PURPOSE AND VISION

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

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

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

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

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

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

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

Objective

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

Strategies

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

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


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

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

Create and reinforce settlement boundaries.

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

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

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

Strategies

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

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

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

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

**Objective**

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

**Strategies**

Promote and encourage the key features and related values of each green wedge area.

Support development in the green wedge that provides for environmental, economic and social benefits.

Consolidate new residential development in existing settlements and in locations where planned services are available and green wedge values are protected.

Plan and protect major state infrastructure and resource assets, such as airports and ports with their associated access corridors, water supply dams, water catchments and waste management and recycling facilities.

Protect important productive agricultural areas such as Werribee South, the Maribyrnong River flats, the Yarra Valley, Westernport and the Mornington Peninsula.

Support existing and potential agribusiness activities, forestry, food production and tourism.

Protect areas of environmental, landscape and scenic value such as biodiversity assets, national and state parks, Ramsar wetlands and coastal areas.

Protect significant resources of stone, sand and other mineral resources for extraction purposes.

Provide opportunities for renewable energy generation.

**Policy documents**

Consider as relevant:

- *Upper Yarra Valley and Dandenong Ranges Region - Regional Strategy Plan (1996)*
11.02 MANAGING GROWTH
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)
- Melbourne Water’s Guidelines for Approval of Jetties (Melbourne Water, 2011)
- Healthy Waterways Strategy (Melbourne Water, 2013)

Yarra River protection

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

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

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

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

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

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

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

Objective
To protect and conserve environmentally sensitive areas.

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

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

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

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

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

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

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

Planning should prepare for and respond to the impacts of climate change.
Natural hazards and climate change

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

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

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

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

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

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

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

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

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

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

**Policy application**

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

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

**Objective**

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

**Strategies**

**Protection of human life**

Give priority to the protection of human life by:

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

**Bushfire hazard identification and assessment**

Identify bushfire hazard and undertake appropriate risk assessment by:

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

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

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

Areas of biodiversity conservation value

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

Use and development control in a Bushfire Prone Area

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

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

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

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

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

Policy guidelines
Consider as relevant:
• Any applicable approved state, regional and municipal fire prevention plan.

Policy documents
Consider as relevant:
• AS 3959-2009 Construction of Buildings in Bushfire-prone Areas (Standards Australia, 2009)
• Building in bushfire-prone areas - CSIRO & Standards Australia (SAA HB36-1993, 1993)
• Any bushfire prone area map prepared under the Building Act 1993 or regulations made under that Act
Floodplain management

Objective
To assist the protection of:

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

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

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

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

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

Policy guidelines
Consider as relevant:

- Regional catchment strategies and special area plans approved by the Minister for Energy, Environment and Climate Change or Minister for Water.

- Any floodplain management manual of policy and practice, or catchment management, river health, wetland or floodplain management strategy adopted by the relevant responsible floodplain management authority.


Policy documents
Consider as relevant:

- State Environment Protection Policy (Waters of Victoria)

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

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

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

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

Policy documents
Consider as relevant:

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

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

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

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

Policy documents
Consider as relevant:
Noise abatement

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

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

Policy documents
Consider as relevant:

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

Objective
To assist the protection and improvement of air quality.

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

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

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

Policy documents
Consider as relevant:

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

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

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

- Directing land uses to appropriate locations.
- Using a range of building design, urban design, operational and land use separation measures.
Major hazard facilities

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

Strategies
Ensure major hazard facilities are sited, designed and operated to minimise risk to surrounding communities and the environment.

Consider the risks associated with increasing the intensity of use and development within the threshold distance of an existing major hazard facility.

Apply appropriate threshold distances from sensitive land uses for new major hazard facilities and between major hazard facilities.

Protect registered or licenced major hazard facilities as defined under Regulation 5 of the Occupational Health and Safety Regulations 2017 from encroachment of sensitive land uses.
NATURAL RESOURCE MANAGEMENT

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

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

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

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

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

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

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

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

Prevent inappropriately dispersed urban activities in rural areas.

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

Limit new housing development in rural areas by:

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

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

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

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

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

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

Balance the potential off-site effects of a use or development proposal (such as degradation of soil or water quality and land salinisation) against the benefits of the proposal.
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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 documents
Consider as relevant:

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

Objective
To protect water quality.

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

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

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

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

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

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

Develop and maintain buffers around mining and quarrying activities.

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

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

- Appropriate limits on effects can be met at the sensitive locations using practical and available technology.

- Whether a change of land use in the vicinity of the extractive industry is proposed.

- Use of land within the buffer areas is not limited by adverse effects created by the extractive activities.

- Performance standards identified under the relevant legislation.

- Types of activities within land zoned for public use.

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

- Changes in use and development of land overlying coal resources, as generally defined in *Framework for the Future* (Minister for Industry, Technology and Resources and Minister for Planning and Environment, 1987) and the *Land Over Coal and Buffer Area Study* (Ministry for Planning and Environment, 1988), do not compromise the winning or processing of coal.

- Coal-related development is adequately separated from residential or other sensitive uses and main transport corridors by buffer areas to minimise adverse effects such as noise, dust, fire, earth subsidence and visual intrusion.

- Use and development within the buffer areas are compatible with use and development adjacent to these areas.

**Policy guidelines**
Consider as relevant:

- Any applicable State Environment Protection Policy.

**Policy documents**
Consider as relevant:

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

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

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

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

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

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

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

- Are enjoyable, engaging and comfortable to be in.
- Accommodate people of all abilities, ages and cultures.
- Contribute positively to local character and sense of place.
- Reflect the particular characteristics and cultural identity of the community.
- Enhance the function, amenity and safety of the public realm.
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
Require a comprehensive site analysis as the starting point of the design process.
Ensure the site analysis provides the basis for the consideration of height, scale and massing of new development.
Ensure development responds and contributes to the strategic and cultural context of its location.
Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.
Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.
Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.
Ensure development is designed to protect and enhance valued landmarks, views and vistas.
Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.
Ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces.
Encourage development to retain existing vegetation.

Policy documents
Consider as relevant:

Subdivision design

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

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

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

Policy documents
Consider as relevant:

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

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

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

Objective
To ensure development respects valued areas of rural character.

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

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

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

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

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

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

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

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

Objective
To ensure the conservation of places of heritage significance.

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

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

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

Encourage appropriate development that respects places with identified heritage values.

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

- Aboriginal Heritage Act 2006
HOUSING

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

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

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

Objective
To promote a housing market that meets community needs.

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

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

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

Facilitate the delivery of high quality social housing.

Policy documents
Consider as relevant:

Integrated housing - Metropolitan Melbourne

Strategies

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

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

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

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

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

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

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

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

Strategies

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

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

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

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

Direct new housing to areas with appropriate infrastructure.
Housing diversity

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

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

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

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

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

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

Strategy

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

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

Strategies
Improve housing affordability by:

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

Increase the supply of well-located affordable housing by:

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

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

Policy documents
Consider as relevant:

Rural residential development

Objective
To identify land suitable for rural residential development.

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

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

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

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

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

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

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

Encourage consolidation of existing isolated small lots in rural zones.

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

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

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

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

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

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

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

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

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

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

Encourage planning for housing that:

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

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

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

Objective
To strengthen and diversify the economy.

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

Strategies

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

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

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

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

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

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

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

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

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

Strategies
Encourage the expansion and development of logistics and communications infrastructure.

Support the development of business clusters.

Support the development of enterprise precincts that build the critical mass of employment in an area, leverage the area’s public and private sector economic competitive strengths and assets, and cater to a diversity of employment types and scales.

Promote an accessible, well-connected, high-amenity and collaborative physical environment that is conducive to innovation and to creative activities.

Encourage the provision of infrastructure that helps people to be innovative and creative, learn new skills and start new businesses in locations identified to accommodate employment and economic growth.

Support well-located, appropriate and low-cost premises for not-for-profit or start-up enterprises.

Improve access to community-based information and training through further developing libraries as community learning centres.
Business

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

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

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

Locate commercial facilities in existing or planned activity centres.

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

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

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

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

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

Objective
To manage out-of-centre development.

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

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

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

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

Objective
To ensure availability of land for industry.

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

Identify land for industrial development in urban growth areas where:
- Good access for employees, freight and road transport is available.
- Appropriate buffer areas can be provided between the proposed industrial land and nearby sensitive land uses.

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

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

Policy documents
Consider as relevant:
- Recommended Buffer Distances for Industrial Residual Air Emissions (Environment Protection Authority, 1990)
Industrial development siting

Objective
To facilitate the sustainable development and operation of industry.

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

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

Strategies
Encourage the development of a range of well-designed and sited tourist facilities, including integrated resorts, accommodation, host farm, bed and breakfast and retail opportunities.

Seek to ensure that tourism facilities have access to suitable transport.

Promote tourism facilities that preserve, are compatible with and build on the assets and qualities of surrounding activities and attractions.

Create innovative tourism experiences.

Encourage investment that meets demand and supports growth in tourism.

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

Policy documents
Consider as relevant:
Tourism in Metropolitan Melbourne

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

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

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

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

Strategies
Support the development of ecotourism, tourism and major maritime events.

Ensure a diverse range of accommodation options and coastal experiences are provided for and maintained.

Ensure sites and facilities are accessible to all.

Ensure tourism development, within non-urban areas, demonstrates a tourist accommodation need and supports a nature-based approach.

Ensure development is of an appropriate scale, use and intensity relative to its location and minimises impacts on the surrounding natural, visual, environmental and coastal character.

Develop a network of maritime precincts around Port Phillip and Western Port that serve both local communities and visitors.

Maintain and expand boating and recreational infrastructure around the bays in maritime precincts at Frankston, Geelong, Hastings, Hobsons Bay, Mordialloc, Mornington, Patterson River, Portarlington, Queenscliff, St Kilda, Stony Point/Cowes and Wyndham.

Provide public access to recreational facilities and activities on land and water.

Encourage high quality urban design that is innovative, sustainable and integrated with surrounding areas.

Support maritime and related industries in appropriate locations.

Policy documents
Consider as relevant:

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

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

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

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

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

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

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

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

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

Integrate public transport services and infrastructure into new development.

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

Policy documents
Consider as relevant:

- The Victorian Transport Plan (Victorian Government, 2008)

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

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

Transport system

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

Strategies
Reserve land for strategic transport infrastructure.

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

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

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

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

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

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

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

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

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

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

Policy guidelines
Consider as relevant:

- Any applicable highway strategy published by VicRoads.

Policy documents
Consider as relevant:


Sustainable personal transport

Objective
To promote the use of sustainable personal transport.

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

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

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

Sustainable personal transport - Metropolitan Melbourne

Strategies

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

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

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

Strategies
Maintain and strengthen passenger transport networks.
Connect activity centres, job rich areas and outer suburban areas through high-quality public transport.
Improve access to the public transport network by:
  - Ensuring integration with walking and cycling networks.
  - Providing end-of-trip facilities for pedestrians and cyclists at public transport interchanges.
Plan for bus services to meet the need for local travel.
Ensure development supports the delivery and operation of public transport services.
Plan for and deliver public transport in outer suburban areas that is integrated with land use and development.
Provide for bus routes and stops and public transport interchanges in new development areas.

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

Strategies

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

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

Identify and plan for new Principal Public Transport Network routes.

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

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

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

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

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

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

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

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

Selectively expand and upgrade the road network to provide for:

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

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

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

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

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

Strategies
Allocate or require land to be set aside for car parking subject to the existing and potential modes of access including public transport, the demand for off-street car parking, road capacity and the potential for demand management of car parking.

Encourage the efficient provision of car parking by consolidating car parking facilities.

Design and locate local car parking to:

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

Protect the amenity of residential precincts from the effects of road congestion created by on-street parking.

Make adequate provision for taxi ranks as part of activity centres, transport interchanges and major commercial, retail and community facilities.

Policy documents
Consider as relevant:

Planning for ports

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

Strategies
Provide for the ongoing development of ports at Melbourne, Geelong, Hastings and Portland in accordance with approved Port Development Strategies.

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

Manage any impacts of a commercial trading port and any related industrial development on nearby sensitive uses to minimise the impact of vibration, light spill, noise and air emissions from port activities.

Policy documents
Consider as relevant:

- The Victorian Transport Plan (Victorian Government, 2008)
- Victorian Ports Strategic Framework (Department of Infrastructure, 2004)
- Port Futures (Victorian Government, 2009)
- Port of Hastings Land Use and Transport Strategy (Port of Hastings Corporation, 2009)
- Port of Portland - Port Land Use Strategy (Port of Portland Pty Limited, 2009)
- Port of Geelong - Development Strategy (Victorian Regional Channels Authority, 2013)
- Port Development Strategy 2035 Vision (Port of Melbourne Corporation, 2009)
Planning for port environs

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

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

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

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

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

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

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

Ensure that any use or development within port environs:

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

Policy documents
Consider as relevant:

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

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

Strategies
Protect airports from incompatible land uses.

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

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

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

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

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

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

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

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

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

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

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

Plan for areas around all airfields such that:

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

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

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

Policy documents
Consider as relevant:

- National Airports Safeguarding Framework (as agreed by Commonwealth, State and Territory Ministers at the meeting of the Standing Council on Transport and Infrastructure on 18 May 2012)
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:


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**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.
INFRASTRUCUTRE

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:

- *Maribyrnong River Valley Design Guidelines* (Department of Planning and Community Development, 2010)
19.03 DEVELOPMENT INFRASTRUCTURE
Development and infrastructure contributions plans

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

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

Policy documents
Consider as relevant:

19.03-4R  Telecommunications - Metropolitan Melbourne

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

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

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

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

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

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

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

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

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

Encourage development that facilitates sustainable waste and resource recovery.

Policy guidelines
Consider as relevant:

- Any applicable Regional Waste and Resource Recovery Implementation Plan.

Policy documents
Consider as relevant:

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

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

Municipal profile

The City of Melton is a key part of Melbourne’s western growth corridor. It comprises three distinct areas; the existing urban areas known as the established areas, the growth areas, and the rural areas which lie outside the Urban Growth Boundary and are part of the ‘Green Wedge’ which forms a ring around Melbourne.

The city is adjacent to the municipalities of Wyndham, Brimbank, Macedon Ranges, Hume, and Moorabool. The municipality encompasses 52,730 hectares of land and is strategically located with good access to Melbourne’s key freeways, airports and the Port of Melbourne.

The City of Melton is one of Australia’s fastest growing communities. The population grew from 52,029 in 2001, to 146,979 in 2017 and is forecast to be more than 381,000 by 2041. When the City of Melton reaches its ultimate population it will be a city of more than 400,000 people. This unprecedented growth brings great challenges as well as opportunities.

This population growth has led to the establishment of eleven new suburbs across the growth corridor between the existing suburbs of Melton and Caroline Springs and in areas including Plumpton, Rockbank and Truganina. Boundary changes have also occurred in long-established localities such as Melton, Melton South and Melton West.

Increasingly, the focus of development is dispersing to the smaller townships of Eynesbury, and Diggers Rest, and the growth suburbs of Aintree, Bonnie Brook, Cobblebank, Deanside, Fieldstone, Fraser Rise, Grangefields, Ravenhall, Rockbank, Strathalbyn, Thornhill Park, Truganina, Harkness and Weir Views.

A future Metropolitan Activity Centre (MAC) is identified within the Toolern Precinct Structure Plan area, this activity centre will eventually be the largest in the City of Melton. It will be a significant retail, employment and business generator into the future and will provide civic, education and health facilities for the growing population of the City of Melton and the wider western region.

The City of Melton also contains state significant industrial land in the east of the municipality which incorporates the Ravenhall Precinct a waste and resource recovery hub of state importance (including Boral Quarry, Cleanaway Melbourne Regional Landfill Ravenhall). This state significant industrial land will be a key employment generator for the City of Melton and the wider western region.

Melton also has a number of rural areas including Parwan, Plumpton, Mount Cottrell, Exford, parts of Diggers Rest, Toolern Vale and the rural part of Eynesbury Station.

The municipality has a variety of significant natural and cultural heritage places and landscapes associated with pre-contact, post contact settlement and pastoral activity that is fundamental to the city’s identity.
Key influences

Council’s role is to provide clear directions for future growth that results in a well-planned and built City and respond to the following key influences:

- Rapid population growth.
- Adapting to climate change.
- Reducing greenhouse gas emissions.
- Infrastructure provision to service existing and future residents.
- Natural environment and significant landscapes.
- Housing diversity and housing character.
- The local economy and local employment opportunities.
- Liveability and resident wellbeing.
- Urban design and image.
- Green wedge areas.

### Key issues

The key issues facing Melton are focused around ten strategic themes:

1. Settlement
2. Environment and landscape values
3. Environmental risks
4. Natural resource management
5. Activity centres and retail provision
6. Built environment and heritage
7. Housing
8. Economic development
9. Transport
10. Infrastructure

### Vision

The Melton City Council is committed to strategically and inclusively planning for the future. Council’s vision is to create a **thriving community where everyone belongs.**

Council seeks to achieve the following outcomes for its community.

<table>
<thead>
<tr>
<th>Theme</th>
<th>Outcome</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 A proud, inclusive and safe community</td>
<td>A City of people leading happy and healthy lives</td>
</tr>
<tr>
<td>2 A thriving and resilient natural</td>
<td>A City that preserves and enhances its natural</td>
</tr>
<tr>
<td>environment</td>
<td>environment for future generations</td>
</tr>
<tr>
<td>3 A well planned and built City</td>
<td>A City with a clear vision to manage growth in a</td>
</tr>
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<td></td>
<td>sustainable and accessible way</td>
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<tr>
<td>4 A strong local economy and a lifelong</td>
<td>A City rich in local employment and education</td>
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<tr>
<td>learning City</td>
<td>opportunities</td>
</tr>
<tr>
<td>5 A high performing organisation</td>
<td>An organisation operating with innovation,</td>
</tr>
<tr>
<td>demonstrating leadership and advocacy</td>
<td>transparency, accountability and sustainability</td>
</tr>
</tbody>
</table>
Strategic framework plan

The Strategic Framework Plan identifies the major strategic directions for the municipality. This plan sets out the general pattern for land use and development to respond to the key influences and issues to achieve Council’s strategic vision for the municipality.

The Strategic Framework Plan illustrates the municipality’s regional context, provides an overview of land use in the municipality and identifies the following:

- Transport connections including proposed train stations.
- Areas identified for significant urban growth.
- The location and hierarchy of existing and proposed Activity Centres.
- Major employment nodes.
- Areas of environmental and landscape significance.
- Key open space and recreation nodes.
Figure 2 – Strategic Framework Plan

[Diagram showing various planning areas and elements of the Melton Planning Scheme, including Metropolitan Activity Centre, Railway Stations, Proposed Railway Stations, Proposed Western Freight Terminal, Rail Corridor, Outer Metropolitan Ring (OMR), Major Road, Eynesbury Township Development Plan Area, Urban Area, Growth Area, Non-Urban Area, Conservation Area, Extractive Industry, Ravenhall Precinct (waste and resource recovery hub and quarries), City of Melton, Volcanoes, Major Waterway, Urban Growth Boundary, Existing & Proposed Regional Active Open Space, Regional Park, Proposed Kororoit Creek Regional Park (exact boundary to be determined).]
SETTLEMENT

This clause provides local content to support Clause 11 (Settlement) of the State Planning Policy Framework.

