995</em>; 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>
<tr>
<td>-------------------------</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></td>
<td></td>
<td>Animal training, Apiculture, Domestic animal husbandry, Horse husbandry</td>
<td>Animal husbandry</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, Intensive animal production, Pig farm, Poultry farm, Poultry hatchery</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>
</tr>
<tr>
<td>-----------------------------</td>
<td>---------------------------------------------------------------------------</td>
<td>---------------------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>Art gallery</td>
<td>Land used to display works of art, including ceramics, furniture, glass,</td>
<td>Exhibition centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td>paintings, screen based art, sculptures, and textiles.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bank</td>
<td></td>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Bar</td>
<td>Land used to sell liquor for consumption on the premises. It may include</td>
<td>Food and drink premises</td>
<td></td>
</tr>
<tr>
<td></td>
<td>accommodation, food for consumption on the premises, entertainment,</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>dancing, amusement machines, and gambling.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Beauty salon</td>
<td></td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>A dwelling used, by a resident of the dwelling, to provide accommodation</td>
<td>Dwelling</td>
<td></td>
</tr>
<tr>
<td></td>
<td>for persons away from their normal place of residence.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Betting agency</td>
<td>Land used for gambling by wagering, and where there is the ability to</td>
<td>Gambling premises</td>
<td></td>
</tr>
<tr>
<td></td>
<td>receive a monetary reward.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boat and caravan storage</td>
<td>Land used to store boats, caravans, or vehicle-towed boat trailers.</td>
<td>Store</td>
<td></td>
</tr>
<tr>
<td>Boat launching facility</td>
<td>Land used to launch boats into the water and to retrieve boats from the</td>
<td>Boat ramp slipway</td>
<td>Recreational boat facility</td>
</tr>
<tr>
<td></td>
<td>water.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Boat ramp</td>
<td></td>
<td>Boat launching facility</td>
<td></td>
</tr>
<tr>
<td>Bottle shop</td>
<td>Land used to sell packaged liquor for consumption off the premises.</td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td>Broiler farm</td>
<td>Land used to keep broiler chickens for the production of meat.</td>
<td>Poultry farm</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td>Land made available for prostitution by a person carrying on the business</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>of providing prostitution services at the business's premises.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bus terminal</td>
<td></td>
<td>Transport terminal</td>
<td></td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td>Land used to allow accommodation in caravans, cabins, tents, or the like.</td>
<td>Accommodation</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
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</tr>
<tr>
<td>Caretaker's house</td>
<td>A dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation, or plant.</td>
<td></td>
<td>Dwelling</td>
</tr>
<tr>
<td>Carnival</td>
<td>Land, other than an Exhibition centre or trade fair, used for a temporary fair or amusements which provide entertainment such as side shows, merry-go-rounds, and stalls for games or snacks.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Car park</td>
<td>Land used to park motor vehicles. It may include charging of electric vehicles.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Car sales</td>
<td></td>
<td>Motor vehicle, boat, or caravan sales</td>
<td></td>
</tr>
<tr>
<td>Car wash</td>
<td></td>
<td>Service industry</td>
<td></td>
</tr>
<tr>
<td>Cattle feedlot</td>
<td>Land used for a cattle feedlot as defined by the Victorian Code for Cattle Feedlots 1995.</td>
<td></td>
<td>Intensive animal production</td>
</tr>
<tr>
<td>Cemetery</td>
<td>Land used to dispose of human remains by burial. It may include funeral chapels or the like.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child care centre</td>
<td>Land used to care for five or more children who are not permanently resident on the land.</td>
<td>Kindergarten</td>
<td>Education centre</td>
</tr>
<tr>
<td>Cinema</td>
<td>Land used to provide screen based entertainment or information to the public.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td>Land used to provide screen based entertainment or information to the public, in association with the provision of meals or sporting, amusement, entertainment, leisure or retail facilities.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Circus</td>
<td>Land used, by performers, to provide entertainment such as acrobatic feats, tricks of skill, and exhibiting animals.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Commercial display area</td>
<td>Land used only to display goods.</td>
<td></td>
<td>Warehouse</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Land used to provide accommodation and care services. It includes permanent, temporary</td>
<td></td>
<td>Residential building</td>
</tr>
<tr>
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</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>Horticulture</td>
<td>Agriculture</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rice growing</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Timber production</td>
<td></td>
</tr>
<tr>
<td>Dance studio</td>
<td></td>
<td></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</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>unit</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Display home centre</td>
<td>One or more buildings constructed as a dwelling, but used for display, to encourage people to buy or construct similar dwellings. It may include a sales office.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dog breeding</td>
<td></td>
<td></td>
<td>Domestic animal husbandry</td>
</tr>
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<td></td>
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</tr>
<tr>
<td>Domestic animal boarding</td>
<td>Land used to board domestic animals, such as boarding kennels and a cattery. It includes domestic animal day care.</td>
<td>Dog breeding Domestic animal boarding</td>
<td>Domestic animal husbandry</td>
</tr>
<tr>
<td>Domestic animal husbandry</td>
<td>Land used to keep, breed, board or train domestic animals.</td>
<td></td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Drive-in theatre</td>
<td>Land used to professionally clean or launder clothing or household articles. It may include the use of dry cleaning processes.</td>
<td></td>
<td>Service industry</td>
</tr>
<tr>
<td>Dry cleaner</td>
<td>Land used to arrange for professional cleaning or laundering of clothing or household articles predominantly at another location. It does not include the use of dry cleaning processes on the land.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Dry cleaning agent</td>
<td>Land used to arrange for professional cleaning or laundering of clothing or household articles predominantly at another location. It does not include the use of dry cleaning processes on the land.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dwelling</td>
<td>A building used as a self-contained residence which must include:</td>