Specific reference to the individual town of Eynesbury is also included in Clause 21.11 (Local Areas).

Urban Growth Areas

Overview

Plan Melbourne 2017-2050 and the Growth Corridor Plans (West Growth Corridor Plan August 2012 and Sunbury/Diggers Rest Growth Corridor Plan June 2012) set the strategic direction for development of land within the City of Melton that is inside the Urban Growth Boundary (UGB) and guides the development of Precinct Structure Plans which are prepared by the Victorian Planning Authority with Council input. Precinct Structure Plans detail how the land will be developed and how and where services are planned to support development.

Most residential development and population growth is occurring in the City’s growth areas, the planning of which is undertaken by the Victorian Planning Authority through the delivery of Precinct Structure Plans. The West Growth Corridor Plan identifies:

- Most of the land between Melton Township and the Eastern Corridor will be developed for residential purposes
- The location of existing and proposed activity centres, including the Toolern Metropolitan Activity Centre
- Three employment nodes
- Land to be retained for the protection of biodiversity and drainage
- The location of regional open space
- The location of new transport infrastructure including new railway stations, arterial roads and the Outer Metropolitan Ring Road

The growth area to the west of Diggers Rest Township is subject to the Sunbury – Diggers Rest Growth Corridor Plan. This plan mainly applies to Sunbury within the City of Hume. Diggers Rest within the City of Melton is designated for predominantly residential development with some industrial land on the southern outskirts.

It is important to ensure costs associated with development and community infrastructure are included in Precinct Structure Plans and funded through appropriate infrastructure contributions.

Key issues

- Ensuring that future Precinct Structure Plan areas are not compromised by land fragmentation and/or land use and development.
- Providing services and infrastructure to multiple developments fronts across the city as significant growth occurs.
- Providing physical and community infrastructure in a timely manner through development contributions and partnerships with state and federal governments.
- Providing jobs close to people’s homes which are accessible by a variety of transport options.
- Developing open space that is appropriately integrated with surrounding land uses, and is responsive to natural landscapes and features.
- Protecting environmental, historical and culturally significant assets.
21.02-1.3 Objectives and strategies

Objective 1  To manage urban growth in a planned and orderly manner
Strategy 1.1 Support the release of additional land for employment purposes to provide better access to local jobs.
Strategy 1.2 Provide open space that facilitates a range of recreational opportunities in appropriate locations with good connectivity.
Strategy 1.3 Protect the non-urban areas from urban incursions to reinforce the Urban Growth Boundary.
Strategy 1.4 Protect environmentally and culturally significant areas and assets in Precinct Structure Plan areas.
Strategy 1.5 Protect the productive capacity of agricultural land.
Strategy 1.6 Avoid fragmentation of land within the Urban Growth Zone where there is no approved Precinct Structure Plan.
Strategy 1.7 Avoid land use and development that has the potential to undermine future Precinct Structure Plans.
Strategy 1.8 Support the development of transit oriented development at the following railway stations:
- Ferris Road (Toolern Metropolitan Activity Centre)
- Rockbank (Rockbank Precinct Structure Plan)
- Hopkins Road (Mt Atkinson Precinct Structure Plan)
Strategy 1.9 Support the development of the Western Interstate Freight Terminal.
Strategy 1.10 Avoid the encroachment of sensitive uses into the separation distance of existing industry and infrastructure assets.

Objective 2  To manage urban growth so that services are available from early in the life of new communities.
Strategy 2.1 Support the provision of infrastructure in areas where growth is occurring.
Strategy 2.2 Require an appropriate infrastructure contribution levy for the provision of infrastructure.
Strategy 2.3 Require out of sequence development within existing and future Precinct Structure Plan areas to contribute towards additional infrastructure to facilitate development.

21.02-1.4 Implementation

The strategies will be implemented through the planning scheme by:

Scheme implementation
- Applying the Development Contributions Plan Overlay and Infrastructure Contributions Plan Overlay where appropriate to plan and fund infrastructure provision.

Other actions
- Advocating for the timely provision of state funded transport, education, health and community facilities infrastructure.
- Working with the Victorian Planning Authority on the preparation of residential and employment area Precinct Structure Plans.

21.02-2 Established Areas

21.02-2.1 Overview

Within the established areas, growth is occurring through redevelopment of sites for higher density housing and development on infill sites. Unless carefully managed, such development can create land use conflicts and poor built form outcomes.
Melton Township is located near the western boundary of the municipality. The township was originally established in the mid-1800s and its current urban form is derived from its declaration as a satellite city in 1974 which led to major residential development. It has a distinctive character evidenced by waves of outward expansion since settlement, and has a very different character to the contemporary planned suburban estates in the Eastern Corridor.

The Eastern Corridor is located on the eastern edge of the municipality. The area contains Caroline Springs, Burnside, Burnside Heights, Hillside and Taylors Hill. Several new suburbs will be incrementally developed between the Eastern Corridor of the municipality and Melton Township in accordance with the West Growth Corridor Plan.

The proximity of Melbourne Airport provides significant economic opportunities to the municipality. The need to ensure the airport’s curfew free status is protected considerably restricts development opportunities within the areas under the Melbourne Airport Environs Overlay. Sensitive land uses on land affected by the Melbourne Airport Environs Overlay Schedule 1 and 2 need to be controlled in order to protect airport operations and maintain appropriate levels of amenity for the Melton community.

21.02-2.2 Key issues

- Managing the pressures on existing transport and community infrastructure of significant population growth.
- Managing the impacts of significant population growth on the established areas of the municipality.
- Identifying the existing and preferred character of neighbourhoods and protecting these qualities.

21.02-2.3 Objectives and strategies

**Objective 1**  To ensure a range of housing is available to meet changing demand and improve affordability and accessibility in established suburbs.

- **Strategy 1.1** Support development that provides for diverse housing size, type, tenure and price.
- **Strategy 1.2** Support medium and higher density housing that is close to public transport and services.
- **Strategy 1.3** Support the development of transit oriented development around Melton railway station.
- **Strategy 1.4** Support new development in existing areas where infrastructure is available.

**Objective 2**  To identify and protect the preferred neighbourhood character of residential areas.

- **Strategy 2.1** Support new development that respects and responds to the preferred neighbourhood character of existing areas.
- **Strategy 2.2** Support new development that is innovative, accessible and site responsive.

21.02-2.4 Implementation

The strategies will be implemented through the planning scheme by:

**Further strategic work**

- Preparing a planning scheme amendment to implement the recommendations of House Rules – Housing Character Assessment and Design Guidelines 2015 in the planning scheme and update schedules to the residential zones.

21.02-3 Non-Urban Land

**21.02-3.1 Overview**

The non-urban areas in the City of Melton lie outside the Urban Growth Boundary. These areas of the City of Melton perform a vital role in providing a buffer between the outward spread of Melbourne and the rural hinterland of Gisborne, Bacchus Marsh and beyond.
Council has two Green Wedges, with the Western Freeway forming the boundary between the Western Plains North Green Wedge (which is wholly in the City of Melton), and the Western Plains South Green Wedge (which is shared with the City of Wyndham). A mixture of rural living and farming activities take place in the Green Wedges and these areas play an important role in protecting habitat and preserving the natural landscape character.

In recent years the main rural enterprises to emerge are resource extraction, horse breeding and harness racing activities. There is also a trend towards viticulture and more intensive agricultural activities which is supported by the provision of recycled water to some areas.

The proximity of land to the urban interface raises a range of challenges including rural residential type living, increased land prices and land use conflict. These make agriculture more challenging and contribute to pressure for additional subdivision or rezoning of land. Pressure for the establishment of ‘urban’ uses in these areas such as schools and places of worship, and for the provision of infrastructure such as telecommunications towers present additional planning challenges.

In response to on-going development pressures, Council has adopted the Western Plains North Green Wedge Management Plan 2014 to provide a framework to support sustainable land use, land management and development within the non-urban area.

**21.02-3.2 Key issues**

- Protecting the natural and cultural values of non-urban land.
- Conserving the landscape character and important view lines.
- Protecting rural land from the encroachment of urban development.
- Supporting appropriate agricultural activities.
- Protecting agricultural land from inappropriate development and subdivision.
- Ensuring development does not encroach into the separation distances of industry and infrastructure.

**21.02-3.3 Objectives and strategies**

**Objective 1** To reduce land use conflict between the Green Wedge Areas and urban and rural communities.

- **Strategy 1.1** Require the subdivision of land adjoining Green Wedge Areas to provide an appropriate transition to reduce the hard-urban edge interface.
- **Strategy 1.2** Ensure that interfaces between urban and rural areas are planned to minimise land use conflict.
- **Strategy 1.3** Avoid the encroachment of sensitive uses into the separation distance of existing industry and infrastructure.

**Objective 2** To protect the environmental and landscape values of non-urban land.

- **Strategy 2.1** Discourage land uses that would be better located within the Urban Growth Boundary.
- **Strategy 2.2** Facilitate innovative agricultural uses.
- **Strategy 2.3** Facilitate agricultural uses that utilise recycled water.
- **Strategy 2.4** Support innovative development that makes use of sustainable land use management practices.
- **Strategy 2.5** Minimise amenity impacts of agricultural development on surrounding land.
- **Strategy 2.6** Create opportunities for public access to the three main creek corridors within the Green Wedge North (Djerriwarrh Creek, Toolern Creek and Kororoit Creek).
- **Strategy 2.7** Improve habitat connectivity by incorporating creek lines and floodplains as open space, especially those that connect with existing Bio link projects, or link current areas of public conservation land.
- **Strategy 2.8** Support the planting and maintenance of windbreaks and tree lines.
- **Strategy 2.9** Locate low density and rural residential development in locations that can be efficiently serviced by infrastructure.
- **Strategy 2.10** Avoid low density and rural residential development that prejudices the operation and expansion of agricultural uses.
Strategy 2.11 Require the provision of reticulated water to all lots and the connection to a sealed road network.
Strategy 2.12 Require environmental enhancement works to be undertaken as appropriate.
Strategy 2.13 Avoid rural living from occurring in areas of productive agricultural land or adjacent to areas identified for extractive industry.

21.02-3.4 Implementation

The strategies will be implemented through the planning scheme by:

Further strategic work

- Working with the City of Wyndham to develop the Western Plains South Green Wedge Management Plan.
- Implementing the key recommendations of the *Western Plains North Green Wedge Management Plan 2014* in the planning scheme.
- Investigating the application of the Green Wedge A Zone to land located at a sensitive interface to existing settlements.
- Preparing policy that provides guidance on appropriate locations for non-agricultural uses (e.g. schools and places of worship) within the Green Wedge Zones.
- Undertaking a Rural Residential Land Supply and Demand Analysis to identify the demand for additional rural residential lots. This analysis should consider number, location and lot size and assess appropriate subdivision sizes.

21.02-4 Open Space

21.02-4.1 Overview

Council is committed to the delivery of an open space network that is accessible and meets the widest demand whilst retaining sustainable approaches to planning management and maintenance.

To guide the future provision of open space, Council has adopted the *Open Space Plan 2016-2026*. This plan articulates Council’s vision which is to ensure that:

> ‘Our open space network will include attractive and desirable places to visit and use. It will be a well-connected network, offering a diverse range of vibrant and engaging opportunities for health and wellbeing and settings that reflect the demands of our local communities.’

The trail network also provides important recreational opportunities shown in Table 1.

**Table 1: Existing and proposed open space trails**

<table>
<thead>
<tr>
<th>Existing Trails:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Toolern Creek, Melton Township</td>
</tr>
<tr>
<td>Kororoit Creek Trail, Eastern Corridor</td>
</tr>
<tr>
<td>The Wellness Trail, Eastern Corridor (Deer Park bypass)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Future trails:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Werribee River Shared Trail</td>
</tr>
<tr>
<td>Continuation of the Kororoit Creek Trail</td>
</tr>
<tr>
<td>Outer Metropolitan Ring Road Trail</td>
</tr>
<tr>
<td>Regional Rail Link Trail</td>
</tr>
<tr>
<td>Western Highway Trail</td>
</tr>
</tbody>
</table>
21.02-4.2 Key issues

- Providing appropriate levels and types of open space in all settlements.
- Connecting unfinished trails and linkages between trails both within and between municipalities.

21.02-4.3 Objectives and strategies

**Objective 1** To provide public open space that provides for a range of activities and experiences and caters for the diverse needs of the community.

- **Strategy 1.1** Require innovative and flexible multi-use facilities in active open space areas.
- **Strategy 1.2** Ensure any encumbered open space does not restrict opportunities for its designated use.
- **Strategy 1.3** Require open space contributions in the form of land to be useable and unencumbered for the purpose they are to be used. This includes:
  - avoiding pocket parks in residential areas, unless uncredited.
  - requiring land for active spaces to be large enough to cater for a range of activities and uses.

**Objective 2** To integrate open space into the natural and built environment to optimise community appreciation and use.

- **Strategy 2.1** Locate open space and recreation facilities:
  - to maximise surveillance
  - to provide direct public access
  - close to community, commercial and cultural facilities.
- **Strategy 2.2** Ensure that streets and buildings are oriented to any adjacent open space reserves.
- **Strategy 2.3** Ensure all open space is integrated with and connected to surrounding land uses.
- **Strategy 2.4** Facilitate connectivity between areas of open space to create an extensive open space network.
- **Strategy 2.5** Retain natural features including trees within the areas of open space.
- **Strategy 2.6** Link open space to residential and commercial areas by pedestrian, equestrian and cycle links.
- **Strategy 2.7** Facilitate the creation of linear open spaces along creeks and drainage lines.
- **Strategy 2.8** Require that creek frontages be provided for public open space purposes in urban areas when abutting land is developed.
- **Strategy 2.9** Plan for pedestrian, equestrian and cycle linkages between open space and residential and commercial areas at the subdivision stage.

**Objective 3** To support the implementation and completion of existing and proposed regional trails as shown in Table 1.

- **Strategy 3.1** Support the provision of land for open space and funding for construction of trails through Precinct Structure Planning.

21.02-4.4 Implementation

The strategies will be implemented through the planning scheme by:

**Policy guidelines**

When deciding on applications that create, adjoin or impact upon open space, the following will be considered, as appropriate:

- Clause 53.01 Public Open Space and Subdivisions
- Incorporated Infrastructure Contributions Plans and Development Contributions Plans

**Scheme implementation**

- Applying the Public Park and Recreation Zone or the Public Conservation and Resource Zone, depending upon the area’s use and natural values, to local, district or regional open space.
Further strategic work

- Undertaking a demand supply analysis of the provision of public open space within the existing residential areas to determine the application of a suitable public open space contribution rate for established residential areas for inclusion in Clause 53.01 of the Melton Planning Scheme.

Other actions

- Working collaboratively with surrounding Councils to facilitate open space and trail linkages both within and between municipalities.

Reference documents

- Biodiversity Conservation Strategy for Melbourne’s Growth Corridors May 2013
- House Rules Housing Character Assessment and Design Guidelines: Character Statements and Guidelines 2015
- City of Melton Council and Wellbeing Plan 2017-2021
- City of Melton Environment Plan 2017-2027
- Melton Housing Diversity Strategy Background and Issues Report 2014
- Melton Retail and Activity Centres Strategy 2016
- City of Melton Open Space Plan 2016- 2026
- City of Melton - Significant Landscape Features Strategy May 2016
- Sunbury Growth Corridor Plan June 2012
- The West Growth Corridor Plan August 2012
- City of Melton - Western Plains North Green Wedge Management Plan September 2014
- Werribee River Shared Trail 2013
- Kororoit Creek Regional Strategy 2005-2030
21.03

ENVIRONMENT AND LANDSCAPE VALUES

This clause provides local content to support Clause 12 (Environmental and landscape values) of the State Planning Policy Framework.

21.03-1

Biodiversity

21.03-1.1 Overview

The current and projected pace of population growth of the City of Melton threatens biodiversity and needs to be carefully managed.

The City of Melton is located on the Victorian Volcanic Plains, and is Victoria’s only biodiversity hotspot and one of only 15 in Australia. The Victorian Volcanic Plains supports many species of native plants and animals that are protected under Commonwealth and State laws. Over 150 years of agriculture, grazing and urban development has radically transformed the landscape, and as little as only 1% of the former extensive grasslands and grassy woodlands of the Victorian Volcanic Plains survive today. The remaining areas are therefore of particular significance.

Threats to biodiversity include clearing of native vegetation for land development, spread of weeds and predation by invasive species, poor land management practices and the impact of climate change.

Urban development results in an increase in impervious surfaces. This increase in hard surface areas changes the rate of water flow into streams and rivers and can lead to increased pollutants entering waterways further undermining biodiversity.

21.03-1.2 Key Issues

- Increasing ecosystem resilience and supporting biodiversity.
- Ensuring biodiversity values are enhanced and protected while managing growth and development.
- Poor land management practices, noxious weeds and introduced species to the environment.
- The impact of urban development on the ecological health of waterways and riparian areas.

21.03-1.3 Objectives and strategies

**Objective 1**

To increase connectivity between remnant and other vegetation to improve habitat connectivity and increase ecosystem resilience.

**Strategy 1.1**

Improve habitat connectivity by incorporating creek lines and floodplains as open space, especially those that connect with existing Bio link projects, or link current areas of public conservation land.

**Strategy 1.2**

Maintain local biodiversity and habitat values along roadsides to create wildlife and vegetation corridors.

**Strategy 1.3**

Protect significant large old trees and patches of native vegetation.

**Strategy 1.4**

Avoid the further loss or modification of intact remains of the Rocky Chenopod Open-scrub community in Long Forest.

**Strategy 1.5**

Limit urban development adjacent to the Long Forest to protect the intact remains of the Rocky Chenopod Open-scrub community.

**Strategy 1.6**

Restore degraded pockets of the Rocky Chenopod Open-scrub community in and adjacent to Long Forest.

**Strategy 1.7**

Locate open space within the Urban Growth Boundary in or adjoining areas of high environmental values where possible.

**Objective 2**

To protect and enhance the ecological health of waterways, wetlands and catchments.

**Strategy 2.1**

Support the application of Integrated Stormwater Management and Water Sensitive Urban Design principles in all Precinct Structure Plan areas.

**Strategy 2.2**

Upgrade the network of shared trails along waterways through acquisition, negotiation or permit conditions for subdivision.
Strategy 2.3 Provide for appropriate development setbacks from adjoining waterways to prevent sedimentation of the waterway and provide opportunities for re-vegetation and bank stabilisation.

Strategy 2.4 Require any development to mitigate any adverse impacts upon the habitat and survival of the Growling Grass Frog.

Objective 3 To enhance the environmental values of the municipality.