<td>Bed and breakfast Caretaker's house</td>
<td>Accommodation</td>
</tr>
<tr>
<td></td>
<td>a) a kitchen sink;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) food preparation facilities;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) a bath or shower; and</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>d) a toilet and wash basin.</td>
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<tr>
<td></td>
<td>It includes outbuildings and works normal to a dwelling.</td>
<td></td>
<td></td>
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<tr>
<td>Education centre</td>
<td>Land used for education.</td>
<td>Child care centre</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Employment training centre</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Primary school</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td>Earth and energy resources industry</td>
<td>Land used for the exploration, removal or processing of natural earth or energy resources. It includes any activity incidental to this purpose including the construction and use of temporary accommodation.</td>
<td>Extractive industry</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Greenhouse gas sequestration</td>
<td></td>
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<td></td>
<td></td>
<td>Greenhouse gas sequestration exploration</td>
<td></td>
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<td></td>
<td></td>
<td>Geothermal energy exploration</td>
<td></td>
</tr>
<tr>
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<tr>
<td>Geothermal energy extraction</td>
<td></td>
<td></td>
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<tr>
<td>Mining</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mineral exploration</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Petroleum exploration</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Petroleum production</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stone exploration</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Electoral office</td>
<td>An office used for electioneering by a candidate in a local, State, or Federal Government election.</td>
<td></td>
<td>Office</td>
</tr>
<tr>
<td>Emergency services facility</td>
<td>Land used to provide facilities for emergency services, such as fire prevention and ambulance services. It may include administrative, operational or storage facilities associated with the provision of emergency services.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employment training centre</td>
<td></td>
<td></td>
<td>Education centre</td>
</tr>
<tr>
<td>Energy generation facility</td>
<td>Land used to generate energy for use off site other than geothermal energy extraction. It includes any building or other structure or thing used in or in connection with the generation of energy.</td>
<td>Renewable energy facility Waste-to-energy facility</td>
<td></td>
</tr>
<tr>
<td>Equestrian supplies</td>
<td></td>
<td></td>
<td>Restricted retail premises</td>
</tr>
<tr>
<td>Exhibition centre</td>
<td>Land used to display works of art, artefacts, or historical, cultural, or other like works or artefacts.</td>
<td>Art gallery Museum</td>
<td>Place of assembly</td>
</tr>
</tbody>
</table>
| Extractive industry        | Land used for the extraction or removal of stone from land for commercial use, or to use the stone for building, construction, road or manufacturing works. It includes:  
  - the rehabilitation of the land; and  
  - the treatment of stone (such as crushing and processing) or the manufacture of bricks, tiles, pottery, or cement or asphalt products on, or adjacent to, the |                                                                          | Earth and energy resources industry |
<table>
<thead>
<tr>
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</thead>
<tbody>
<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</td>
<td>Retail premises</td>
</tr>
<tr>
<td>Freeway service centre</td>
<td>Land which has direct access to a freeway and is used to provide essential services and facilities which encourage drivers to stop and take an effective break in the interests of driver safety.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td>Land used to store, sell, and distribute fuel.</td>
<td>Liquid fuel depot</td>
<td>Store</td>
</tr>
<tr>
<td>Fuel depot</td>
<td></td>
<td>Solid fuel depot</td>
<td>Warehouse</td>
</tr>
<tr>
<td>Function centre</td>
<td>Land used, by arrangement, to cater for conferences, private functions, and in which food and drink may be served. It may include entertainment and dancing.</td>
<td>Conference centre</td>
<td>Place of assembly</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reception centre</td>
<td></td>
</tr>
<tr>
<td>Funeral parlour</td>
<td>Land used to organise and conduct funerals, memorial services, or the like. It includes the storage and preparation of bodies for burial or cremation.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gambling premises</td>
<td>Land used for gambling by gaming or wagering, and where there is the ability to receive a monetary reward.</td>
<td>Betting agency</td>
<td>Retail premises</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Gaming premises</td>
<td></td>
</tr>
<tr>
<td>Gaming premises</td>
<td>Land used for gambling by gaming, and where there is the ability to receive a monetary reward.</td>
<td></td>
<td>Gambling premises</td>
</tr>
<tr>
<td>Garden supplies</td>
<td>Land used to sell and distribute garden supplies such as sand, soil, railway sleepers, screenings, rock, and the like.</td>
<td></td>
<td>Landscape gardening supplies</td>
</tr>
<tr>
<td>Geothermal energy exploration</td>
<td>Land used for geothermal energy exploration as defined in the Geothermal Energy Resources Act 2005.</td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
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<tr>
<td>Geothermal energy extraction</td>
<td>Land used for geothermal energy extraction as defined in the Geothermal Energy Resources Act 2005.</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td>Golf course</td>
<td></td>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
<tr>
<td>Golf driving range</td>
<td></td>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td>Land used for animal production where the animals’ food is obtained by directly grazing, browsing or foraging plants growing on the land. It includes:</td>
<td>Animal production</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• emergency, seasonal and supplementary feeding;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• the incidental penning, feeding and housing of animals for weaning or other husbandry purposes.</td>
<td></td>
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<td>In this definition:</td>
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<tr>
<td></td>
<td><em>Emergency feeding</em> means providing feed to animals when an emergency event such as a flood, bushfire or biosecurity event, restricts or prevents the animals from grazing, browsing or foraging plants growing on the land;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>Seasonal feeding</em> means providing feed to animals when seasonal conditions, including drought, restrict or prevent the animals from grazing, browsing or foraging plants growing on the land;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><em>Supplementary feeding</em> means providing feed to animals to supplement the food they obtain by directly grazing, browsing or foraging plants growing on the land.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Greenhouse gas sequestration</td>