Strategy 3.1 Minimise the removal of indigenous vegetation.
Strategy 3.2 Protect original strands of indigenous vegetation.
Strategy 3.3 Support the retention of dead trees for wildlife habitat.
Strategy 3.4 Support development design which incorporates existing environmental values on the site including vegetation, wetlands, creeks and grasslands.

21.03-1.4 Implementation

The strategies will be implemented through the planning scheme by:

Scheme implementation

- Applying the Environmental Significance Overlay to significant large old trees and patches of significant native vegetation.

Further strategic work

- Amending Schedules 1 and 2 to the Environmental Significance Overlay to provide a more detailed explanation in respect of the areas of significance and include more detailed decision guidelines.
- Reviewing and update planning policies and controls to protect waterways, wetlands and catchments in consultation with relevant authorities and catchment management agencies.
- Working with the Department of Environment Land Water and Planning (DELWP) to update the flora and fauna mapping for the city.
- Assessing and map all areas of significant roadside vegetation and weeds and develop a Roadside Management Plan to maintain local biodiversity and habitat values.
- Developing a biodiversity strategy for the city to guide the management of Council owned assets.
- Investigating the introduction of planning controls in targeted areas that would require new developments to maximise the quality of stormwater runoff.

Other actions

- Working with VicRoads to protect local biodiversity and habitat values within the roadside reserves.
- Working with DELWP to investigate the removal of land from the Environmental Significant Overlay where no significant environmental factors are demonstrated.

21.03-2 Significant environments and landscapes

Overview

The City of Melton is within the area covered by the Port Phillip Catchment and forms part of the Victorian Volcanic Plain. The City has a number of significant natural sites which include remnant strands of native vegetation, native grasslands, woodlands, wetlands, geological features and flood plain areas. A key landscape feature is the volcanic hills which form important viewpoints. Council has adopted a Significant Landscape Features Strategy, May 2016 and Landscape Management Guidelines, May 2016 which involved the assessment of significant landscape areas across the City of Melton. The strategy provides guidance for development proposals through Landscape Management Guidelines which identify appropriate siting and design outcomes.
Key Issues

- Maintaining the distinct landscape character of Melton’s significant landscapes and ensuring key landscape features are preserved while also accommodating substantial urban growth.
- Managing the visual impact of new development and protecting natural landscape values in locations of high scenic value.
- Improving the interface between waterways, landscape and conservation areas.

Objectives and strategies

Objective 1  To protect the significant landscape values of the municipality and ensure development does not adversely impact upon them.

Strategy 1.1 Require the screening of buildings, structures and hard surfaces with appropriately scaled indigenous vegetation.

Strategy 1.2 Avoid the siting of buildings and structures that would adversely impact upon the landscape quality of geological features including volcanic cones, waterways, incised valleys and gorges.

Strategy 1.3 Recognise the cumulative effect of development upon significant viewing corridors when assessing development applications.

Implementation

The strategies will be implemented through the planning scheme by:

Policy guidelines

When considering applications for stores and outbuildings, the following will be considered, as appropriate:

- Clause 22.10 (Stores and Outbuildings local policy) to protect the visual amenity and natural landscape.

Scheme implementation

- Applying the Significant Landscape Overlay and Environment Significance Overlay to significant landscape features and environmental features within the municipality.

Further strategic work

- Undertaking a planning scheme amendment to apply the recommendations of the Significant Landscape Overlay and Schedules to include additional areas forming part of the volcanic cones and greater landscape protection and enhancement as identified in Melton Landscapes - Significant Landscape Features Strategy, May 2016 and Landscape Management Guidelines, May 2016.

Reference documents

Melton Landscapes - Significant Landscape Features Strategy May 2016
Landscape Management Guidelines, May 2016
Western Plains North Green Wedge Management Plan 2014
Western Plains North Green Wedge Management Plan Background Report 2013
City of Melton Environment Plan 2017-2027
21.04

ENVIRONMENTAL RISKS

This clause provides local content to support Clause 13 (Environmental risks) of the State Planning Policy Framework.

21.04-1

Climate Change

21.04-1.1 Overview

Council recognises the future impact of climate change and has adopted the City of Melton Environment Plan 2017-2027 to meet targets for reducing greenhouse gas emissions. Council is committed to creating a low carbon city well-adapted to climate change and has set a target to reduce greenhouse gas emissions by 20% on 2015/16 levels by 2020/2021, and for net-zero emissions by 2040.

As the climate changes, increased extreme weather events will be experienced resulting in more frequent fire, storm, drought and flood events. This will affect both the health and safety of the community and the integrity of infrastructure and assets.

The high population growth rate, a reliance on cars as a major means of transport and the community’s vulnerability to higher electricity and food prices means the community is very susceptible to the impacts of climate change.

21.04-1.2 Key issues

- Managing the impacts of climate change on the city.
- Reducing greenhouse gas emissions as significant growth occurs.
- Preparing for the increase in extreme weather events through careful planning and design.

21.04-1.3 Objectives and strategies

Objective 1 To develop a City well-adapted to climate change.

Strategy 1.1 Require developments and land use plans to incorporate best practice in design to mitigate extreme weather events.

Strategy 1.2 Support landscaping that provides habitat, food resilience and shade.

Strategy 1.3 Support the reduced use of potable water and increased use of alternative water.

Strategy 1.4 Support new development that maximises the capture and reuse of water from buildings.

Objective 2 To minimise greenhouse gas emissions in the City

Strategy 2.1 Facilitate developments that reduce energy usage and associated greenhouse gas emissions.

Strategy 2.2 Facilitate developments that include renewable energy options and low carbon technologies.

Strategy 2.3 Require the use of Environmentally Sustainable Design in council-built infrastructure.

Strategy 2.4 Support Environmentally Sustainable Design in residential, commercial and industrial developments.

Strategy 2.5 Facilitate local employment opportunities to minimise car usage and reduce associated greenhouse gas emissions.

21.04-1.5 Implementation

The strategies will be implemented through the planning scheme by:

Further strategic work

- Preparing an integrated water management strategy.
- Preparing a climate change adaption plan.
- Preparing an environmentally sustainable development local policy and prepare a planning scheme amendment to incorporate it into the planning scheme.
21.04-2 Floodplains

21.04-2.1 Overview

The City of Melton is within the Port Phillip and Westernport Catchment Management Authority Area. Melbourne Water is the floodplain manager for the municipality. Floods are naturally occurring, but unlike other natural hazards, floods are more predictable in terms of their location, depth and extent. The Flood Management Plan for the City of Melton and Melbourne Water 2013 details the flood risk within the municipality, particularly identifying any areas previously flood mapped, known as ‘hot spots’ and problem areas. Floodplains play an important role in protecting environmental values. The environmental impact of any development within the floodplain or any proposed mitigation works must be considered when determining applications within the floodplain area.

21.04-2.2 Key issues

- Maintaining natural environmental processes within floodplains.

21.04-2.3 Objectives and strategies

**Objective 1** To protect the community from the risk of flooding.
- Strategy 1.1 Avoid development in areas subject to flooding and overland stormwater flows.
- Strategy 1.2 Require new development to incorporate water sensitive urban design measures.
- Strategy 1.3 Ensure new development does not increase flood potential on land downstream.

**Objective 2** To maintain the role of floodways whilst protecting environmental values.
- Strategy 2.1 Minimise the impact of any flood mitigation works upon environmental values.
- Strategy 2.2 Maintain natural drainage functions when land is developed.
- Strategy 2.3 Avoid the filling of flood prone land.

21.04-2.4 Implementation

The strategies will be implemented through the planning scheme by:

**Scheme implementation**

- Applying the Urban Floodway Zone, Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay to land outside the Urban Growth Boundary to land vulnerable to flooding, as identified by Melbourne Water, and protect it from inappropriate development.

**Further strategic work**

- Supporting the floodplain manager to update the flood maps (Urban Floodway Zone, Special Building Overlay, Land Subject to Inundation Overlay) with the most current data.

21.04-3 Bushfire

21.04-3.1 Overview

A significant area of the City of Melton is fire prone. Grassfire is the predominant threat within the municipality. Although grassfires are generally less intense than bushfires, they burn faster than forest fires and still generate enormous amounts of radiant heat. Fire risk is a particular issue at the urban/grassland interface of townships.

Some bushfire prone areas are subject to ongoing development pressures. Intensification of development in highly fire prone areas is inconsistent with the state policy which prioritises human life.
21.04-3.2 Key Issues

- Minimising the risk to life and property from bushfire.
- Identifying areas prone to bushfire.
- Avoiding intensification of development in areas prone to bushfire.

21.04-3.3 Objectives and strategies

**Objective 1** To minimise the risk to life, property and the environment from bushfire.

**Strategy 1.1** Direct development to locations of lower bushfire risk.

**Strategy 1.2** Ensure development in bushfire prone areas is designed to allow for the rapid and effective response by emergency services.

**Strategy 1.3** Ensure that the design, siting and layout of subdivisions increases protection from bushfire.

**Strategy 1.4** Require dwellings in bushfire prone areas to be located as close as possible to public roads to maximise opportunities for safe evacuation.

**Strategy 1.5** Consider the need for bushfire and grassfire protection measures outside the Bushfire Management Overlay.

21.04-3.4 Implementation

The strategies will be implemented through the planning scheme by:

**Scheme implementation**

- Applying the Bushfire Management Overlay to bushfire prone areas.

21.04-4 Reference documents

*Melton Municipal Emergency Management Plan 2015*

*Flood Management Plan for the City of Melton and Melbourne Water May 2013*

*City of Melton Council and Wellbeing Plan 2017-2021*

*City of Melton Environment Plan 2017-2027*
NATURAL RESOURCE MANAGEMENT

This clause provides local content to support Clause 14 (Natural resource management) of the State Planning Policy Framework.

Agriculture

Overview

The City of Melton is renowned for its long established equine industry, particularly harness racing, which attracts significant investment and is a key feature of the region’s economy. Opportunities for more intensive agriculture are presented by the increasing availability of recycled water and also emerging opportunities for new niche agricultural production.

The agriculture sector plays an important role within the City of Melton and across the economy although it is not a large employer in the region. Melton’s proximity to Melbourne’s markets, road networks and airport provides a competitive advantage.

The city’s rural areas have traditionally been used for grazing and cropping (primarily cereal production such as wheat, barley and oats) and agriculture continues to remain the dominant use of the rural areas.

The viability of agriculture within the Green Wedge is affected not just by local conditions but by regional and global markets and trends in agriculture. These more challenging conditions are affecting all agricultural areas, but those in the peri-urban fringe face the greatest challenges and are likely to be exacerbated by climate change.

Key issues

- Building on the advantages of productive agricultural land close to the Melbourne market.
- Protecting areas of the municipality for their ongoing capacity for sustainable agriculture into the future.

Objectives and strategies

**Objective 1**  
To build on the resources available for productive agriculture including the opportunities presented by recycled water.

- **Strategy 1.1** Support a diversity of new and innovative agricultural uses within the rural areas of the city.
- **Strategy 1.2** Support viticulture and winery operations that utilise recycled water.
- **Strategy 1.3** Support co-location of viticulture and winery related activities to create a cluster of these uses within the region.

**Objective 2**  
To protect and support agricultural productivity

- **Strategy 2.1** Preserve areas of broad acre farming to allow for a range of agricultural and equine activities.
- **Strategy 2.2** Support continued agricultural production within the rural areas.
- **Strategy 2.3** Facilitate agriculture in the Leakes Road – Holden Road Precinct.
- **Strategy 2.4** Support consolidation of lots to enable more efficient land management practices and infrastructure provision.
- **Strategy 2.5** Avoid further land fragmentation through inappropriate subdivisions.

Implementation

Other actions

- Work with Western Water to prepare a ‘recycled water based agriculture’ business plan.

Reference documents

*Western Plains North Green Wedge Management Plan September 2014*
ACTIVITY CENTRES AND RETAIL PROVISION

This Clause provides local content to support Clause 11.03 (Activity Centres) of the State Planning Policy Framework.

Activity centre network

Overview

The City of Melton Retail and Activity Centres Strategy, March 2014 is Council’s response to the growth of services needed to provide for a rapidly growing population and provides a comprehensive plan to support long term integrated land use planning and the delivery of a hierarchy of retail and activity centres across the City of Melton.

There is a strong expectation that retail and other appropriate commercial and community activities will be directed to one of the nominated centres in the hierarchy as shown in Table 1 and Figure 1.

Table 1 City of Melton Activity Centre Hierarchy

<table>
<thead>
<tr>
<th>Type of Activity Centre</th>
<th>Role and Function</th>
</tr>
</thead>
<tbody>
<tr>
<td>Metropolitan Activity Centre</td>
<td>To provide:</td>
</tr>
<tr>
<td></td>
<td>• Higher order activities that deliver services to the region such as major retailers, major health services, further and higher educational institutions, substantial recreation, entertainment venues and hotels and corporate and government regional headquarters.</td>
</tr>
<tr>
<td></td>
<td>• Higher density housing in order to improve access to services for a wide variety of households (particularly small households).</td>
</tr>
<tr>
<td>Major Activity Centres</td>
<td>To provide:</td>
</tr>
<tr>
<td></td>
<td>• A broad mix of integrated sub regional land uses such as retail (discount department store as well as supermarkets and specialty stores), office, business, community (e.g. education, health and recreation), entertainment and residential in order to generate a breadth of employment choices for the City of Melton. As a target the non-retail floor space of a fully developed activity centre should be 40% of the total floor area.</td>
</tr>
<tr>
<td></td>
<td>• Residential development (usually above ground floor level) and medium and higher density residential housing in close proximity to provide access particularly to small households.</td>
</tr>
<tr>
<td></td>
<td>• Approximately 35,000 square metres of conventional retail floor space and up to 20,000 square metres of restricted retail floor space as a guide for activity centres based on a catchment of approximately 50,000 people.</td>
</tr>
<tr>
<td>Neighbourhood Activity Centres</td>
<td>To provide:</td>
</tr>
<tr>
<td></td>
<td>• A mix of land uses including a full line supermarket, speciality retail, cafes, restaurants, local service providers and small offices to maximise the number and diversity of local employment opportunities. As a target the non-retail floor space of a fully developed neighbourhood centre should be at least 30% of the total floor area.</td>
</tr>
<tr>
<td>Type of Activity Centre</td>
<td>Role and Function</td>
</tr>
<tr>
<td>------------------------</td>
<td>-------------------</td>
</tr>
<tr>
<td></td>
<td>Higher housing densities in appropriate locations around neighbourhood centres to improve the use and vibrancy of each centre and to increase the accessibility of its services.</td>
</tr>
<tr>
<td></td>
<td>Approximately 7,000 square metres of conventional retail floor space as a guide for neighbourhood centres based on a catchment of approximately 10,000 people.</td>
</tr>
</tbody>
</table>

Local Activity Centres

- To provide:
  - Corner stores and small groups of shops that provide top up groceries and local services such as hairdressing.
  - Retail floor space to be generally between 300 and 800 square metres. Where the local demand for services warrants and where this does not adversely affect the development of nearby larger centres, a larger local activity centre may be considered.
  - Walkable access via pedestrian networks.

Figure 1: City of Melton Existing, Planned and Proposed Activity Centres Hierarchy

21.06-1.2 Key issues

- Planning for a network of vibrant and dynamic activity centres that increases the community’s access to a broad range of retail, entertainment, community and leisure facilities and promotes social connectedness.
- Directing higher residential densities within and around Activity Centres.
- Creating a city that encourages and enables people to work, shop and spend time locally.
- Protecting and maintaining a viable activity centre hierarchy for existing, planned and proposed centres.
- Providing a range of goods and services for existing and future residents that respond to the needs of the changing community.
- Directing retail services to and within activity centres to ensure they remain the focus for retail, health, entertainment, leisure and community activities.
- Preventing escape expenditure from the City of Melton.
- Providing local job opportunities within the municipality and providing opportunities for local businesses and enterprises.

### 21.06-1.3 Objectives and strategies

**Objective 1**

To establish and support a network of viable activity centres that provide access to a wide range of goods and services appropriate to their role and function within the hierarchy.

**Strategy 1.1**

Direct retail development and investment into a network of activity centres defined within the City of Melton Existing, Planned and Proposed Activity Centre Hierarchy as outlined in Figure 1 and Table 1.

**Strategy 1.2**

Facilitate staged development of centres based on their catchment size and demand to sustain the viability of a centre in the short and longer term.

**Strategy 1.3**

Support retailing that complements and reinforces the hierarchy of activity centres within the City of Melton.

**Strategy 1.4**

Avoid out-of-centre retail development.

**Objective 2**

To ensure activity centres develop as genuine mixed use areas.

**Strategy 2.1**

Facilitate a diverse range of land uses in centres such as retail, office, business, community (e.g., education, health and recreation), entertainment and residential uses.

**Strategy 2.2**

Facilitate mixed use, medium and higher density housing opportunities of an appropriate scale within and adjoining centres to provide diversity in housing and increase the vitality of centres.

**Strategy 2.3**

Require commercial uses to dominate the ground level frontage when provided as part of a mixed-use development incorporating medium and higher density housing.

**Strategy 2.4**

Support new activity centres to integrate residential land uses as part of any new activity centre development.

**Objective 3**

To ensure all residents have access to a range of essential services and convenience goods including fresh produce within a reasonable distance of their homes (and preferably within walking distance).

**Strategy 3.1**

Require activity centres to provide residents with a broad mix of everyday goods and services.

**Strategy 3.2**

Support the provision of retail or other opportunities which increase local access to fresh produce.

**Strategy 3.3**

Require that activity centres are accessible for residents via a well-connected road network, pedestrian and cycle network and public transport services.

**Objective 4**

To direct the appropriate provision of restricted retail to identified locations.

**Strategy 4.1**

Support restricted retail uses in the preferred locations of the existing Melton Homemaker Precinct, Hopkins Road Business Precinct and existing and planned activity centres as shown in Figure 1.

**Strategy 4.2**

Locate restricted retail uses to the periphery of Metropolitan Activity Centres and Major Activity Centres.

**Objective 5**

To support retailing within rural or tourism enterprise areas of economic importance.

**Strategy 5.1**

Encourage minor retail provision associated with rural or tourism enterprises, where such provision amounts to no more than that of a local centre, and is ancillary to the tourism use whilst not compromising the surrounding retail hierarchy.

### 21.06-1.4 Implementation

The strategies be implemented through the planning scheme by:

**Policy guidelines**

When deciding on applications for a retail use or development or applications within activity centres the following will be considered, as appropriate:

- Clause 22.06 (Retailing Policy).
Further strategic work

- Reviewing the impact of commercial uses within the industrial zones and residential zones and provide guidance on determining applications of this nature.
- Reviewing and update relevant schedules to the Urban Growth Zone in line with the recommendations of the *City of Melton Retail and Activity Centres Strategy, March 2014.*

Other actions

Advocate to the State government for:

- The timely delivery of the Toolern train station to support the early delivery of the Toolern Metropolitan Activity Centre.
- The construction of specific infrastructure that will benefit activity centres such as the upgrade of the rail line between Sunshine and Melton and the upgrade of the Western Highway to an urban freeway standard.
- Upgrades to the existing Rockbank and Melton train stations, the development of the Paynes Road and Mt Atkinson train stations and tertiary health care and education facilities.