<td>Land used for greenhouse gas substance injection and monitoring as defined in the Greenhouse Gas Geological Sequestration Act 2008.</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
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</tr>
<tr>
<td><strong>Greenhouse gas sequestration exploration</strong></td>
<td>Land used for greenhouse gas sequestration formation exploration as defined in the Greenhouse Gas Geological Sequestration Act 2008.</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td><strong>Group accommodation</strong></td>
<td>Land, in one ownership, containing a number of dwellings used to accommodate persons away from their normal place of residence.</td>
<td>Accommodation</td>
<td></td>
</tr>
<tr>
<td><strong>Hairdresser</strong></td>
<td></td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td><strong>Hall</strong></td>
<td></td>
<td>Place of assembly</td>
<td></td>
</tr>
<tr>
<td><strong>Helicopter landing site</strong></td>
<td>Land used for the take-off and landing of a helicopter, with or without a permanent landing pad, but without permanent facilities for the assembly and distribution of goods or passengers.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Heliport</strong></td>
<td></td>
<td>Transport terminal</td>
<td></td>
</tr>
<tr>
<td><strong>Home based business</strong></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><strong>Horse husbandry</strong></td>
<td>Land used to keep, breed, board or train horses.</td>
<td>Horse riding school Horse stables</td>
<td>Animal husbandry</td>
</tr>
<tr>
<td><strong>Horse riding school</strong></td>
<td></td>
<td>Horse husbandry</td>
<td></td>
</tr>
<tr>
<td><strong>Horse stables</strong></td>
<td></td>
<td>Horse husbandry</td>
<td></td>
</tr>
<tr>
<td><strong>Horticulture</strong></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><strong>Hospital</strong></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><strong>Host farm</strong></td>
<td>An agricultural property used to provide accommodation for persons, away from their normal place of residence, to experience living on land used for agricultural purposes.</td>
<td>Accommodation</td>
<td></td>
</tr>
<tr>
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</tr>
<tr>
<td>Hotel</td>
<td>Land used to sell liquor for consumption on and off the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.</td>
<td>Food and drink premises</td>
<td></td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>A building used for indoor leisure, recreation, or sport.</td>
<td>Dancing studio</td>
<td>Minor sports and recreation facility</td>
</tr>
</tbody>
</table>
| Industry              | Land used for any of the following operations:  
  a) any process of manufacture;  
  b) dismantling or breaking up of any article;  
  c) treating waste materials;  
  d) winning clay, gravel, rock, sand, soil, stone, or other materials (other than Mineral, stone, or soil extraction);  
  e) laundering, repairing, servicing or washing any article, machinery, or vehicle, other than on-site work on a building, works, or land; or  
  f) any process of testing or analysis.  
  If on the same land as any of these operations, it also includes:  
  a) storing goods used in the operation or resulting from it;  
  b) providing amenities for people engaged in the operation;  
  c) selling by wholesale, goods resulting from the operation; and  
  d) accounting or administration in connection with the operation.  
  If Materials recycling, goods resulting from the operation may be sold by retail. | Materials recycling  
  Refuse disposal  
  Transfer station  
  Research and development centre  
  Rural industry  
  Service industry |                                                 |
<p>| Informal outdoor recreation | Land open to the public and used by non-paying persons for leisure or recreation, such as a cycle track, park, picnic or barbecue area, playground, plaza, and walking or jogging track. | Minor sports and recreation facility |                                                 |</p>
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</thead>
<tbody>
<tr>
<td>Intensive animal production</td>
<td>Land used for animal production where the animals' food is imported from outside the immediate building, enclosure, paddock or pen. It does not include: an abattoir or sale yard; or grazing animal production, pig farm, poultry farm or poultry hatchery.</td>
<td>Cattle feedlot Intensive dairy farm</td>
<td>Animal production</td>
</tr>
<tr>
<td>Intensive dairy farm</td>
<td>Land used for intensive animal production where cattle are kept or bred for the production of milk.</td>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td>Jetty</td>
<td></td>
<td>Marina</td>
<td></td>
</tr>
<tr>
<td>Kindergarten</td>
<td></td>
<td>Child care centre</td>
<td></td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td>Land used to propagate, grow, and sell plants, or sell and distribute garden supplies.</td>
<td>Garden supplies Plant nursery</td>
<td>Retail premises</td>
</tr>
<tr>
<td>Laundromat</td>
<td>Land used to clean or launder clothing or household items using self-service machines.</td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation</td>
<td>Land used for leisure, recreation, or sport.</td>
<td>Major sports and recreation facility Minor sports and recreation facility Motor racing track</td>
<td></td>
</tr>
<tr>
<td>Library</td>
<td></td>
<td>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Liquid fuel depot</td>
<td>Land used to store, sell by wholesale, and distribute fuel.</td>
<td>Fuel depot</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td>Land used to sort mail for distribution.</td>
<td>Warehouse</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>Land used for leisure, recreation or sport, and where there is substantial provision made for spectators, such as a grandstand, and to which spectators are usually charged admission.</td>
<td>Race course</td>
<td>Leisure and recreation</td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td>Land used, as an incidental part of an industry, to retail goods made materially different on the land by that industry.</td>
<td>Retail premises</td>
<td></td>
</tr>
<tr>
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</tr>
<tr>
<td>Marina</td>
<td>Land used to moor boats, or store boats above or adjacent to the water. It may include boat recovery facilities, and facilities to repair, fuel, and maintain boats and boat accessories.</td>
<td>Jetty</td>
<td>Recreational boat facility</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mooring pole</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pier</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pontoon</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td>Land used to sell goods, including foodstuffs, from stalls.</td>
<td>Retail premises</td>
<td></td>
</tr>
<tr>
<td>Market garden</td>
<td></td>
<td>Horticulture</td>
<td></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>Industry</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>Land used to provide health or surgical services (including preventative care, diagnosis, medical and surgical treatment, pathology services, and counselling) to out-patients only.</td>
<td>Office</td>
<td></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>Warehouse</td>
<td></td>
</tr>
<tr>
<td>Mineral exploration</td>
<td>Land used for exploration as defined in the <em>Mineral Resources (Sustainable Development) Act 1990</em>.</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td>Mining</td>