21.06-2

Activity centre design

21.06-2.1 Overview

High quality retail centre design and development plays a key role in activating centres, promoting development and creating a strong sense of place.

21.06-2.2 Key issues

- Ensuring activity centres provide a range of vibrant, attractive spaces with a range of functions.
- Creating functional, attractive and accessible activity centres that provide strong connections to the surrounding communities by all modes of transport.
- Supporting the revitalisation of existing centres.
- Poor amenity, accessibility and connectivity to and within activity centres.
- Ensuring activity centres respond to and provide a mix of uses to meet the changing needs of the community

21.06-2.3 Objectives and strategies

**Objective 1**  To ensure activity centres provide high quality urban environments.

**Strategy 1.1** Support the refurbishment and upgrading of activity centres and streetscapes.

**Strategy 1.2** Create a ‘sense of place’ by encouraging urban design and built form outcomes that reflect and build upon the identity of individual communities and areas.

**Strategy 1.3** Create a permeable network of streets and civic spaces that promote and facilitate opportunities for social interaction.

**Strategy 1.4** Support the development of active street frontages to provide passive surveillance while responding to the human scale at street level.

**Strategy 1.5** Avoid blank walls on street frontages and civic spaces.

**Strategy 1.6** Design the built form of centres to positively address primary and secondary road frontages and residential or other sensitive interfaces.

**Strategy 1.7** Minimise the visual dominance of surface and at grade parking in centres.

**Strategy 1.8** Locate parking underground, undercroft or to the side or rear of buildings.

**Strategy 1.9** Support cafés and restaurants to include an outdoor seating area, particularly where this activates the use of open plaza areas.

**Strategy 1.10** Design activity centres to be highly permeable, to enable movement within and around them giving priority to pedestrian and cyclists.

**Strategy 1.11** Design restricted retail development to:
provide connections between activity centres and surrounding neighbourhoods,
positively contribute to the amenity of the pedestrian environment
integrate into the surrounding area.

21.06-2.4 Implementation

The strategies will be implemented through the planning scheme by:

Policy guidelines
When deciding on applications for a retail use or development and activity centres the following will be considered, as appropriate:
- Clause 22.06 (Retailing Policy).

Further strategic work
- Reviewing the Caroline Springs Comprehensive Development Plan 2009 and investigate opportunities to rezone land from the Comprehensive Development Zone to a broader suite of commercial and other zones.
- Reviewing and update the High Street Town Centre Structure Plan (2007).
- Preparing a Structure Plan for the Melton South Neighbourhood Centre.
- Preparing an Urban Design Framework for Rockbank Major Town Centre.
- Preparing an Urban Design Framework for Plumpton Town Centre.
- Preparing an Urban Design Framework for Mt Atkinson Major Town Centre.

21.06-3 Reference documents

City of Melton Retail and Activity Centres Strategy, March 2014
Toolern Town Centre Urban Design Framework, 2012
High Street Town Centre Structure Plan July 2007
Woodgrove Structure Plan July 2006
The Caroline Springs Comprehensive Development Plan 2009
This clause provides local content to support Clause 15 (Built Environment and Heritage) of the State Planning Policy Framework.

Local character and sense of place

Overview

The quality and character of the urban fabric can impact upon the liveability of a place. High quality design outcomes can engender community pride, enhance community cohesion and create a sense of safety. Built form, landscaping and topography are all elements that contribute to the City’s character and define the desired future character of the municipality and its sense of place.

Rapid population growth presents a significant challenge to preserve and enhance the City’s existing local character, to provide for good design and avoid the creation of indistinct places in the future.

Council recognises that the quality and functionality of green spaces, both in the public and private realms has not received the priority it deserves in growth areas.

The retention of trees not only reduces the urban heat island effect, but also makes a significant contribution to the character of neighbourhoods and defining the desired future character of an area.

Council has a key role to play in creating vibrant, flexible, integrated and connected public spaces relevant to people’s day to day lives. Good design also means that spaces, buildings and pathways are suitable for use by people with disabilities. Protecting the municipality’s heritage assets contributes to an attractive environment and creates an important sense of place.

Key issues

- Creating vibrant and safe neighbourhoods, Activity Centres and public spaces that are engaging places for all.
- Creating places and spaces that enhance and contribute to a sense of place for the local community.
- Improving urban design outcomes to enhance the community’s well-being and improve neighbourhood liveability.
- Recognising that topography, green spaces and landscaping are intrinsic characteristics of a local area’s amenity, liveability, character and sense of place.
- Creating high quality industrial areas that are practical, functional and attractive.

Objectives and strategies

Objective 1: To create healthy and safe communities.

| Strategy 1.1 | Require urban design to address issues of community safety and crime prevention (CPTED principles). |
| Strategy 1.2 | Improve connectivity and access around the city for all members of the community. |
| Strategy 1.3 | Support building designs with active street frontages. |
| Strategy 1.4 | Require all development to optimise opportunities for passive surveillance. |
| Strategy 1.5 | Facilitate opportunities for social interaction at interfaces between public and private areas. |
| Strategy 1.6 | Support designs that provide for private and where appropriate shared garden space for food production. |
| Strategy 1.7 | Facilitate the provision of public art. |
| Strategy 1.8 | Require new developments and public realm areas to be reasonable and safely accessible by all members of the community. |
| Strategy 1.9 | Reduce opportunities for graffiti and vandalism through the application of appropriate design and construction materials. |
**Objective 2** To protect the preferred neighbourhood character in established residential areas of the municipality.

**Strategy 2.1** Maintain residential streetscape quality and character.

**Strategy 2.2** Require new development to make a positive contribution to residential streetscape quality and character.

**Strategy 2.3** Ensure new development is in accordance with the preferred character of each area outlined in the *Melton Housing Character Assessment and Design Guidelines: Character Statements and Guidelines, September 2015*.

**Strategy 2.4** Avoid more than one dwelling per lot within the Low Density Residential Zone.

**Objective 3** To enhance the amenity and appearance of industrial and commercial areas.

**Strategy 3.1** Require industrial development to provide high quality and consistent built form outcomes.

**Strategy 3.2** Minimise visual clutter and the proliferation of signage that will detract from the amenity of the natural and built environment.

**Strategy 3.3** Design residential interfaces to minimise the adverse impacts of the business operations.

**Strategy 3.4** Locate loading, car parking and service areas at the rear of the site with appropriate screening.

**Strategy 3.5** Require appropriate landscaping to be incorporated into the site layout, and where appropriate is also included within the public realm.

**Strategy 3.6** Minimise the impact of land uses that have a high car parking requirement have on the amenity or functionality of surrounding land uses within industrial precincts.

**Objective 4** To create communities that are attractive and desirable places in which to live, work and visit.

**Strategy 4.1** Facilitate good quality urban design that responds to its site context, provides a high level of amenity and enhances the unique qualities of place.

**Strategy 4.2** Facilitate development that:
- addresses and enhances the street,
- provides an active interface to the public realm
- has an appropriate sense of scale.

**Strategy 4.3** Support built form that includes colours, materials, architectural features and finishes that add visual interest and enhance the streetscape.

**Strategy 4.4** Support design that enables the public realm to be used for multiple purposes with the flexibility to change over time.

**Strategy 4.5** Provide signage that supports business and is of a high quality design to promote an attractive image for the municipality’s urban and rural areas and gateways.

**Objective 5** To improve the quality and functionality of green space throughout the municipality

**Strategy 5.1** Support the planting of indigenous vegetation where appropriate.

**Strategy 5.2** Encourage planting in accordance with the *Landscape Guidelines for the Shire of Melton 2010*.

**Strategy 5.3** Protect existing trees where possible and increase greening to maintain canopy and shade features to provide urban cooling.

**Strategy 5.4** Support development that protects natural ecosystems and provides a connection to nature.

**Strategy 5.5** Support development that maximise the use of permeable surfaces.

**Strategy 5.6** Require canopy tree planning to be incorporated into landscaping setbacks.

**Strategy 5.7** Provide canopy tree planting within the public realm.

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**21.07-1.4 Implementation**

The strategies will be implemented through the planning scheme by:

**Policy guidelines**

When deciding on applications for use, development or subdivision the following local policy will be considered, as appropriate:

- Clause 22.12 Housing Diversity Policy
- Clause 22.17 Advertising Signs Policy

**Scheme implementation**

- Applying the Design and Development Overlay to achieve specific design and built form outcomes.
Further strategic work

- Preparing a planning scheme amendment to implement the recommendations of the *Housing Character Assessment and Design Guidelines: Character Statements and Guidelines 2015*.
- Reviewing and update the Landscape Guidelines for the Shire of Melton 2010.
- Preparing Public Realm Design Guidelines.
- Preparing a Street Tree Strategy.

**Environmentally Sustainable Design**

### 21.07-2

#### 21.07-2.1 Overview

Melton City Council is committed to planning for ecological sustainability to minimise the negative impacts of climate change and enhance liveability. Council recognises that environmental performance of the built environment plays an important role in creating a sustainable City, resilient to the impacts of climate change and one that is more resource, energy and water efficient.

The *City of Melton Environment Plan 2017 – 2027* supports the incorporation of Environmentally Sustainable Design (ESD) principles as part of the planning permit application assessment.

#### 21.07-2.2 Key issues

- Achieving greener buildings and better developments through the application of environmentally sustainable design principles.
- Recognising the opportunities to implement principles of sustainability, including environmentally sustainable design and water sensitive urban design through Precinct Structure Plans in growth areas.

#### 21.07-2.3 Objective and strategies

**Objective 1** To facilitate environmentally sustainable development.

**Strategy 1.1** Require environmentally sustainable design principles to be applied in all planning frameworks and applications including Precinct Structure Plans, subdivisions and new buildings.

**Strategy 1.2** Support water conservation and Water Sensitive Urban Design at both individual and precinct wide scale.

**Strategy 1.3** Design subdivisions and site buildings to maximise passive solar design.

**Strategy 1.4** Support best practice industrial and commercial development to minimise amenity impacts and achieve long term environmental sustainability.

#### 21.07-2.4 Implementation

The strategies will be implemented through the planning scheme by:

**Further strategic work**

- Preparing Environmentally Sustainable Design guidelines and incorporate into the Planning Scheme.
- Investigating including the Sustainable Design Assessment in the Planning Process (SDAPP) in the planning scheme.

**Other actions**

- Encouraging environmentally sustainable development within the community by:
  - Demonstrating best practice environmentally sustainable development in all Council building and infrastructure projects.
- Encouraging developers to incorporate best practice sustainability into development by working in partnership with the development industry and conducting advocacy programs.
- Advocating for the co-location of services and facilities within Precinct Structure Plans to reduce transport-related greenhouse gas emissions.

21.07-3 Heritage

21.07-3.1 Overview

The City of Melton is the boundary between two tribes of the Kulin nation: the Wurundjeri to the east of the Werribee River and the Wathaurong on the west side of the Werribee River. The remnant grassland landscape, river and creek valleys and volcanic cones of the City provide reminders of indigenous stewardship and occupation of the land. The names of creeks and locations, such as Djerriwarrh, Toolern and Kororoit are testament to the continuing relationship of indigenous people with this area. Evidence of pre-contact Aboriginal occupation of the landscape is concentrated around watercourses and on the high rises above the plain, and is mainly demonstrated in artefact scatters.

The City of Melton was first settled by European pastoralists in the 1830s and 1840s, attracted to the extensive volcanic grasslands, deep creeks and easy access to ports at Melbourne and Geelong. Most of the City was taken up by three large pastoral holdings, Exford, Greenhills and Rockbank. These properties left a legacy of elegant homesteads and outbuildings, dry stone walls, dams, historic roads, fords and bridges. In the late nineteenth century smaller farmers moved into the area, as the large estates were broken up. These settlers created small dairy holdings, took up cropping and processed chaff, planted shelter belts, built wooden homesteads and constructed more dry stone walls.

The dry-stone wall landscape of the City is expressive of both the natural history of the volcanic creation of the area and the cultural history of its human modification.

Identification and planning around heritage assets in the early stages of Precinct Structure Planning is critical in ensuring cultural values are protected and enhanced.

Council adopted the Shire of Melton Heritage Study in May 2007 and the Melton Dry Stone Walls Study in August 2011 which identified and assessed places of cultural heritage significance.

21.07-3.2 Key issues

- Recognising and retaining the City’s cultural heritage which creates an important sense of local identity for existing and future residents.
- Protecting recognised sites and precincts that are of national, state and local level significance.
- Integrating heritage features into future urban development and planning for growth areas.
- Protecting dry stone walls in developing urban areas.

21.07-3.3 Objectives and strategies

Objective 1 To protect, conserve and enhance places of historic, aboriginal, and cultural significance.

Strategy 1.1 Ensure places of cultural heritage significance are protected, conserved and enhanced.

Strategy 1.2 Support creative adaptive reuse of heritage places in Precinct Structure Plan areas with sympathetic and imaginative designs compatible with the significance, scale, form and materials of the heritage place.

Strategy 1.3 Require the preparation of Conservation Management Plans for heritage buildings and places which are undergoing adaptation and change of use.

Strategy 1.4 Support the retention of places listed in the Conservation Desirable schedule of the Melton Heritage Study, Vol 1 2007.
Strategy 1.5 Support the identification and interpretation of archaeological, historical and cultural significance within the City.
Strategy 1.6 Support the retention of roadside dry stone walls with integrated planning of transport networks, road design, subdivision and utility installation in dry stone wall areas.
Strategy 1.7 Avoid the use of fake or reproduction dry stone walls and faux-style buildings in public spaces and heritage areas.

21.07-3.4 Implementation

The strategies will be implemented through the planning scheme by:

Policy guidelines
When deciding on an application for subdivision within the Heritage Overlay, the following will be considered, as appropriate:

- Significant views to and from the place
- Access
- Buffers
- Whether the subdivision will impact on the significance of the place.

When deciding on applications affecting land containing dry stone walls within the Heritage Overlay, the following local policy will be considered, as appropriate:

- Clause 22.14 (Dry Stone Walls policy)

Scheme implementation
- Applying the Heritage Overlay to places of identified heritage significance, such as sites in the Shire of Melton Heritage Study, or any other relevant heritage studies

Further strategic work
- Reviewing and update the Shire of Melton: Environmental History 2007 to identify places which could be included in future gap studies.
- Assessing Conservation Desirable sites in Shire of Melton Heritage Study Volume 1 2007 and make recommendations for protection under a Heritage Overlay.
- Reviewing the environmental history from the Melton Heritage Study 2007 to ensure consistency with Victoria’s Framework of Historical Themes which now forms the basis of heritage studies in Victoria.

Other actions
- Providing heritage funding and advisory services to assist landowners in the enhancement and protection of places of significance.
- Advocating for the protection, adaptation and conservation of heritage places, dry stone walls and landscapes in growth areas.

Reference documents
City of Melton Heritage Strategy 2013-2017
Shire of Melton Heritage Study May 2007
Shire of Melton Environmental History 2007
Shire of Melton Dry Stone Walls Study August 2011
The Burra Charter: Australia ICOMOS Charter for Places of Cultural Significance
City of Melton Environment Plan 2017-2027
Healthy by Design: A Planner’s Guide to Environments for Active Living. National Heart Foundation of Australia, 2012

Landscape Guidelines for the Shire of Melton 2010

City of Melton Industrial Design Guidelines 2016

City of Melton Advertising Signage Design Guidelines 2017
21.08  
18/04/2019  
C200  

**HOUSING**

This clause provides local content to support Clause 16 (Housing) of the State Planning Policy Framework.

Specific references to the individual town of Eynesbury is also included in Clause 21.11 (Local Areas).

21.08-1  
18/04/2019  
C200  

**Housing**

21.08-1.1 **Overview**

The demographic profile of residents in the City of Melton varies considerably and this will have implications for the future diversity requirements of its housing stock.

Some sections of the City of Melton are considered ‘disadvantaged’ socio-economically so affordability and cost of living are important issues. Opportunities have been identified for specialised residential markets, including social and affordable housing, and aged-care and retirement.

The capacity of the established areas to accommodate increased residential densities and the need to protect neighbourhood character must be balanced with the need to provide for a growing population. Council has defined the preferred character of its residential areas by adopting the *Housing Character Assessment and Design Guidelines 2015*.

The *Melton Housing Diversity Strategy May 2014* is Council’s response to the changing housing needs and requirements for existing and future residents within the City. The strategy provides a twenty-year plan that establishes the types of housing needed and the suitability of different residential locations to accommodate different rates of housing change.

21.08-1.2 **Key issues**

- Facilitating housing choice, diversity and affordability and ensuring that housing is environmentally sustainable and reflects community needs.
- Recognising that an expanding population and changing demographic profile will result in differing housing and infrastructure needs over time.
- Managing population growth without adversely impacting upon neighbourhood character and sense of place.
- Reducing the disparity between the current housing supply and the demand for different types of housing.
- Ensuring new developments within established areas of the municipality respond to the character of those areas and positively contribute to neighbourhood character.

21.08-1.3 **Objectives and strategies**

<table>
<thead>
<tr>
<th>Objective</th>
<th>To increase housing diversity within the City of Melton.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy 1.1</td>
<td>Support well-designed residential infill development in appropriate locations that provides a smaller housing product.</td>
</tr>
<tr>
<td>Strategy 1.2</td>
<td>Facilitate a diverse range of affordable housing stock, suitable for all household types.</td>
</tr>
<tr>
<td>Strategy 1.3</td>
<td>Support housing designs that can be adapted for different life stages including the needs of an ageing household.</td>
</tr>
<tr>
<td>Strategy 1.4</td>
<td>Require residential subdivisions to provide a mix of lot sizes and densities to facilitate a range of housing products.</td>
</tr>
<tr>
<td>Strategy 1.5</td>
<td>Support innovative housing design and development.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Objective 2</th>
<th>To promote affordable housing options for households of all income levels.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy 2.1</td>
<td>Encourage the property industry to deliver a diverse range of housing options suitable for a range of income levels.</td>
</tr>
</tbody>
</table>
Support a proportion of housing to be affordable housing on large development sites proximate to Activity Centres, public transport and community services.

Strategy 2.3 Require larger developments to provide a range of dwelling types and sizes.

Objective 3 To provide a sufficient range of social, retirement, aged-care and special needs housing types throughout the municipality.

Strategy 3.1 Support the development of smaller dwellings that will meet the future needs of older residents in locations close to facilities, services and public transport.

Strategy 3.2 Facilitate development proposals that meet an identified need for social housing, retirement villages and aged care.

Objective 4 To promote opportunities for site consolidation and support more intensive residential development close to activity centres and major public transport nodes.

Strategy 4.1 Require development applications in the Residential Growth Zone to make efficient and maximum use of the site.

Strategy 4.2 Support higher density residential development in activity centres and surrounding train stations.