<td>Land used for mining as defined in the <em>Mineral Resources (Sustainable Development) Act 1990</em>.</td>
<td>Earth and energy resources industry</td>
<td></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>Leisure and recreation</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Indoor recreation facility</td>
<td></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;</td>
<td>Utility installation</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Water retarding basin</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</tbody>
</table>
| 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;  
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. |                                                                              |                                |                                  |
<p>| Mooring pole                        | Marina                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Mooring pole                  | Residential hotel                |
| Motel                               | 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.                                                                                                                                                                                                                                                                                                                                 | Residential hotel             |                                  |
| Motor racing track                  | Motor racing track | 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.                                                                                                                                                                                                                                                                                                                                                                                                  | Leisure and recreation        |                                  |
| Motor repairs                       | Motor repairs | Land used to repair or service motor vehicles, and includes the fitting of accessories.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Panel beating                 | Service industry                 |
| Motor vehicle, boat, or caravan sales | Motor vehicle, boat, or caravan sales | 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.                                                                                                                                                                                                                                                                                                                                                                     | Car sales                     | Retail premises                  |</p>
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Museum</td>
<td>Land used to display archaeological, biological, cultural, geographical, geological, historical, scientific, or other like works or artefacts.</td>
<td></td>
<td>Exhibition centre</td>
</tr>
<tr>
<td>Natural systems</td>
<td>Land in substantially its natural state which is used to maintain ecological systems, or to preserve an area of historic, scientific, aesthetic, or cultural significance.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nightclub</td>
<td>A building used to provide entertainment and dancing. It may include the provision of food and drink for consumption on the premises. It does not include the sale of packaged liquor, or gaming.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Office</td>
<td>Land used for administration, or clerical, technical, professional or other like business activity. No goods or materials intended for manufacture, sale, or hire may be stored on the land. Other than electoral office and medical centre, it does not include any other defined use.</td>
<td>Bank&lt;br&gt;Electoral office&lt;br&gt;Medical centre&lt;br&gt;Real estate agency&lt;br&gt;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&lt;br&gt;Golf course&lt;br&gt;Golf driving range&lt;br&gt;Paintball games facility&lt;br&gt;Zoo</td>
<td>Minor sports and recreation facility</td>
</tr>
<tr>
<td>Outdoor recreation facility</td>
<td>Land used for outdoor leisure, recreation, or sport. It does not include an Open sports ground or Informal outdoor recreation.</td>
<td>Amusement park&lt;br&gt;Golf course&lt;br&gt;Golf driving range&lt;br&gt;Paintball games facility&lt;br&gt;Zoo</td>
<td>Minor sports and recreation facility</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>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</tr>
<tr>
<td>Party supplies</td>
<td>Land used for petroleum exploration as defined in the Petroleum Act 1998.</td>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Petroleum exploration</td>
<td>Land used for petroleum exploration as defined in the Petroleum Act 1998.</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td>Petroleum production</td>
<td>Land used for petroleum production as defined in the Petroleum Act 1998.</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td>Pier</td>
<td></td>
<td>Marina</td>
<td></td>
</tr>
<tr>
<td>Pig farm</td>
<td>Land used to keep or breed pigs.</td>
<td>Animal production</td>
<td></td>
</tr>
<tr>
<td>Place of assembly</td>
<td>Land where people congregate for religious, spiritual or cultural activities, entertainment, or meetings.</td>
<td>Amusement parlour, Carnival, Cinema, Cinema-based entertainment facility, Circus, Drive-in theatre, Exhibition centre, Function centre, Hall, Library, Nightclub, Place of worship, Restricted place of assembly</td>
<td></td>
</tr>
<tr>
<td>Place of worship</td>
<td>Land used for religious activities, such as a church, chapel, mosque, synagogue, and temple.</td>
<td>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td>Land used to propagate, grow, and sell plants. It may include the sale of gardening equipment and horticultural products.</td>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td>Pontoon</td>
<td></td>
<td>Marina</td>
<td></td>
</tr>
<tr>
<td>Postal agency</td>
<td></td>
<td>Retail premises</td>
<td></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>Animal production</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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<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>Racing dog training</td>
<td></td>
<td></td>
<td>Racing dog husbandry</td>
</tr>
<tr>
<td>Railway station</td>
<td>Land used to assemble and distribute goods and passengers and includes facilities to park and manoeuvre vehicles. It may include the selling of food, drinks and other convenience goods and services.</td>
<td></td>
<td>Transport terminal</td>
</tr>
<tr>
<td>Real estate agency</td>
<td></td>
<td></td>
<td>Office</td>
</tr>
<tr>
<td>Reception centre</td>
<td></td>
<td></td>
<td>Function centre</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></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Marina</td>
<td></td>
</tr>
<tr>
<td>Refuse disposal</td>
<td>Land used to dispose of refuse, by landfill, incineration, or other means.</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>Renewable energy facility</td>
<td>Land used to generate energy using resources that can be rapidly replaced by an ongoing natural process. Renewable energy resources include the sun, wind, the ocean, water flows, organic matter and the earth's heat. It includes any building or other structure or thing used in or in connection with the generation of energy by a renewable resource. It does not include a renewable energy facility principally used to supply energy for an existing use of the land.</td>
<td>Wind energy facility</td>
<td>Energy generation facility</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td>Research and development centre</td>
<td>Land used to develop or test electronic technology, biotechnology, or any other scientific discipline. It may include administration, promotion, conference, display, laboratory, assembly, and manufacturing areas.</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>Research centre</td>
<td>Land used only for scientific research.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reservoir</td>
<td>A natural or artificial lake used as a source of water supply that is owned or managed by a public authority.</td>
<td></td>
<td>Utility installation</td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td>Land used to provide accommodation and personal or nursing care for the aged. It may include recreational, health or laundry facilities and services for residents of the facility.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Residential building</td>
<td>Land used to accommodate persons, but does not include camping and caravan park, corrective institution, dependent person's unit, dwelling, group accommodation, host farm, residential village or retirement village.</td>
<td>Community care accommodation</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>Residential hotel</td>
<td>Land used to provide accommodation in serviced rooms for persons away from their normal place of residence. If it has at least 20 bedrooms, it may include the sale of liquor for consumption on, or off, the premises, function or conference rooms, entertainment, dancing, amusement machines, and gambling.</td>
<td>Motel</td>
<td>Residential building</td>
</tr>
<tr>
<td>Residential village</td>
<td>Land, in one ownership, containing a number of dwellings, used to provide permanent accommodation and which includes communal, recreation, or medical facilities for residents of the village.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Land used to prepare and sell food and drink, for consumption on the premises. It may include:</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td></td>
<td>a) entertainment and dancing; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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<tr>
<td></td>
<td>b) the supply of liquor other than in association with the serving of meals, provided that tables and chairs are set out for at least 75% of patrons present on the premises at any one time. It does not include the sale of packaged liquor.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td>Land used by members of a club or group, or by members’ guests, for religious or cultural activities, entertainment, or meetings. It may include food and drink for consumption on the premises, and gaming.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Restricted recreation facility</td>
<td>Land used by members of a club or group for leisure, recreation, or sport, such as a bowling or tennis club, gymnasium and fitness centre. It may include food and drink for consumption on the premises, and gaming. It may also include use by members’ guests, or by the public on payment of a fee.</td>
<td></td>
<td>Minor sports and recreation facility</td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td>Land used to sell or hire: a) automotive parts and accessories; b) camping, outdoor and recreation goods c) electric light fittings; d) animal supplies including equestrian and pet goods; e) floor and window coverings; f) furniture, bedding, furnishings, fabric and manchester and homewares; g) household appliances, household electrical goods and home entertainment goods; h) party supplies; i) swimming pools; j) office equipment and supplies; k) baby and children’s goods, children’s play equipment and accessories;</td>
<td>Equestrian supplies Party supplies</td>
<td>Shop</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</tr>
<tr>
<td>l) sporting, cycling, leisure, fitness goods and accessories; or m) goods and accessories which: Require a large area for handling, display and storage of goods; or Require direct vehicle access to the building by customers for the purpose of loading or unloading goods into or from their vehicles after purchase or hire. It does not include the sale of food, clothing and footwear unless ancillary to the primary use.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail premises</td>
<td>Land used to: a) sell goods by retail, or by retail and wholesale; b) sell services; or c) hire goods.</td>
<td>Food and drink premises Gambling premises Landscape gardening supplies Manufacturing sales Market Motor vehicle, boat, or caravan sales Postal agency Primary produce sales Shop Trade supplies</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></td>
<td>Crop raising</td>
</tr>
<tr>
<td>Road freight terminal</td>
<td></td>
<td></td>
<td>Transport terminal</td>
</tr>
<tr>
<td>Rooming house</td>
<td>Land used for a rooming house as defined in the Residential Tenancies Act 1997.</td>
<td></td>
<td>Residential building</td>
</tr>
<tr>
<td>Rural industry</td>
<td>Land used to: a) handle, treat, process, or pack agricultural produce;</td>
<td>Abattoir Sawmill</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>
<td></td>
<td>b) service or repair plant, or equipment, used in agriculture; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) manufacture mud bricks.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rural store</td>
<td>Land used to store unprocessed agricultural produce, or products used in agriculture.</td>
<td></td>
<td>Store</td>
</tr>
<tr>
<td>Saleyard</td>
<td>Land used to hold, sell, and buy farm animals.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sawmill</td>
<td>Land used to handle, cut, and process timber from logs.</td>
<td></td>
<td>Rural industry</td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
<td></td>
<td>Education centre</td>
</tr>
<tr>
<td>Service industry</td>
<td>Land used to launder, repair, service or wash articles, machinery, or vehicles.</td>
<td>Car wash</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>
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</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>
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<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>
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<tr>
<td></td>
<td></td>
<td>Department store</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hairdresser</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Laundromat</td>
<td></td>
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<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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<tr>
<td>gambling premises;</td>
<td></td>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>landscape gardening supplies;</td>
<td></td>
<td>Supermarket</td>
<td></td>
</tr>
<tr>
<td>manufacturing sales;</td>
<td></td>
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<tr>
<td>market;</td>
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<tr>
<td>motor vehicle, boat, or caravan sales;</td>
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<tr>
<td>postal agency;</td>
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<tr>
<td>primary produce sales;</td>
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<tr>
<td>trade supplies.</td>
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</tr>
</tbody>
</table>