21.08-1.4 Implementation

The strategies will be implemented through the planning scheme by:

Policy guidelines

When deciding on applications which include residential development, the following will be considered, as appropriate:

- Clause 22.12 (Housing Diversity Policy)

When deciding on applications which include residential development in the Residential Growth Zone, the following will be considered, as appropriate:

- Whether the development will impact on the provision of open space, schools, and community and recreation facilities.

Scheme implementation

- Applying the Neighbourhood Residential Zone to areas with a distinctive pattern of development and/or consistent character in the context of the City of Melton, i.e. larger lots (greater than 1,000 square metres), lower density-styled estates, or isolated locations (in terms of proximity to activity centres, public transport etc.).

Further strategic work

- Updating the existing structure plans for the High Street Town Centre (2007) and Woodgrove Structure Plan (2006) focusing on the opportunity for mixed use development (i.e. including residential within commercial areas).

- Preparing a Structure Plan for Melton South.

- Investigating the implications of increasing residential densities on the provision of community facilities such as schools, open space and recreation facilities and on the provision of engineering infrastructure such as roads, drainage and power.

- Developing built form and/or urban design guidelines as input to the Residential Growth Zone schedule and/or Development Plan Overlay for land bounded by Barries Road, Station Street, Henry Street and Palmerston Road in Melton.

- Developing a policy for non-residential uses within residential areas to protect residential amenity from incompatible non-residential uses.

- Developing an affordable housing policy in consultation with the Department of Human Services, housing associations and community housing providers.
Other actions

- Investing in and improve public infrastructure, services and facilities that will contribute to established areas being places where people want to live, work and invest.
- Developing a consolidated register of design principles to be used by Council staff and the development industry.

21.08-2

Rural residential development

21.08-2.1 Overview

The significant growth of the City in recent years has influenced demand for housing and lifestyle properties beyond the Urban Growth Boundary and other non-urban areas.

Unplanned rural living development can have an adverse impact upon the environment and farming operations and can create demand for urban level services and infrastructure in rural areas.

The Green Wedge areas of the City provide opportunities for residents to pursue rural lifestyles, often combining part time farming, fulltime farming, equestrian and other rural interests whilst living close to Melbourne.

21.08-2.2 Key issues

- Managing rural residential development to ensure the residential offer is maintained without adversely impacting upon environmental and landscape outcomes.
- Land fragmentation resulting in the loss of productive agricultural land.
- The burden of infrastructure costs being unfairly imposed on the community instead of the developer.
- Providing opportunities for rural living in controlled, well planned, economically sustainable developments in appropriate locations.
- Conflicts over farming practices.

21.08-2.3 Objectives and strategies

**Objective 1** To provide sustainable rural living opportunities as an alternative residential offer whilst protecting values of non-urban land.

**Strategy 1.1** Avoid the construction of dwellings in locations that require the upgrading of adjacent roads or other infrastructure.

**Strategy 1.2** Require dwellings to be set back from the boundaries of adjoining agricultural land to provide a buffer from farming activities.

**Strategy 1.3** Avoid adverse environmental impacts arising from the use of land for dwellings including, but not limited to:

- domestic wastewater management
- clearing of vegetation for buildings, services or defendable space for bushfire protection.

**Strategy 1.4** Require urban infrastructure requirements associated with rural subdivision and development to be financed by the developer.

**Strategy 1.5** Require the provision of reticulated water to all lots.

**Strategy 1.6** Require all lots created to be accessed by a sealed road.

**Strategy 1.7** Require environmental enhancement works to be undertaken as appropriate.

**Strategy 1.8** Avoid rural living from occurring in areas of productive agricultural land or adjacent to areas identified for extractive industry.

21.08-2.4 Implementation

The strategies will be implemented through the planning scheme by:
Further strategic work

- Undertaking a rural residential land supply and demand analysis to determine whether additional rural residential land supply is justified.

Liveable communities

Overview

Liveability is the sum of all factors that add up to a community’s quality of life – including the built and natural environments, economic prosperity, educational opportunities, and cultural, entertainment and recreational choices.

Currently, City residents do not have the same access to the level of services and choices available to residents living in the inner or middle ring suburbs of Melbourne. Addressing this shortfall for existing and future residents is crucial in creating a liveable and resilient City.

Good planning that enhances all residents’ quality of life can have far reaching impacts; including reduced crime and improved safety.

Key issues

- Enhancing economic, educational and recreational opportunities for existing and future residents through the provision of appropriate services and infrastructure.

Objectives and strategies

Objective 1  To develop liveable communities with equitable access to services and opportunities that meet the needs of all residents.

Strategy 1.1 Facilitate the early delivery of activity centres to meet the needs for local services.

Strategy 1.2 Facilitate the delivery of temporary education and community services in new communities prior to development of permanent infrastructure where necessary.

Implementation

The strategies will be implemented through the planning scheme by:

Policy guidelines

When deciding on applications for use and development the following local policy will be considered, as appropriate:

- Clause 22.06 (Retailing Policy)

Other implementation

Advocating for the timely funding and provision of the following facilities and services by State and Federal Government:

- New schools and local tertiary education facilities.
- A metro rail service.
- A freeway standard upgrade to the Western Highway.
- Improved arterial road intersections.
- A local integrated health system.
- Investment in the Toolern Metropolitan Activity Centre.
Reference documents

Western Plains North Green Wedge Management Plan 2014
Melton Housing Diversity Strategy Background Report Analysis and Issues Assessment August 2013
Melton Housing Diversity Strategy May 2014
House Rules – Housing Character Assessment and Design Guidelines: Character Statements and Guidelines 2015
Melton Advocacy Priorities 2018
ECONOMIC DEVELOPMENT

This clause provides local content to support Clause 17 (Economic development) of the State Planning Policy Framework.

Economic growth

Overview

The key drivers of the economy in Melton are the retail trade, education and training, construction, health care, manufacturing and public administration. From an economic development perspective, Melton is well located with strong connections to a range of key strategic assets and economic generators including:

- Melbourne Airport to north-west and Avalon Airport to the south.
- Melbourne CBD and the Port of Melbourne to the east via the Western Hwy and train line.
- The State Significant Western Industrial Precinct.
- The three largest Victorian regional cities; Ballarat, Bendigo and Geelong.
- The Regional Rail Link.

A range of major proposed infrastructure investments will further expand local economic opportunities including:

- The Outer Metropolitan Ring Road will provide strong north-south connections, improving links with Werribee (and Geelong) to the south and the Airport, Sunbury and the northern growth corridor to the north.
- The proposed Western Intermodal Freight Terminal (WIFT).
- The duplication and electrification of the Melton Railway Line.

The economic development priorities Council has identified are:

- The expansion of the education sector including secondary schools, alternate forms of education and the attraction of tertiary institutions.
- Improving transport options to access employment, education, other services and recreational activities is a priority.
- Growing the economic role of existing, planned and proposed Activity Centres.
- Maximising economic opportunities in the planned Toolern Metropolitan Activity Centre through facilitating innovative developments and developing partnerships with State and Federal government.

Key issues

- Fostering a strong and diverse local economy that results in business growth, encourages new investment and leads and responds to change.
- Creating a city that provides opportunities for lifelong learning, local employment and education opportunities.
- Leveraging on the City of Melton’s locational attributes and population characteristics.
- Providing improved infrastructure and services to support economic growth.
21.09-1.3 Objectives and strategies

Objective 1  To create a diverse economy that fosters business growth, encourages new investment and leads and responds to change.

Strategy 1.1 Facilitate proposals that will foster economic development and growth
Strategy 1.2 Support the co-location of business, education and research.
Strategy 1.3 Support the preparation of Precinct Structure Plans for employment areas and the release of additional land for employment purposes.
Strategy 1.4 Facilitate transit oriented development at the following railway stations:
   - Melton
   - Toolern
   - Rockbank
   - Mt Atkinson (as identified in the Mt Atkinson and Tarneit Plains Precinct Structure Plan 2016.)
Strategy 1.5 Facilitate additional educational facilities including local tertiary options.
Strategy 1.6 Facilitate start up and small businesses including home based businesses conducted from a dwelling in appropriate locations.
Strategy 1.7 Support new business opportunities provided through the introduction of recycled waste water including opportunities to increase the viability of agricultural production.
Strategy 1.8 Support economic development, tourism and rural enterprises which are compatible with and ancillary to rural uses in rural areas.

21.09-1.4 Implementation

The strategies will be implemented through the planning scheme by:

Policy guidelines

When deciding on an application for use and development which creates employment or is within a commercial or industrial zone, the following local policy will be considered, as appropriate:

- Clause 22.06 Retailing Policy, to encourage the growth and development of vibrant and dynamic retail centres.

Further strategic work

- Preparing a Structure Plan for Melton South.
- Preparing an Urban Design Framework for the Toolern Mixed Use and Employment area.
- Preparing an Urban Design Framework for the ‘Hopkins Road Business Precinct Commercial Area’ and the ‘Western Freeway Commercial Area’ as identified on plan 6 of the Mt Atkinson and Tarneit Plains Precinct Structure Plan.
- Preparing an Urban Design Framework for the Plumpton Business and Industrial Precinct.

Other actions

- Facilitating partnerships and cross council alliances to attract future innovative and emerging industries.
- Advocating for the State and Federal government to partner with Council in the planning for and provision of services for Toolern Metropolitan Activity Centre.
- Advocating for the preparation of Precinct Structure Plans for employment areas with the State Government and the Victorian Planning Authority.
Gaming and liquor venues

Overview

Whilst recognising the legitimacy of gaming and liquor venues locating in the city, Council’s priority is building community capacity, connectedness and social capital and making communities more resilient to the negative effects of gaming and alcohol.

The City of Melton has several pockets of socio-economic disadvantage (as defined by the SEIFA Index of Relative Socio-economic Disadvantage). The people in these areas of disadvantage are particularly vulnerable to gambling related vulnerabilities which include financial stress, social isolation, family violence and being time poor. Gaming revenue records indicate that the city has a high gaming expenditure per adult and per gaming machine relative to other metropolitan municipalities.

Key issues

- Minimising the harmful impacts of gaming and alcohol on the health and wellbeing of the community.
- Recognising the possible health, social and economic consequences for community wellbeing.

Objectives and strategies

Objective 1 To minimise the adverse impacts of liquor venues and gaming venues on the community.

Strategy 1.1 Manage the spread of venues across the municipality.
Strategy 1.2 Manage the location, design and operation of licensed premises and gaming machines to reduce their harmful social and amenity impacts.
Strategy 1.3 Facilitate development of non-gaming forms of entertainment for communities, particularly in growth areas.
Strategy 1.4 Consider the possible health, social and economic implications of gambling when considering applications for electronic gaming machines.

Implementation

The strategies will be implemented through the planning scheme by:

Further strategic work

- Giving effect to the City of Melton Electronic Gaming Machine Planning Policy Project 2017 in the planning scheme, to guide the assessment of applications considered under Clause 52.28 to install and use gaming machines.
- Preparing an electronic gaming local planning policy to guide the consideration of applications.

Industry

Overview

The City of Melton currently has a small amount of industrial land, however it is likely to play an increasingly significant role in accommodating and driving industrial and commercial development in the Western Region over the next 20 years.

The City’s industrial/commercial areas contain a wide variety of industries with the largest proportion in the construction industry followed by transport, postal and warehousing. There are also several sites with licences for extractive industry which should be protected from the encroachment of incompatible land uses.
21.09-3.2 Key issues

- Providing sufficient land for industrial and production related uses.
- Ensuring that industrial and extractive industry precincts are protected from encroachment by incompatible land uses.
- Providing high quality industrial sites within the city.

21.09-3.3 Objectives and strategies

Objective 1 To ensure sufficient industrial land is available and there are ample opportunities for industry to invest to support the growth and resilience of the local economy.

Strategy 1.1 Avoid non-industrial uses on industrial land that will compromise the viability of the area for industrial use.

Strategy 1.2 Support a transition towards economies that seek a greater dependence on knowledge, information and high skill levels.

Objective 2 To provide attractive built form in industrial areas.

Strategy 2.1 Require industrial developments to be high quality built form design.

Strategy 2.2 Support built form that includes colours, materials, and architectural features and finishes that add visual interest and enhance the streetscape in industrial areas.

Strategy 2.3 Require appropriate landscaping to be incorporated into the site layout of industrial developments, and where appropriate also included within the public realm.

Objective 3 To minimise conflict between industrial and other uses.

Strategy 3.1 Minimise the off-site impacts of extractive industry.

Strategy 3.2 Require the development of sensitive uses to be directed away from industrial areas.

Strategy 3.3 Require adequate separation distances between sensitive land uses and industry.

21.09-3.4 Implementation

The strategies will be implemented through the planning scheme by:

Policy guidelines

When deciding on an application for use and development for industry, the following local policy will be considered, as appropriate:

- Clause 22.15 Industrial Design Guidelines

Further strategic work

- Preparing a planning scheme amendment to implement the Industrial Design Guidelines 2016 to reinforce good design principles for development located within an Industrial 1 or 3 Zone or a Commercial 2 Zone.

- Preparing an Urban Design Framework for the Toolern Mixed Use and Employment area.

- Preparing an Urban Design Framework for the ‘Hopkins Road Business Precinct Commercial Area’ and the ‘Western Freeway Commercial Area’ as identified on plan 6 of the Mt Atkinson and Tarneit Plains Precinct Structure Plan.

- Preparing an Urban Design Framework for the Plumpton Business and Industrial Precinct.

21.09-4 Tourism

18/04/2019 C200

21.09-4.1 Overview

Tourism contributes only 2.1% to the local economy with the highest proportion of those jobs in the retail trade, accommodation and food services. Scope exists to increase this percentage through expanding the local tourism industry adding value and supporting the local economy.
The city’s natural charms, heritage buildings and harness racing activities already attract a significant number of visitors to the area. There are also tourism opportunities yet to be realised, such as tourism arising from boutique agricultural activities and associated food production. Proximity to Melbourne Airport and the large land holdings available provide an untapped opportunity for ‘big ticket’ tourism developments.

The visitor economy extends beyond the activities and economic impact of leisure tourists to encompass visitors travelling for work, education and visiting friends and family. There is scope to further leverage off the opportunities this presents.

21.09-4.2 Key issues

- Optimise the economic benefits available from the visitor economy.
- Promote the natural attractions and locational advantages of the City of Melton for tourism.
- Protect the natural and heritage assets on which tourism depends.
- Reinforce the existing Leakes Road Tourist Precinct as a key tourism generator.

21.09-4.3 Objectives and strategies

Objective 1  To support quality visitor services that capitalise on and enhance the City’s landscape, heritage natural features, and economic base.

Strategy 1.1 Create a key focal point or destination for visitors within Toolern Creek, Toolern Regional Park, Kororoit Creek, and Deanside wetlands precinct, Mt Kororoit, Mt Atkinson and Mt Cottrell.

Strategy 1.2 Support agricultural related agritourism, tourism and rural living in the Black Hill Road – Mount Aitken Road Precinct.

Strategy 1.3 Support conservation initiatives and small scale tourism uses in Toolern Vale Hills.

Strategy 1.4 Facilitate local tourism industries which add value to the local economy.

Strategy 1.5 Support the implementation and connection of the trail and open space network to provide an additional tourism offer within the western region.

Strategy 1.6 Support the tourism focus at Leakes Road Tourist Precinct.

Strategy 1.7 Require development at Leakes Road Tourist Precinct to mitigate any adverse impacts upon the habitat and survival of the Growling Grass Frog.

Strategy 1.8 Recognise the economic benefits through tourism that retention and adaptive re-use of heritage assets offers.

21.09-4.4 Implementation

The strategies will be implemented through the planning scheme by:

Policy guidelines

Further strategic work

- Investigating the development of a local policy to support areas of tourism associated with meaningful agricultural pursuits in appropriate areas within the green wedge.

21.09-4.5 Reference documents

Economic Development and Tourism Plan 2014-2030
City of Melton Industrial Design Guidelines 2016
Investment Attraction Strategy 2016-2019
Moving Melton – Melton Integrated Transport Strategy November 2015
Employment Land Supply Review September 2013
Economic Development and Tourism Plan: Background Report 2013
Western Plains North Green Wedge Management Plan September 2014
Melton Council and Wellbeing Plan 2017-2021
City of Melton Responsible Gambling Policy 2014
TRANSPORT

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

Integrated Transport

Overview

The City of Melton is one of Victoria’s designated growth areas and is one of Australia’s fastest growing local government areas. Considerable investment in transport infrastructure and improvements to transport connections are required to keep up with the expected growth whilst providing an appropriate level of service expected in a metropolitan area.

An integrated transport system aims to connect various transport modes for greater efficiency, integrate land use with transport infrastructure for more sustainable development and promote sustainable active travel, such as walking, cycling, safety and accessibility improvements. An integrated transport system will support local living and economic vitality in activity centres, improved health and wellbeing of the community, create more efficient transport, safer travel and lower transport emissions.

Council has adopted an Integrated Transport Strategy Moving Melton 2015 which provides a plan for the whole of the transport system.

Key Issues

- Providing a flexible, safe and connected active transport network to deliver wide ranging economic, environmental, health and social benefits to residents.
- Managing the pressure placed on the capacity of transport infrastructure by the growing population.
- Providing easy to use, safe, reliable and frequent transport services.
- Reducing car dependency and travel times (85% of working residents travel outside the City for work and many travel long distances to get to workplaces).
- Completing the pedestrian and cyclist network including segregation from road traffic where possible.

Objectives and strategies

Objective 1  To develop efficient and integrated transport infrastructure in a sustainable way to meet the needs of existing and future populations.

Strategy 1.1 Locate higher density housing in areas with good access to public transport services.

Strategy 1.2 Create transit oriented development at existing Melton, Rockbank, Toolern and Caroline Springs railway stations and future Paynes Road and Mt Atkinson railway stations.

Strategy 1.3 Create an interconnected and continuous network of streets, cycle routes, shared paths, footpaths and public transport routes within and between neighbourhoods.

Strategy 1.4 Support the development of the freight transport network.

Objective 2  To encourage and promote walking and cycling by creating a safe and connected active transport network.

Strategy 2.1 Require principal pedestrian and bicycle networks to be provided in the development of Precinct Structure Plans.

Strategy 2.2 Require the provision of footpaths and appropriate on or off-road cycling routes in new subdivisions.

Strategy 2.3 Require development of key regional and cycling routes:

- Between Melton township and Metropolitan Melbourne.
- Along the Werribee River Trail (linking Melton Township with Eynesbury and Werribee).
- Along the Kororoit Creek trail.
Along MacPherson Park trail (linking Melton Township with MacPherson Park).

As identified Trail connections recommended in the Western Plains North Green Wedge Management Plan 2014.

Strategy 2.4 Require end of trip facilities to be incorporated into the design of the public and the private realm of new activity centres.

Strategy 2.5 Require end of trip facilities to be incorporated into the refurbishment of the public and the private realm of existing centres.

Strategy 2.6 Support the development of end of trip facilities at railway stations and bus interchanges.

Objective 3 To provide a reliable, safe, affordable and simple to use public transport system that is accessible to all with frequent well connected services to the places residents want to go.