### Sign

### Slipway

### Solar energy facility

Land used to generate electricity from solar energy using ground-mounted photovoltaic and thermal technology, where the primary role is to export power to the electricity network.

It does not include the generation of electricity principally used for an existing use of land.

### Solid fuel depot

Land used to sell solid fuel, such as briquettes, coal, and firewood.

### Stone exploration

Land used to search for stone, including:

- a) conducting geological, geophysical, and geochemical surveys;
- b) costeaning and bulk sampling;
- c) drilling; and
- d) taking samples for chemical, physical, or other testing.

### Store

Land used to store goods, machinery, or vehicles.

- Boat and caravan storage
- Freezing and cool storage
- Rural store
- Shipping container storage
- Vehicle store

### Boat launching facility

### Renewable energy facility

### Fuel depot

### Earth and energy resources industry

### Warehouse
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supermarket</td>
<td>Land used to prepare and sell food and drink for immediate consumption off the premises. It may include up to 10 seats available for consumption on the premises.</td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td>Take away food premises</td>
<td>Land used to prepare and sell food and drink for immediate consumption off the premises. It may include up to 10 seats available for consumption on the premises.</td>
<td>Food and drink premises</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility</td>
<td>Land used to accommodate any part of the infrastructure of a Telecommunications network. It includes any telecommunications line, equipment, apparatus, telecommunications tower, mast, antenna, tunnel, duct, hole, pit, pole, or other structure or thing used, or for use in or in connection with a Telecommunications network.</td>
<td>Utility installation</td>
<td></td>
</tr>
<tr>
<td>Tertiary institution</td>
<td>Land used to propagate, cultivate, manage and harvest timber.</td>
<td>Education centre</td>
<td>Crop raising</td>
</tr>
<tr>
<td>Timber production</td>
<td>Land used to propagate, cultivate, manage and harvest timber.</td>
<td></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>
</tbody>
</table>