Strategy 3.1 Facilitate duplication of tracks and the electrification of the Melton rail corridor.

Strategy 3.2 Facilitate projects associated with the upgrade of the existing train stations at Melton, Rockbank, Caroline Springs and Diggers Rest.

Strategy 3.3 Facilitate projects that improve bus connections with train stations.

Strategy 3.4 Relocate the existing bus interchange at Woodgrove Shopping Centre to High Street.

Strategy 3.5 Improve the bus interchange facility at Caroline Springs Town Centre.

Objective 4 To provide a reliable, safe, affordable and simple to use road system that will contribute to the liveability, environmental sustainability and economic prosperity of the City of Melton.

Strategy 4.1 Plan key road links to enable the early establishment of new bus routes in developing areas.

Strategy 4.2 Design road networks that:

- are understandable to users,
- encourage easy movement into and through developments
- integrate with the existing road and bicycle networks.

Strategy 4.3 Provide a road network that meets the needs of users at a minimal cost to Council, the community and the environment.

Strategy 4.4 Require that all new subdivisions in rural areas are connected to a sealed road that forms part of the municipal sealed road network.

Strategy 4.5 Avoid proposals on freeways and highways which:

- lessen the level of service, safety and function of the road,
- diminish the appearance and visual amenity of the area,
- result in a loss of vegetation
- extend linear or ribbon forms of development.

21.10-1.4 Implementation

The strategies will be implemented through the planning scheme by:

Scheme implementation

- Applying the Road Zone Category 1 (RDZ1) to identify significant existing roads and ensure appropriate access controls apply.

Further strategic work

- Preparing a regional Road Network Plan that prioritises different transport modes based on desired road functions, and addresses the short, medium and long term needs.

- Preparing a Structure Plan for the area surrounding Melton Railway Station to encourage transit oriented development.

- Reviewing the Melton Structure Plan 2007 for the area surrounding High Street, Melton to contribute to the revitalisation of this important centre and provide enhanced amenities to local residents to help reduce the need to travel for services.

Other actions

- Advocating for the upgrade of roads to provide bus priority for routes identified on the principal public transport network plan.
- Supporting the development of new train stations at Paynes Road (Paynes Road Precinct Structure Plan), Hopkins Road (Mt Atkinson Precinct Structure Plan).
- Supporting roadworks that facilitate the development of the following bus routes:
  - Bacchus Marsh – Melton township – Watergardens.
  - Melton township – Eynesbury Wyndham Vale – Werribee
- Advocating for the timely delivery of State infrastructure projects to alleviate congestion and improve access and connectivity.
- Working with the Victorian Planning Authority in the development of Precinct Structure Plans to develop an arterial road network to support long term growth as identified in the Growth Corridor Plans.
- Working with developers and VicRoads to encourage the phased extension and construction of arterial roads identified in the West Growth Corridor Plan 2012 and Precinct Structure Plans to provide a grid of arterial roads.
- Advocating for the timely planning and investment in the strategically significant Toolern Activity Centre including the Toolern Train Station and the electrification of the rail line.
- In consultation with the local community, adjoining municipalities and other key stakeholders, prepare an Active Transport (Walking and Cycling) Strategy.
- Advocating for upgrades to train station car parks to facilitate ‘park and ride’.

Reference documents

Moving Melton – Melton Integrated Transport Strategy November 2015
Melton Advocacy Priorities 2018
Council and Wellbeing Plan 2017-2021
This clause provides local content to support Clause 19 (Infrastructure) of the State Planning Policy Framework.

Provision of Infrastructure

Overview

As the City of Melton grows at a rapid rate, provision of development and community infrastructure in a timely manner is critical. All levels of government, including Council, must work together to ensure that residents have access to the development and community infrastructure that ensure the City’s long-term liveability.

Council’s challenges are:

- Urban development needs to be properly staged and managed to ensure that development and community infrastructure are provided in an efficient, sensible and timely manner.
- Most communications infrastructure is provided by the private sector and guidance is needed to ensure the carriers deploy their infrastructure sensitively whilst also facilitating a world-class communications network.
- There is a gap between the infrastructure required and what Council can fund. To enable infrastructure to be delivered, Council has the ability to collect infrastructure contributions from developers, develop partnerships with private and not for profit sectors and secure funding from state and federal government.

Council’s infrastructure priorities are:

- New schools based on growth projection.
- Local tertiary education opportunities.
- Planning and investment in Toolern Metropolitan Activity Centre.
- A local integrated health system including a hospital.
- The timely planning and provision of transport and connections.
- Community infrastructure for young people.

Key Issues

- Managing the funding gap between what is required and what can be funded by Council and development contributions.
- Influencing the timing of infrastructure that is provided by State and Federal government.
- Providing community facilities, infrastructure and services that are planned for, equitably provided and well maintained in a timely way.
- Applying appropriate infrastructure levies to contribute to the cost of works, services and facilities.
- Managing out of sequence development within growth areas.

Objectives and strategies

Objective 1

To ensure local primary and secondary schools are adequately provided for and expand opportunities for residents to access face–to-face tertiary education locally.

Strategy 1.1

Support the provision of new educational facilities that address the current shortfall in educational opportunities and respond to the needs of the growing community.
Strategy 1.2 Plan for the provision of a range of educational facilities within Precinct Structure Plan areas in collaboration with the Victorian Planning Authority and the Department of Education and Training.

Strategy 1.3 Improve access to educational facilities through the provision of active transport options and support for additional public transport options.

Objective 2 To address the lack of health facilities, the lower than average health and wellbeing indicators and lower life expectancy experienced by City of Melton residents.

Strategy 2.1 Facilitate development of a hospital.

Strategy 2.2 Improve access to services through the provision of integrated community services hubs and the co-location of complementary community facilities.

Strategy 2.3 Provide community facilities that are desirable, accessible, diverse and sustainable.

Objective 3 To ensure new development and community infrastructure meets the needs of the community in a timely and efficient way.

Strategy 3.1 Require the expansion of Melton township to focus on the orderly outward expansion of community and reticulated services and the sequential extension of the arterial road network.

Strategy 3.2 Support rural residential development in locations which will not prejudice the efficient connection and provision of community and physical infrastructure.

Objective 4 To ensure that developers contribute equitably to the cost and provision of physical and community infrastructure.

Strategy 4.1 Require infrastructure contributions to be applied to new development areas to assist with funding the required physical and community infrastructure.

Strategy 4.2 Require out of sequence development to provide the infrastructure required to facilitate development.

Objective 5 To ensure that new communications infrastructure does not adversely impact upon sensitive uses and landscape features whilst also facilitating a world class communications network.

Strategy 5.1 Protect significant landscape features including volcanic cones from any adverse visual impact through careful design and siting of the facility.

Strategy 5.2 Support the early provision of communications infrastructure in Precinct Structure Plans and new development.

Objective 6 To minimise the impacts of stormwater runoff.

Strategy 6.1 Support the use of overflow paths and retarding basins to control stormwater runoff and improve water quality.

21.11-1.4 Implementation

The strategies will be implemented through the planning scheme by:

Policy guidelines

When deciding on applications for the subdivision of land, the following local policy will be considered, as appropriate:

- Clause 22.11 (Interim Telecommunications Conduit Policy)

Further strategic work

- Working with the Victorian Planning Authority to ensure an Infrastructure Contributions Overlay is applied to all areas identified where an infrastructure contribution is applicable.

- Implementing the City of Melton Communications Infrastructure Policy Framework December 2017 that provides location and siting guidance for the location and design of communications infrastructure into the Melton Planning Scheme.

Other actions

- Advocating for investment by the state government in the timely provision of primary and secondary education facilities

- Advocating for local tertiary education options to be provided by state government and tertiary education providers.

- Advocating for the planning and provision of emergency services and justice facilities consistent with demand.
Working in partnership with the Department of Health and Human Services for the planning and delivery of a public hospital (ideally within the identified Health Precinct within the Toolern Metropolitan Activity Centre).

**21.11-2 Protection of Infrastructure**

**Overview**

The provision of major infrastructure and the full range of reticulated infrastructure within the City of Melton represents a considerable public investment. Planning for development must protect the existing infrastructure, and in respect of waste water treatment plants, prevent encroachment from sensitive land uses.

Both City West Water and Western Water are responsible for the management and development of the water supply and sewerage across their respective service area in the City of Melton. The protection and efficient operation of this infrastructure is essential for the on-going development of the City of Melton.

Surbiton Park is the City’s only waste-water treatment facility and is integral to the on-going and future development of Melton township. In the east of the City, Melbourne Water is responsible for main drainage and City West Water are responsible for water and sewerage services. The Merrimu Reservoir is also an important part of Western Water’s regional water supply and storage network. Land surrounding the reservoir lies within a proclaimed catchment area as defined under the *Catchment and Land Protection Act 1994*.

The city also contains the Ravenhall Precinct a waste and resource recovery hub of state importance. Other significant infrastructure assets in the City include:

- Melton Reservoir that is used for irrigation purposes within the City of Wyndham
- High pressure gas transmission pipelines which make up an integral section of the Victorian gas transmission system
- High voltage electricity transmission easements
- Landfill sites
- Water tanks
- Surbiton Park

**21.11-2.2 Key Issues**

- Protecting existing infrastructure assets from encroachment of inappropriate development.

**21.11-2.3 Objectives and strategies**

**Objective 1**  
To ensure major infrastructure assets are protected from inappropriate development and encroachment by sensitive land uses.

- **Strategy 1.1** Protect existing infrastructure assets including Surbiton Park, Djerriwarrh Reservoir and Melbourne Water assets from inappropriate development and encroachment.
- **Strategy 1.2** Protect surrounding land uses from high pressure gas transmission pipelines.
- **Strategy 1.3** Require adequate separation and the provision of buffer areas between sensitive land uses and existing infrastructure assets.
- **Strategy 1.4** Avoid the encroachment of sensitive uses into the separation distance of existing infrastructure assets.

**21.11-2.4 Implementation**

The strategies will be implemented through the planning scheme by:
Scheme implementation

- Applying appropriate zoning such as Industrial 1 or Special Use Zone to major electricity transmission easements where specific planning outcomes are required.

Further strategic work

- Investigating applying planning controls to protect existing infrastructure from the encroachment of urban development.

- Continuing to investigate the application of planning controls to identify and protect pipelines that concentrate people away from the pipelines, and where appropriate, include referral and notice requirements to Energy Safe Victoria and the pipeline operator/owner as relevant.

- Reviewing and update the *Waste Management Strategy 2011-2016*.

Other actions

- Continuing to work with the EPA to investigate the application of buffer zones in appropriate areas.

- Participating in a Safety Management Study to inform Precinct Structure Plans for sites containing the pipelines.

Reference documents

*Melton Advocacy Priorities 2018*

*Community Infrastructure Plan 2017-2036*

*City of Melton Communications Infrastructure Policy Framework - Background Analysis Paper May 2017*

*City of Melton Communications Infrastructure Policy Framework December 2017*
LOCAL AREAS

This Clause focuses on Local Area implementation for particular precincts within the City of Melton and should be read in conjunction with the rest of the Municipal Strategic Statement.

Eynesbury Station

Overview

Eynesbury Station has a total site area of 7,420 hectares. It lies partly within the municipalities of Melton and Wyndham, approximately 40 kilometres west of Melbourne.

The site contains numerous former farm buildings, including the substantial former homestead complex, dry stone walls, dams and other features, that are included on the Victorian Heritage Register.

North of the Eynesbury Station Homestead is the Eynesbury Woodland, with an area of 268 hectares. This contains environmentally significant vegetation of Plains Grassy Woodland dominated by Grey Box.

Within the site, a residential development known as Eynesbury Township has been established. Approval of the overall development is based on the objectives of ensuring the balance of the land remains in productive agricultural use through the use of recycled water, environmental problems are addressed and the significant heritage and environmental assets are protected and enhanced.

The Eynesbury Station Incorporated Plan 2001 provides the basis for the approval of the development. Further management plans, strategies, agreements and approvals, including a Development Plan, guide the on-going development of the area.

The vision for the township is to provide an integrated, innovative residential and recreational community based on principles of environmental, social and economic sustainability.

Key Issues

- Facilitating transport connections to Melton and Werribee to enhance residents’ ability to access education, health, recreation and employment opportunities and services.
- Providing infrastructure to meet the needs of the community in a timely way.
- Ensuring the use of recycled water, on-going productive agricultural activity and the protection of heritage and environmental assets continues to be managed in accordance with the original intent of the Eynesbury Station Incorporated Plan 2001.
- Managing the complex layers of approvals and plans required for development including the existing Mixed Use Zone that applies to the Eynesbury Township.

Objectives and strategies

Objective 1  To develop the township of Eynesbury in accordance with the new urbanist principles upon which the township is based.

Strategy 1.1 Design the road network to:
  - provide for optimum future bus routes
  - cater for buses
  - maintain options for appropriately located bus stops.

Strategy 1.2 Design subdivisions to provide a permeable and legible street network which allows safe and direct pedestrian and cycle access.

Strategy 1.3 Support options for interim service delivery such as ‘pop up’ services pending construction of permanent facilities.

Objective 2  To support the continued use of Eynesbury for productive agriculture.
Strategy 2.1 Support the diversification and intensification of agriculture arising from the opportunities presented by access to the recycled water.

Strategy 2.2 Provide appropriate buffers between the existing and future residential development and agricultural activities which may have adverse amenity impacts.

Objective 3 To ensure the on-going integrated environmental management of Eynesbury Station.

Strategy 3.1 Require best practice in all aspects of design, agricultural practice and environmental management which includes control of pest plants and animals, stormwater management and the management of key environmental assets.

Strategy 3.2 Support the development of an innovative residential and recreational community at Eynesbury Station based on principles of environmental, social and economic sustainability.

Strategy 3.3 Implement the vision and philosophy identified in the Eynesbury Station Incorporated Plan, September 2001.

Objective 4 To facilitate the productive reuse of water from Surbiton Park Treatment Plant.

Strategy 4.1 Support opportunities for the reuse of water primarily in the agricultural and recreational components of Eynesbury Station.

Objective 5 To maintain and improve the water quality of Werribee River.

Strategy 5.1 Require the application of best practice water sensitive urban design techniques throughout Eynesbury Station.

Objective 6 To protect and enhance the environmental and heritage assets of Eynesbury Station.

Strategy 6.1 Support the conservation and adaptive reuse of heritage buildings where consistent with the vision and philosophy of the Eynesbury Station Incorporated Plan, September 2001.

21.12-1.4 Implementation

The strategies will be implemented through the planning scheme by:

Policy guidelines

When deciding on an application for use and development within Eynesbury, the following will be considered:

- The approved plans, strategies and executed agreements to ensure the original vision and intent of the Eynesbury Station is preserved.

Further strategic work

- Investigating the most appropriate land use zoning for Eynesbury township to achieve the desired planning outcomes. Consider Mixed Use Zone, Comprehensive Development Zone and other suitable zones.

21.12-1.5 Reference documents

Figure 1: Eynesbury Township Development Plan Melton
22.02  [NO CONTENT]
[NO CONTENT]
NEW ACTIVITY CENTRES

This policy applies to all land within the municipality, where it is proposed to introduce a new activity centre that is not identified in the City of Melton Existing, Planned and Proposed Activity Centre Hierarchy in Figure 1 of Clause 21.05.

Policy basis

This policy builds on the following Municipal Strategic Statement objectives:

- Clause 21.03-2 to encourage the growth and development of vibrant and dynamic retail centres.
- Clause 21.05-3 to identify and support a network and hierarchy of activity centres.

This policy is based on the City of Melton Retail and Activity Centres Strategy, March 2014 which identifies a strong expectation that retail and other appropriate commercial and community activities will be directed to one of the nominated centres in the City of Melton Existing, Planned and Proposed Activity Centre Hierarchy.

The hierarchy identifies a network of existing, planned and proposed activity centres that will support the needs of residents both now and at full development. In urban growth areas, centre sizes and locations will be determined during the Precinct Structure Planning process.

Policy objectives

- To support a network of activity centres as defined within the City of Melton Existing, Planned and Proposed Activity Centre Hierarchy unless otherwise able to be considered under this policy.
- To ensure that the introduction of new activity centres does not adversely impact on the role of centres identified in the City of Melton Existing, Planned and Proposed Activity Centre Hierarchy.
- To ensure equitable and efficient access to goods and services for all residents.
- To encourage minor retail provision that will support rural or tourism enterprises.

Policy

It is policy to:

- Support the use and/or development of land to establish a new local activity centre if there is a physical gap in the network, whereby the nearest neighbourhood activity centre or larger centre is beyond a reasonable walk (typically 800 metres).
- Support the use and/or development of land to establish a new local activity centre if the commercial floor area is generally between 300 square metres and 800 square metres. Larger local activity centres may be considered where the local demand for services warrants this and where this does not adversely affect the development of nearby larger centres.
- Support the use and/or development of land to establish a new local activity centre only if the centre is located on a connector road, preferably at the confluence of local pedestrian and cycle trails to increase its accessibility by non-motorised transport modes.
- Support the use and/or development of land to establish a new neighbourhood activity centre in areas where there has been higher than expected population growth or where the network needs to be adjusted in order to meet resident needs.
- Ensure all new activity centres have a mix of retail and non-retail uses to maximise the number and diversity of local employment opportunities.
- Support some minor retail provision associated with a rural and/or tourism use if it is ancillary to the rural and/or tourism use. The amount of retail provision must not amount to more than that of a local activity centre.
Application requirements

Introduction of a new local activity centre other than one identified in an approved precinct structure plan

An application to use and/or develop land to establish a new local activity centre (other than one identified in an approved precinct structure plan) should provide justification as to why it is needed to the satisfaction of the responsible authority.

This justification should include (but is not be limited to):

- Identification of the proposed local activity centre and the catchment to be served.
- Demonstration that the proposed local activity centre meets a geographical gap in the City of Melton Existing, Planned and Proposed Activity Centre Hierarchy: i.e., where the nearest neighbourhood activity centre or larger centre is beyond reasonable walking distance (typically 800 metres).
- Identification of the proposed land uses within the local activity centre.
- Analysis of the impact on nearby neighbourhood activity centres and larger surrounding centres from the proposed local activity centre.
- Analysis of access opportunities to the proposed local activity centre, including pedestrian, cycle, public transport and road access, as well as car parking provision.

Introduction of a new neighbourhood activity centre other than one identified in an approved precinct structure plan

An application to use and/or develop land to establish a new neighbourhood activity centre should contain an assessment of net community benefit.

This justification should include (but is not limited to):

- Identification of the proposed catchment to be served and how this affects the catchment of surrounding centres.
- A retail supply and demand analysis.
- Assessment of the economic impact on other centres identified in the City of Melton Existing, Planned and Proposed Activity Centre Hierarchy and how a new centre will affect their expected role.
- Assessment of net social and employment benefits of the proposal.
- Identification of the proposed mix of land uses that will maximise the number and diversity of local employment opportunities.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines applicable to the relevant zone, the responsible authority should consider:

- The extent to which the application meets the policies, policy objectives and provisions of this clause.
- Whether the proposal is consistent with the relevant objectives of Clause 21.05 and the City of Melton Existing, Planned and Proposed Activity Centre Hierarchy identified at Figure 1 of Clause 21.05.