CASEY 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>Tramway</td>
<td>Land used to provide a system of transport in vehicles connected to a network of tracks, and includes tram stops, shunting areas and associated passenger facilities.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfer station</td>
<td>Land used to collect, consolidate, temporarily store, sort or recover refuse, used or surplus materials before transfer for disposal, recycling or use elsewhere.</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>Transport terminal</td>
<td>Land used to assemble and distribute goods or passengers. It includes facilities to park and manoeuvre vehicles. It does not include a Tramway.</td>
<td>Airport, 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>
<tr>
<td>Utility installation</td>
<td>Land used:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) for telecommunications;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) to transmit or distribute gas or oil;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) to transmit, distribute or store power, including battery storage;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) to collect, treat, transmit, store, or distribute water; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>e) to collect, treat, or dispose of storm or flood water, sewage, or sullage.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>It includes any associated flow measurement device or a structure to gauge waterway flow.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vehicle store</td>
<td>Land used to park or store vehicles in connection with a goods or passenger transport business.</td>
<td></td>
<td>Store</td>
</tr>
<tr>
<td>Veterinary centre</td>
<td>Land used to:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) diagnose animal diseases or disorders;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) surgically or medically treat animals; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) prevent animal diseases or disorders.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>It may include keeping the animals on the premises for treatment.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>----------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>Warehouse</td>
<td>Land used to store or display goods. It may include the storage and distribution of goods for wholesale and the storage and distribution of goods for online retail. It does not include premises allowing in-person retail or display of goods for retail, or allowing persons to collect goods that have been purchased online.</td>
<td>Commercial display area</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fuel depot</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Milk depot</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Store</td>
<td></td>
</tr>
<tr>
<td>Waste-to-energy facility</td>
<td>Land used for the combustion, treatment or bio-reaction of waste to produce energy for use off site. It includes the activities to collect, temporarily store, process, or transfer waste materials for energy production.</td>
<td>Energy generation facility</td>
<td></td>
</tr>
<tr>
<td>Water retarding basin</td>
<td>Land used to store storm or flood water on a temporary basis.</td>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Wharf</td>
<td>Land used to provide facilities for ships, such as bulk and container ships, passenger ships, and defence force marine craft.</td>
<td>Transport terminal</td>
<td></td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Land used to generate electricity by wind force. It includes land used for: 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.</td>
<td>Renewable energy facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td>It does not include turbines principally used to supply electricity for domestic or rural use of the land.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Winery</td>
<td>Land used to display, and sell by retail, vineyard products, in association with the growing of grape vines and the manufacture of the vineyard products. It may include the preparation and sale of food and drink for consumption on the premises.</td>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
<tr>
<td>Zoo</td>
<td></td>
<td></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.
Earth and energy resources group

- Extractive industry
  - Geothermal energy exploration
  - Geothermal energy extraction
  - Greenhouse gas sequestration
  - Greenhouse gas sequestration exploration
  - Mining
  - Mineral exploration
  - Petroleum exploration
  - Petroleum production
  - Stone exploration
Office group

- Bank
- Electoral office
- Office
- Medical centre
- Real estate agency
- Travel agency
Place of assembly group

- Amusement parlour
- Carnival
- Cinema
- Cinema-based entertainment facility
- Circus
- Drive-in theatre
- Art gallery
- Place of assembly
- Exhibition centre
- Museum
- Function centre
- Conference centre
- Hall
- Reception centre
- Library
- Nightclub
- Place of worship
- Restricted place of assembly
Recreational boat facility group

- Recreational boat facility
  - Boat launching facility
    - Boat ramp
    - Slipway
  - Marina
    - Jetty
    - Mooring pole
    - Pier
    - Pontoon
73.04-12  Retail premises group (sub-group of Shop)

- Adult sex product shop
- Beauty salon
- Bottle shop
- Convenience shop
- Dry cleaning agent
- Department store
- Hairdresser
- Laundromat
- Restricted retail premises
- Equestrian supplies
- Party supplies
- Supermarket
Transport terminal group

- Airport
- Bus terminal
- Heliport
- Railway station
- Road freight terminal
- Wharf

Utility installation group

- Data centre
- Minor utility installation
- Water retarding basin
- Reservoir
- Telecommunications facility
Energy Group

- Energy generation facility
- Renewable energy facility
- Waste-to-energy facility
- Solar energy facility
- Wind energy facility
Land use terms that are not nested

Art and craft centre
Brothel
Car park
Cemetery
Crematorium
Display home centre
Emergency services facility
Freeway service centre
Funeral parlour
Helicopter landing site
Home based business
Hospital
Natural systems
Research centre
Saleyard
Service station
Sign
Tramway
Veterinary centre
Winery
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.
NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as NRZ with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To recognise areas of predominantly single and double storey residential development.

To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

**Neighbourhood character objectives**

A schedule to this zone must contain the neighbourhood, heritage, environment or landscape character objectives to be achieved for the area.

**Table of uses**

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>Must be located in an existing building.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Must not require a permit under Clause 52.06-3.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Must not require a permit under Clause 52.06-3.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in clause 62.01</td>
<td>Must meet the requirements of Clause 62.01</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person's unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td>The leasable floor area must not exceed 80 square metres.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>• Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>• Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
</tbody>
</table>
Condition

The site must not exceed either:

- 3000 square metres.
- 3600 square metres if it adjoins on two boundaries a road in a Road Zone.

Store

Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.

Take away food premises

The site must adjoin, or have access to, a road in a Road Zone.

Utility installation (other than Minor utility installation and Telecommunications facility)

Any other use not in Section 1 or 3

Section 3 – Prohibited

Use

Amusement parlour
Animal production (other than Grazing animal production)
Animal training
Brothel
Cinema based entertainment facility
Domestic animal boarding
Extractive industry
Horse husbandry
Industry (other than Car wash)
Motor racing track
Nightclub
Office (other than Medical centre)
Retail premises (other than, Convenience shop, Food and drink premises, Market and Plant nursery)
Saleyard
Transport terminal
Warehouse (other than Store)

Subdivision

Permit requirement

A permit is required to subdivide land.
An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:

- An approved precinct structure plan or an equivalent strategic plan;
- An incorporated plan or approved development plan; or
- A permit for development.

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 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.

**Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings**

**Permit requirement**

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:
- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55.

A permit is not required to construct one dependent person’s unit on a lot.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

**Transitional provisions**

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**Residential aged care facility**

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

**Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.09-2.
VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

32.09-10

Maximum building height requirement for a dwelling or residential building

A building must not be constructed for use as a dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 9 metres; and
- the building must contain no more than 2 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.

- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

**Building height if land is subject to inundation**

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

### Application requirements

An application must be accompanied by the following information, as appropriate:

- For a residential development, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.

- For an application for subdivision, a site and context description and design response as required in Clause 56.

- Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
  - The siting and use of existing and proposed buildings.
  - Adjacent buildings and uses, including siting and dimensioned setbacks.
  - The building form and scale.
  - Setbacks to property boundaries.

- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.

- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.
Exemption from notice and review

Subdivision

An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The purpose of this zone.
- The objectives set out in the schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Dwellings and residential buildings

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.

Non-residential use and development

In the local neighbourhood context:

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.
Transitional provisions

The minimum garden area requirements of Clause 32.09-4 and the maximum building height and number of storeys requirements of Clause 32.09-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.
- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
  - A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
  - A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
  - A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.09-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.
SCHEDULE 1 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as NRZ1.

BERWICK TOWNSHIP GRID

1.0

Neighbourhood character objectives
To provide a mix of building forms and styles with consistent, spacious setbacks that retain the dominance of the landscape setting.
To provide appropriate front, side and rear setbacks and garden areas with adequate space for landscaping, including canopy trees, so that built form is recessive to the landscape.
To provide dwelling entrances oriented towards the street providing a sense of address.
To provide vegetated front setbacks with no front fencing or the use of low, visually permeable front boundary treatments which enhance the spaciousness and strong avenue planting of the streetscapes.

2.0

Minimum subdivision area
The minimum lot size for subdivision is 600 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>Requirement</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permit requirement for the construction or extension of one dwelling on a lot</td>
<td>None specified</td>
</tr>
<tr>
<td>Permit requirement to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot</td>
<td>None specified</td>
</tr>
</tbody>
</table>

4.0

Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6, None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8, None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9, None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13, None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17, None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18, None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17, A dwelling should have private open space of an area of 80 square metres or 20 per cent of the total area of the lot, whichever is the lesser, but not less than 40 square metres. At least one part of the private open space to consist of secluded private open space with a minimum area of 40 square metres and a minimum dimension of 5 metres located at the side or rear of the dwelling with convenient access from a living room.</td>
</tr>
<tr>
<td></td>
<td>B28, A dwelling or residential building should have private open space of:</td>
</tr>
</tbody>
</table>
### Standard | Requirement
--- | ---
 | An area of 80 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 40 square metres, a minimum dimension of 5 metres and convenient access from a living room, or
 | A balcony of 8 square metres with a minimum width of 1.6 metres and direct access from a living room, or
 | A roof-top area of 10 square metres with a minimum width of 2 metres and direct access from a living room.

#### Front fence height
- **A20 and B32**
- None specified

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### Maximum building height requirement for a dwelling or residential building
None specified.

### Application requirements
None specified.

### Decision guidelines
The following decision guidelines apply to an application for a permit under Clause 32.09, in addition to those specified in Clause 32.09 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the layout and appearance of areas set aside for car parking, including garages, car ports and hard stand areas, are sensitively designed and sited.