Reference documents

City of Melton Retail and Activity Centres Strategy, March 2014
Toolern Town Centre Urban Design Framework, 2012
[NO CONTENT]
STORES AND OUTBUILDINGS POLICY

This Policy applies to all land within the City of Melton.

Policy Basis

The City of Melton contains areas of open plain, important highway routes, historic areas, attractive townships and significant landscapes, which can be negatively impacted upon by inappropriately sited designed stores and outbuildings.

The Melton City Council recognises that the development of outbuildings and stores are often a necessary requirement for the landowners within the City, in particular those living within the rural regions.

The policy has direct regard for the Melton Planning Scheme and must be read in conjunction with these provisions.

Policy Objectives

The objectives of the policy are to:

- Ensure that the siting, design and scale of outbuildings and stores respects the character of an area;
- Ensure that the design and siting of outbuildings and stores does not have a detrimental impact upon visual amenity and the natural landscape;
- Ensure that the amenity of nearby and neighbouring properties are not unduly affected by the use or development of outbuildings and stores.
- Encourage the appropriate siting, external finishing and use of stores and outbuildings.

Policy

It is policy to:

- Ensure that the design, siting and scale of outbuildings and stores respects the character of the area;
- Ensure that outbuildings and stores are not visually intrusive and do not have adverse impact upon view lines or the natural landscape;
- Encourage the external finish of developments to be consistent with and compliment the landscape amenity and surrounding area;
- Protect the amenity of surrounding properties by ensuring that outbuildings and stores are developed appropriately in terms of use and scale;
- Encourage the development of outbuildings that do not have a greater floor space or height than the existing residence;
- Discourage the development of vehicle stores and storage of shipping containers within residential areas;
- Ensure that shipping containers are not converted for the use of an outbuilding or store;
- Prevent the development of vehicle stores and the storage of shipping containers within residential areas.
- Ensure that appropriate mature screen planting is utilised to reduce the visual impact of the outbuilding from the neighbouring properties and the street;
- Ensure that all stores and outbuildings are setback appropriately as specified in the Shire of Melton Store and Outbuilding Policy and Guidelines and do not have an adverse impact upon the amenity of the neighbouring residences; and
- Minimise the removal of native vegetation by ensuring that the proposal is appropriately sited.

**Decision Guidelines**

All applications for Stores and Outbuildings should meet the policy requirements stated in the *Shire of Melton Store and Outbuilding Policy and Guidelines*. If an application is contrary to the policy, written justification is required and this should form part of the application.

In assessing an application for the use and development of stores and/or outbuildings, the Responsible Authority will consider:

- The extent to which the application meets the objectives and directions to this policy
- The affect the proposal has on the amenity of the neighbouring and nearby properties, including consistency with the existing neighbourhood character.
- If the visual appearance and presentation of the development is of high quality, by providing appropriate siting of the outbuilding, setbacks and adequate landscaping.

**Policy references**

INTERIM TELECOMMUNICATIONS CONDUIT POLICY

This policy applies where a permit is required for the subdivision of land.

Policy basis

The Federal Government has undertaken to provide broadband telecommunication access to 90% of the Australian population through the installation of optical fibre cables. Optical fibre provides increased data carrying capacity and will allow for faster access to multimedia services, larger data files and new telecommunication tools.

Providing underground conduit infrastructure for optical fibre cables in new subdivisions before the completion of development is efficient, cost effective and provides infrastructure ready to meet the needs of communities.

This policy is an interim measure until such time as the provision of broadband telecommunication service to new subdivisions is legislated for and implemented by the Federal Government.

Objective

To ensure the provision of a network of open access conduits for optical fibre cabling to facilitate broadband telecommunications services in a timely, efficient and cost effective manner.

Policy

It is policy that:

- New subdivisions are provided with open access underground conduits to carry optical fibre at the development stage. This may be waived if the responsible authority considers provision is unwarranted.

- All subdivision applications include a plan showing the conduit network for the subdivision, to the satisfaction of the responsible authority.

- Conduits be provided in accordance with a plan approved by the responsible authority.

- Subdivision permits include a condition requiring the conduit and associated infrastructure to be protected from damage to the satisfaction of the responsible authority.

- Ownership of a conduit will vest in Council, and may be transferred to another agency or a telecommunications carrier at a later date.

- Where a conduit crosses private land, an easement may be required in favour of Council.
HOUSING DIVERSITY POLICY

This policy applies to all residential development requiring a planning permit in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone and Low Density Residential Zone.

Policy Basis

This policy builds on the following Municipal Strategic Statement objectives:

- Clause 21.03-2 to create sustainable and livable communities that are attractive and desirable places in which to live.
- Clause 21.04 to recognise the important role of housing diversity.

The policy is derived from the Melton Housing Diversity Strategy May 2014. The aim of this strategy is to provide a comprehensive plan guiding housing growth within the established residential areas across the municipality. It will also ensure future housing development provides an appropriate range of housing choice and diversity to meet the needs of a growing and changing community.

This strategy has also informed the application of the new residential zones, being the General Residential Zone, Neighbourhood Residential Zone and Residential Growth Zone.

Objectives

To encourage the provision of affordable housing options for households of all income levels.

To protect and enhance the neighbourhood character of residential areas where appropriate.

To facilitate a diverse range of housing to meet the needs of a diverse population and provide genuine choice in housing products.

To support increased residential densities in locations with high levels of access to infrastructure, services and transport.

To encourage innovative housing design and development that is adaptable, site responsive and environmentally sustainable.

Policy

It is policy to:

- Encourage the development of a range of housing options throughout the municipality.
- Ensure that new development does not impact adversely on areas of recognised neighbourhood character.
- Encourage higher density development to locate in areas with high levels of accessibility to infrastructure and services.
- Encourage the redevelopment of well located infill sites.
- Encourage housing development that features innovative design and responds to the principles of sustainability.

Application Requirements

An application for residential development in the General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone and Low Density Residential Zone must be accompanied by a report that demonstrates how the proposal addresses this policy with particular regard to the following key themes, as appropriate:

- Affordability.
- Neighbourhood character.
- Housing diversity.
- Infrastructure, services and transport.
- Housing design innovation.

**Decision Guidelines**
Before deciding on an application, in addition to the decision guidelines applicable to the relevant zone, the responsible authority should consider whether the proposal is consistent with the objectives of the *Melton Housing Diversity Strategy May 2014*.

**Reference Documents**
*Melton Housing Diversity Strategy Background Report Analysis and Issues Assessment August 2013*

*Melton Housing Diversity Strategy May 2014*
**22.14 DRY STONE WALLS**

This policy applies to all dry stone walls subject to the Heritage Overlay in the municipality including those in dry stone wall precincts and other walls listed in the Schedule to the Heritage Overlay.

**22.14-1 Policy Basis**

The dry stone wall landscape of the City of Melton is expressive of both the natural history of the volcanic creation of the area and the cultural history of its human modification. The City of Melton’s dry stone walls provide information about settlement patterns, farm management and wall construction techniques on Melbourne’s western plains. Geologically significant volcanic eruption points such as Mount Cottrell, Mount Kororoit, Mount Atkinson and She Oak Hill are the origins of the fieldstone that was gathered up and shaped into the walls that characterise the landscape of the municipality.

Prior to European settlement, Melton supported a number of biologically diverse ecosystems. Nationally significant volcanic grasslands were the reason early farmers and pastoralists were attracted to the plains beyond Melbourne, and it is on these plains that they established small farms or large pastoral stations, and utilised the plentiful volcanic stone to fence boundaries, stock and homesteads. The dry stone walls are of cultural significance to the municipality. Across the municipality, urban settlement is now encroaching on these dry stone walls.

Each dry stone wall subject to the Heritage Overlay is listed in the incorporated document, *Melton Dry Stone Walls Study, Volume 3 – Statements of Significance* or described as part of a significant place in the incorporated document *Shire of Melton Heritage Study – Volume 6 – Statements of Significance* (March 2009).

**22.14-2 Objectives**

- To encourage the conservation and repair of dry stone walls.
- To generally discourage the demolition of dry stone walls in the Heritage Overlay.
- To encourage the retention, reuse and recycling of stone and dry stone walls.
- To ensure new development is sympathetic and seeks to conserve and enhance dry stone walls.

**22.14-3 Policy**

It is policy to:

- Encourage the retention and conservation of dry stone walls.
- Generally discourage the full demolition or removal of a dry stone wall.
- Encourage the removal of inappropriate alterations that detract from the cultural significance of the dry stone wall.
- Generally discourage the demolition of parts of a dry stone wall unless one of the following matters apply:
  - The section of wall needs to be removed to undertake repairs to damage caused by earth movement.
  - The section of dry stone wall needs to be removed to create a break for new openings (such as farm openings, road widening or road breaks).
  - The section of dry stone wall needs to be removed so utility services can be installed (and no viable alternative exists). The dry stone wall must be reconstructed afterwards.
  - It can be demonstrated that the removal of the part of the dry stone wall does not negatively affect the significance of the wall.
Encourage the retention of dry stone walls in favour of contemporary walls or gateway treatments in new development.

Encourage the conservation and repair of dry stone walls.

Encourage, where possible, the retention of original openings, posts and wires in any repair or maintenance programs.

Encourage the reconstruction of features where they have been removed or lost.

Require the construction of wall ends where new openings have been created in a dry stone wall.

Require the use of a professional dry stone waller when:
- reconstructing a section of dry stone wall;
- creating new openings; and / or
- constructing new wall ends.

Discourage the construction of additional stone courses to increase the height of an existing dry stone wall if it is not consistent with the type of the dry stone wall.

Discourage the use of concrete mortar within a dry stone wall.

Allow additional wires above a dry stone wall, if required for farming purposes, provided the new posts do not disturb the structure of the dry stone wall.

Allow subdivision which does not detract from the heritage value of the dry stone wall provided it:
- Minimises the number of new openings in a dry stone wall; and
- Applies a five metre wide landscape buffer on either side of a dry stone wall.

Application Requirements

An application for a permit for any of the following should be supported by relevant documentation as outlined below:

Demolition
- An assessment of the condition of the dry stone wall by a suitably qualified professional.
- A strategic justification as to why demolition is required.
- A plan for the proposed re-use or storage of the removed stone.
- Photographs (or suitable records) of the dry stone wall.

Partial Demolition
- An assessment of the condition of the dry stone wall by a suitably qualified professional.
- The extent of removal required.
- The percentage of the demolished area in relation to the whole structure.
- A strategic justification as to why demolition is required.
- A plan for the proposed re-use or storage of the removed stone.
- Photographs (or suitable records) of the dry stone wall.
- Details of how the section of dry stone wall will be reconstructed (where applicable).
- Any demolition of a dry stone wall section to create an opening must be accompanied with detail on new wall end construction.
Additions, Reconstruction and Conservation

- Drawings of the sections of the dry stone wall that are proposed to be altered (added to, reconstructed or conserved).
- Details of who will be carrying out the proposed works.
- Where conservation or reconstruction is being undertaken, details of how the style of works is in keeping with the structure and form of the original or adjoining lengths of wall.
- Where additions are proposed, a justification of why the additions are required, and detail on the proposed additions, which demonstrate they will not disturb the structure of the dry stone wall.

Subdivision / development

- A feature survey of the dry stone wall(s) within the proposed development.
- A Dry Stone Wall Management Plan which includes the following:
  - Photographs (or suitable records) of the dry stone wall;
  - Recommendations for repair and / or reconstruction; and
  - Conservation works which will retain the cultural significance of the dry stone wall.
- The establishment of a five metre wide landscape buffer either side of a dry stone wall, unless otherwise agreed by the responsible authority.
- A plan showing the proposed location of any landscaping, footpaths, and structures which may impact the dry stone wall.

Decision Guidelines

Before deciding on an application the responsible authority will consider, as appropriate:

- The views of other landowners of the same dry stone wall, where ownership is shared between multiple property owners. Those views will be sought using Section 52 of the Planning and Environment Act 1987 (unless exempt under the provisions of Clause 43.01-3).
- The heritage significance of the dry stone wall as cited in the relevant Statement of Significance.
- Any requirements or guidelines relating to the dry stone wall in a Precinct Structure Plan.

Reference Documents

Melton Heritage Study (2007)
Melton Dry Stone Walls Study (August 2011)
INDUSTRIAL DESIGN GUIDELINES

This policy applies to all applications for industrial subdivision and buildings and works on land located in an Industrial 1 or 3 Zone or a Commercial 2 Zone.

This policy also applies to all industrial development on land in the Urban Growth Zone, where the applied zone is an Industrial 1 or 3 Zone or a Commercial 2 Zone, and there is no approved Urban Design Framework.

Policy Basis

Industry is a key contributor to the City of Melton’s employment base. The appearance and amenity of industrial areas can influence decisions to conduct business or work in the City of Melton.

Well designed industrial areas positively affect the amenity and appearance of the City. It is important that industrial areas are well designed to attract investment by business, and to minimise adverse amenity impact on surrounding residential and sensitive uses.

The policy will support the creation of industrial areas that are functional, attractive and sustainable.

Objectives

To facilitate the development of industrial subdivisions that respond to the local characteristics of their site and its context.

To ensure industrial subdivisions cater to a variety of potential business types and sizes.

To ensure that the subdivision of industrial land provides lots of adequate size to achieve appropriate access, landscaping and built form outcomes.

To ensure that new industrial development is well designed and enhances the visual amenity of the area.

To establish and maintain a high quality industry environment that attracts businesses, workers and visitors to the City of Melton’s industrial estates.

To encourage principles of environmental sustainability within industrial developments.

To facilitate consistency in built form outcomes throughout the municipality.

Policy

It is policy that the following matters be taken into account when considering an application to develop land, including the subdivision of land and alterations to an existing building or works.

Subdivision Design

Subdivision Application Requirement - Site and Contextual Analysis

Applications for subdivision must be accompanied by an analysis of the site and surrounds showing, as appropriate:

- Site shape, dimensions and size.
- Surrounding land uses (proposed and existing).
- Access points.
- Existing and future transport networks (where available) including road, public transport, cyclist and pedestrian routes.
- Surrounding built form character, including building heights and setbacks.
- The topography and physical features of the site including significant vegetation and natural features.
- Areas of Aboriginal Cultural Heritage Sensitivity.
- Drainage and areas of flooding.
- The location of easements and utilities including electricity, gas, water, sewer, and telecommunications infrastructure.
- Views to and from the site.
- Climatic considerations, including prevailing winds and solar access.

**Subdivision Requirement - Street Network**

The design of the street network should be easy to navigate and provide an efficient grid network of connecting streets. The street network should be designed to:

- Provide a street network that is permeable and easy for vehicles, cyclists and pedestrians to navigate.
- Provide a separation between industrial and residential uses.
- Provide a landscaped central median or service road if the proposed subdivision adjoins a residential area, to provide a buffer between the two land uses.
- Facilitate buildings that address areas of the public realm (such as streets, waterways, railways lines, conservation areas, and public open space) to improve passive surveillance and avoid significant and unsightly blank interfaces.
- Orientate streets to be north-south and east-west to promote passive solar design.
- Provide a local road hierarchy that caters for all road users including heavy vehicles, buses, cars, cyclists and pedestrians.
- Discourage heavy vehicle traffic from entering adjoining residential streets.

**Subdivision Requirement - Lot Layout and Design**

Industrial subdivisions should:

- Create lots that are regular in shape and square to the street.
- Create a variety of lot sizes, ensuring lots are large enough to accommodate natural features, access, landscaping and built form outcomes.
- Orientate lots so the primary frontage is to the higher order street.
- Design the lot layout to ensure buildings have sufficient frontage to positively address areas of the public realm such as streets, main roads, rail corridors, waterways, conservation areas, and public open space.
- Where street frontage lots screen lots at the rear, the office and pedestrian entry of the rear lots should be visible from the main street frontage.
- Create lots that enable buildings to be sited and aligned for solar efficiency.

**Development Design**

**Building Setbacks**

All development should enhance the streetscape character. New development should:

- Respond to the predominant front setbacks of surrounding buildings. Structures over pedestrian entries (such as canopies) can protrude into the setback.
- Provide a minimum three metre building setback where there are no existing setbacks on surrounding properties.
- Provide a minimum five metres setback where an industrial area has an interface to a residential area.
- Provide a minimum five metre setback where an industrial area has an interface with a road identified as a Road Zone Category 1 (RDZ1).
- Provide a minimum three metre building setback to each street frontage on corner lots.
- Avoid providing loading areas at the front of the property. Where it is demonstrated that this cannot be complied with, a five metre landscaping setback must be provided to screen any loading areas from street view.

**Building Design**

The design of buildings should be attractive and engage with the streetscape. New development should:

- Locate customer service, retail / showroom and office areas at the front of the building so they are clearly visible from the primary street frontage and visitor parking areas.
- Provide opportunities for street activation and passive surveillance, such as the incorporation of substantial window glazing facing street frontages.
- Place feature treatments at the corner which addresses both street frontages, where a lot is a corner allotment.
- Provide articulation and visual interest to the areas of built form that will be visible from the public domain, including side and rear facades.
- Integrate exterior elements such as utilities into the design of the building (including fire hydrant boosters, plumbing, heating and ventilation).
- Locate rooftop services (such as lift overruns, solar panels, and air conditioning units) out of sight from the public domain, or screen them from view by extending the height of the parapet.

**Building Height**

Building heights must respond to the scale of built form in the area.

If an industrial or warehouse building proposes an office component, the office component should be at least 40% of the height of the main building.

**Building Materials and Finishes**

New development should:

- Avoid blank walls and facades through the provision of glazing, variation in building alignments, feature cladding, detailing, materials, finishes and colours.
- Provide a schedule of colours, materials and finishes that enhance variation and interest in the built form and are consistent with the character of the area.
- Use external materials that have low reflectivity.
- Avoid the use of untreated concrete panels.
- Consider the use of translucent sheeting in the building design on northern and southern facades of large format buildings.

**Outdoor Storage**

External plant, service yards and outdoor storage areas should be located at the side or rear of the lot where it can be screened from view by the building. Where it is not possible to locate these elements at the side or rear of the lot, screening in the form of high quality fencing and landscaping should be provided.
Parking Areas and Cycling Facilities
The site layout should be designed so car parking, loading and servicing are provided at the side or rear of the lot.

Car parking areas should be designed to:
- Separate pedestrian circulation from vehicular movements wherever possible.
- Provide passive irrigation to landscaped areas within the allotment.
- Visitor parking should be provided close to the office entry, and provided with clear directional signage.

Fencing
The use of landscaping rather than fencing is encouraged to delineate the front and side boundaries of a lot. Where a fence is proposed it should:
- Be no higher than 1.5 metres in height.
- Be designed and use materials which are compatible with the character of the site and surrounding development.
- Be transparent and unobtrusive, to allow clear views between the public domain (streets, parks or waterways) and the site.

If high security fencing is required, it should avoid the use of razor or barbed wire, and be located at (or behind) the front building line, with additional landscaping between the fencing and the front lot boundary.

Landscaping
Landscaping should be provided to enhance on-site amenity and the streetscape setting.

A landscape strip with a minimum depth of three metres should be provided within the front setback. This should be increased to five metres where the site has a residential interface or is located on a main road.

A landscape strip with a minimum depth of five metres should be provided along the boundary of a site where there is a residential interface.

Landscaping should:
- Be provided along street frontages, and adjacent to waterway reserves.
- Be low maintenance and hardy.
- Incorporate a mix of trees, low shrubs and ground covers.
- Ensure that ground level views to and from the public domain remain unobscured when the vegetation is mature.
- Ensure utilities such as fire hydrant boosters are designed to be an integral part of the landscape or built form to minimise visual impact.

Interface Areas

Interface with Residential Areas
New development in industrial areas with a direct interface to land which is zoned for residential purposes should be designed to:
- Respond to the heights of the adjoining residential area. The office should be limited to a maximum height of seven metres, and the main building should be limited to a maximum height of nine metres.
- Provide loading areas away from the boundary adjoining the residential area.
Interface with Main Roads and Railway Corridors

New development should present in an attractive and unobtrusive manner in high exposure locations. New development along high exposure traffic corridors (such as roads identified in the Melton Planning Scheme as a Road Zone Category 1, or railway corridors) should be designed to:

- Address the high exposure traffic corridor through the incorporation of visual interest elements such as glazing and building articulation, rather than blank or visually unappealing interfaces.
- Where a site’s side or rear boundary is to a high exposure traffic corridor, the site should be designed to either:
  - Provide a five metre landscaped setback along the boundary of the traffic corridor, or
  - The boundary facade should be treated with colour variation and three dimensional articulation (such as recessed concrete imprints or feature cladding).
- Conceal rooftop services from view from the traffic corridor.
- Provide a black chain mesh or black steel picket fence on rail corridor boundaries.

Interface with Waterways

New development should address and provide passive surveillance of waterways. New development adjacent to waterways should:

- Provide a minimum two metre landscaped setback along the boundary with the waterway.
- Provide passive surveillance to the waterway through glazing and location of outdoor staff areas (if provided).
- Provide loading and storage areas away from the waterway.
- Provide a frontage road along at least one side of the waterway.

Decision Guidelines

The responsible authority will consider, as appropriate:

- The extent to which the proposal meets the objectives and directions of this policy.
- Whether the industrial development is in an estate with approved design guidelines, and the proposed development’s compliance with the approved guidelines.

Reference Documents

*Industrial Design Guidelines*, Melton City Council, March 2016
ADVERTISING SIGNS POLICY

This policy applies to all planning permit applications for advertising signs within the municipality.

Policy basis

Advertising signs are important to identify, communicate and market businesses, institutions and buildings across the City of Melton.

Advertising signs have a significant impact on the public realm, the quality of the streetscape and the building with which they are visually associated. Well integrated signage in appropriate locations can add colour, vibrancy and interest to an area. A proliferation of signs and poorly designed and located signs can significantly detract from the attractiveness and amenity of the City’s urban and rural environments and gateways, as well as reducing the effectiveness of signs.

Objectives

The objectives of this policy are to:

- Allow for the reasonable identification and marketing of businesses in the City of Melton.
- Require advertising signage to respond to and enhance the character, scale, architectural quality and appearance of a building, site and landscape setting.
- Support signs that contribute to the interest, vitality and improve the quality of commercial and industrial areas.
- Ensure that signs enhance residential areas and other high amenity built and natural areas and do not detract from the appearance or character of the area.
- Maximise the effectiveness of signs by minimising and consolidating signage to avoid visual clutter.
- Enhance the character and amenity of the City of Melton’s gateways.

Policy

It is policy that advertising signs should meet the relevant requirements set out below.

General

Signage should:

- Advertise and identify the business and service provided on the site and not details of product/s sold.
- Avoid repetitive signage on a building or site.
- Be located within the site the business operates on.
- Provide adequate space for all occupancies to display signage where a building or site is occupied by more than one business.
- Complement the architectural design, form and scale of the host building or land.
- Not obscure a building’s architectural form, features or glazed surfaces.
- Not protrude above rooflines or parapets, or beyond the edges of fascia or walls of the host building.
- Be designed so a sign’s supporting structure does not visually detract from the façade of the building.
- Conceal electrical services to a sign.
- Be designed and placed in a manner that accounts for the long-term maintenance needs and the ease of changing messages when reusing the existing mountings and service installations.
- Not detract from the appearance or character of high amenity areas.
- Protect areas of environmental and natural significance by limiting signage within, adjoining or facing these areas.
- Be compatible with and complement the type, design and character of existing signs in the streetscape and surrounding area.
- Enhance major entrances / gateways to the municipality by positively contributing to urban design.
- Not cause a safety hazard, obscure views or sight lines or potentially distract road users, trains or pedestrians, though the type of illumination, colour or form of advertising.

**Commercial (shop and office) areas**

- Signage should stimulate interest in the business or service provided on the site and enhance and contribute to the vitality and visual amenity of the commercial area.
- Signage on the façade of the building should not occupy more than 50% of the wall area above the verandah, or if no verandah 50% of the total façade wall.
- Signage should not occupy more than 50% of an awning.
- Signage should be limited to a maximum of eight square metres where the frontage of the building is less than five metres long.

**Free-standing shopping centres**

Free-standing shopping centres include a shopping centre located on a prominent corner site and/or adjoining a Road Zone Category 1 or 2 (RDZ1 and RDZ2). They have a high degree of visibility from the surrounding area. The centres generally have one central built form area but are comprised of a number of tenancies.

- Signage for the shopping centre should be incorporated into the design of the centre’s building form.
- For individual businesses, advertising on the exterior of the building should be restricted to tenancies that have direct external frontage to a carpark.
- Business identification signs should be consistent and uniform in size and preferably located on the building’s verandah fascia or parapet.
- Business identification signs on external walls should:
  - Be proportional to the building and positioned on the building façade.
  - Designed into and complement the architecture of the building.
  - Not protrude above the roofline.
  - Identify the name of the shopping centre.

- Pole and free-standing panel signs should:
  - Display the name of the shopping centre at the top of the sign.
  - List tenants of the site beneath the name of the shopping centre.
  - Be limited to one sign, incorporated into the landscaping treatment and with a maximum height of six metres, in centres identified as a ‘Neighbourhood Centre’ in Clause 21.05
  - Generally limited to one sign on a RDZ1 and RDZ2 road only, and incorporated into the landscaping treatment for centres identified as ‘Metropolitan Activity Centres’ and ‘Major Activity Centre’ in Clause 21.05
Free-standing pad sites

Free-standing pad sites include service station, retail premises, freeway service centre, office (medical centre) and veterinary centre land uses that are located on prominent corner sites and/or on freeways, highways and main roads.

- Signage should be incorporated into the design of the building form.
- Signage should not obscure views from windows to, or passive surveillance of, pedestrian activity areas, car parking areas and streets.
- Signage on external walls should not protrude above the roofline and may identify the names of the tenants or business logo only.
- Business identification signage should be consistent and uniform in size and preferably located on the verandah fascia or parapet.
- Pole and free-standing panel signage should be limited to one sign per road frontage, be less than seven metres in height and incorporated into the landscaping treatment.
- Direction signage should be limited to one per road entry point and not exceed 0.3 square metres in size.
- For an individual business, the painting of corporate colours on the exterior of a building is considered to be signage and should be limited to the front façade of the tenancy where it has frontage to a car parking area or road.

Industrial and restricted retail areas

- Signage should be located on buildings, awnings or within built elements.
- Signage should be limited to the front and side of buildings.
- Pole (or free-standing panel) signage should be:
  - Located on main roads and is set back from the road.
  - Used to display only business identification information.
  - Limited to one sign per premises where buildings are free-standing, or one sign for a group of premises (such as an estate or homemaker centre).
  - Incorporated into a landscaped area.
  - Less than seven metres in height.

Specific guidelines for industrial areas

- Signage for an industrial premises should be a maximum of 10 square metres in area.
- Where an industrial premises has a frontage greater than 40 metres and is well set back from a road, signage may be up to a maximum of 20 square metres in area.
- Where an industrial building (or complex) is free-standing, a fascia / wall mounted business identification sign should be located on the front or side of the building on each frontage.
- Signage that provides a business registry of an industrial building and/or estate should be located within a landscape area, and should not exceed three square metres.

Specific guidelines for restricted retail premises

- Where there is a grouping of restricted retail premises (such as a homemaker centre), business identification signage should only be located on the exterior of the building where the business has a direct frontage to the outside of the centre.
- For an individual premises, the advertising area of all signs should not exceed 12 square metre for the premises.
- Where a large free-standing premises has a frontage greater than 40 metres and is well set back from a road, signage may be up to a maximum of 20 square metres in area.
- Pole signs for individual premises within a homemaker centre are discouraged.

**Residential areas**

Within residential areas signage should be minimised so it does not detract from, and is designed to be compatible with, the residential amenity of the area.

- Signage should be limited to one business identification sign with an area of less than three square metres.
- Signage should be affixed to the building, should respect the form and scale of the host building and be incorporated into the building’s form.
- If the sign is free-standing, it should be:
  - Located in front of the building.
  - Located facing the street with the greatest amount of traffic (if the site has more than one street frontage).
  - No higher than two metres above natural ground level.
  - Located in a landscaped area.
- Internally illuminated, floodlit, animated, electronic and reflective signage is discouraged in residential areas.

**Display homes and villages**

Display homes and villages are typically located within new residential estates and signage should be minimised and designed to respect residential amenity and privacy, and to minimise visual intrusion from advertising signs or bright lights.

- Any promotion sign for the display village should be located at the entry to the display village. More than one such sign per display village is discouraged.
- Any sign which identifies the name of a builder should be limited to one promotion sign per building within the display village, with one additional promotion sign for each display home which clearly identifies the builder and/or name of the display home. These display home promotion signs should be less than two square metres in area.
- On-site direction signage is supported where it identifies the car park and pedestrian entry to the display village and does not exceed 0.3 square metres in area.
- Signs should only be displayed for the length of time the land is being used for a display home.
- Fixed pole signage with banner flags is supported in display villages.

**Subdivision and new estate promotion signs**

- Subdivision and new estate promotion signs should, wherever possible, be located on the subject land that is being subdivided or sold.
- Signage should promote a residential estate only where the estate has a frontage to a freeway and/or highway.
- Major promotion signs should not exceed 21 square metres in area per sign face.
- On-site promotion signs for new estates should be limited to one sign per road frontage. Consideration can be given to the establishment of a second on-site road frontage sign where the road frontage is greater than one kilometre in length.
- On-site promotion signs may include fixed pole signage with banners along the main entrance road to the estate.
• Signs should not be located within a road reserve.
• Signs should be set back a minimum of five metres from the title boundary, this setback is increased to 10 metres from highways and freeways.
• Signs not on the subject site should be no more than five kilometres from the boundary of the subdivision or development to which they relate.
• The number of off-site promotion signs for a particular subdivision or development should be limited to three, with a minimum separation distance of one kilometre between each sign.
• Off-site estate signs should be at least 250 metres from any other subdivision or new estate promotion sign, regardless of whether they advertise the same or different developments, and should be set back 500 metres from on-ramps on freeways.

**Rural / green wedge areas**

Within rural areas signage is expected to be low scale to respect the rural character.

• Only one business identification sign should be located on any site.
• Where signage is free-standing it should be located at the front of the property, no more than two metres above ground level, and incorporated into the landscape treatment.
• Be colours compatible with the colour palette of the surrounding landscape.

**Gateway entrances**

There are a number of prominent entries into the City of Melton which deserve appropriate protection from visual intrusions. Gateways are important as these areas are typically the most trafficked areas in the City of Melton and create an impression of the City for residents, visitors and those passing through.

• Encourage signage that enhances major gateway entrances to the municipality and contributes to positive urban design outcomes.
• Support the location of signs where it can be demonstrated that signs have been sited to minimise the impacts on viewing corridors, and do not adversely impact on the visual amenity of the surrounding location.
• Discourage major promotion signs and sky signs in gateway locations.
• Discourage major promotion signs and sky signs on open sites where they will be a dominant visual element in the landscape and detract from the visual amenity of a road or rail corridor.
• Discourage signs with distracting elements such as bunting, floodlit, animated, electronic and reflective signs.

**References**

City of Melton, Advertising Signage Design Guidelines, 2017

City of Melton, Retail and Activity Centre Strategy 2014
RELATIONSHIP TO THE PLANNING POLICY FRAMEWORK

Clauses 21 and 22 of this planning scheme (the Local Planning Policy Framework) form part of the Planning Policy Framework. Where a provision of this planning scheme requires consideration of the Planning Policy Framework, that consideration must include Clauses 21 and 22.

A reference in this planning scheme, including any incorporated document, to the:

- State Planning Policy Framework or the Local Planning Policy Framework is to be taken to be a reference to the Planning Policy Framework.
- Planning Policy Framework is to be taken to include the Local Planning Policy Framework.
OPERATION OF THE MUNICIPAL STRATEGIC STATEMENT

The Municipal Strategic Statement (MSS) is a concise statement of the key strategic planning, land use and development objectives for the municipality and the strategies and actions for achieving the objectives. It furthers the objectives of planning in Victoria to the extent that the State Planning Policy Framework is applicable to the municipality and local issues. It provides the strategic basis for the application of the zones, overlays and particular provisions in the planning scheme and decision making by the responsible authority.

The MSS provides an opportunity for an integrated approach to planning across all areas of council and should clearly express links to the corporate plan. The MSS is dynamic and enables community involvement in its ongoing review. The MSS will be built upon as responsible authorities develop and refine their strategic directions in response to the changing needs of the community.

When preparing amendments to this planning scheme and before making decisions about permit applications, planning and responsible authorities must take the MSS into account.
OPERATION OF THE LOCAL PLANNING POLICIES

Local Planning Policies are tools used to implement the objectives and strategies of the Municipal Strategic Statement.

A Local Planning Policy is a policy statement of intent or expectation. It states what the responsible authority will do in specified circumstances or the responsible authority’s expectation of what should happen. A Local Planning Policy gives the responsible authority an opportunity to state its view of a planning issue and its intentions for an area. A Local Planning Policy provides guidance to decision making on a day to day basis. It can help the community to understand how the responsible authority will consider a proposal. The consistent application of policy over time should achieve a desired outcome.

When preparing amendments to this planning scheme and before making decisions about permit applications, planning and responsible authorities must take any relevant Local Planning Policy into account.
ZONES

This section sets out the zones which apply in this scheme.
[NO CONTENT]
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</td>
<td>Must be no more than 2 animals.</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.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person's unit and Dwelling)</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>---------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry and Racing dog husbandry)</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car park</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met</td>
<td>Must result in no more than two dwellings on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>• Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>• Adjoin, or have access to, a road in a Road Zone.</td>
</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 | Condition
--- | ---
Store | Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.

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)
- Brothel
- Cinema based entertainment facility
- Industry (other than Car wash)
- Motor racing track
- Nightclub
- Office (other than Medical centre)
- Retail premises (other than Convenience shop, Food and drink premises, Market and Plant nursery)
- Saleyard
- Stone extraction
- Transport terminal
- Warehouse (other than Store)

### 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

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 3.
SCHEDULE TO THE LOW DENSITY RESIDENTIAL ZONE

Shown on the planning scheme map as **LDRZ**.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares)</td>
<td>None specified</td>
</tr>
</tbody>
</table>

**Dimensions above which a permit is required to construct an outbuilding**

None specified
MIXED USE ZONE

Shown on the planning scheme map as MUZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.

To provide for housing at higher densities.

To encourage development that responds to the existing or preferred neighbourhood character of the area.

To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

Objectives

A schedule to this zone may contain objectives to be achieved for the area.

Table of uses

Section 1 – Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art gallery</td>
<td></td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>The leasable floor area must not exceed 150 square metres.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Museum</td>
<td></td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
<td>The leasable floor area must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop)</td>
<td>The leasable floor area must not exceed 150 square metres.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation,</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit, Dwelling, Residential aged care facility and</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic</td>
<td></td>
</tr>
<tr>
<td>animal husbandry and Racing dog husbandry)</td>
<td></td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td></td>
</tr>
<tr>
<td>– if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Art gallery, Carnival, Circus, Museum</td>
<td></td>
</tr>
<tr>
<td>and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Food and drink premises and Shop)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
</tbody>
</table>
Use

Materials recycling
Transfer station
Stone extraction

Use for industry, service station and warehouse

Amenity of the neighbourhood

The use of land for an industry, service station or warehouse must not adversely affect the amenity of the neighbourhood, including through:

- The transport of materials or goods to or from the land.
- The appearance of any stored materials or goods.
- Traffic generated by the use.
- Emissions from the land.

Subdivision

Permit requirement

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- 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.

32.04-5
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 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.

Construct an outbuilding or extend a dwelling if the development:

- Does not exceed a building height of 5 metres.
- Is not visible from the street (other than a lane) or a public park.
### Class of application

<table>
<thead>
<tr>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>▪ Meets the requirements in the following standards of Clause 54:</td>
</tr>
<tr>
<td>▪ A10 Side and rear setbacks.</td>
</tr>
<tr>
<td>▪ A11 Walls on boundaries.</td>
</tr>
<tr>
<td>▪ A12 Daylight to existing windows.</td>
</tr>
<tr>
<td>▪ A13 North-facing windows.</td>
</tr>
<tr>
<td>▪ A14 Overshadowing open space.</td>
</tr>
<tr>
<td>▪ A15 Overlooking.</td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

#### Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

**Permit requirement**

A permit is required to:

▪ Construct a dwelling if there is at least one dwelling existing on the lot.

▪ Construct two or more dwellings on a lot.

▪ Extend a dwelling if there are two or more dwellings on the lot.

▪ Construct or extend a dwelling if it is on common property.

▪ Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

▪ The fence is associated with 2 or more dwellings on a lot or a residential building, and

▪ The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person’s unit on a lot.

**Transitional provisions**

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

▪ An application for a planning permit lodged before that date.

▪ An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:
- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:
- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**Residential aged care facility**

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

**Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.04-2.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
</table>
| Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:  
  - The building or works is not associated with a dwelling.  
  - The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:  
    - A10 Side and rear setbacks. | Clause 59.04 |
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.

32.04-10

Buildings on lots that abut another residential zone

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone, or Township Zone must meet the requirements of Clauses 55.03-5, 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

This does not apply to a building or works for a residential aged care facility.

32.04-11

Maximum building height requirement

A building must not be constructed that exceeds the maximum building height specified in a schedule to this zone.

A building may exceed the maximum building height specified in a schedule to this zone if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.
- It is a residential aged care facility and the maximum building height in the schedule to the zone is less than 16 metres.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in this zone or a schedule to this zone applies whether or not a planning permit is required for the construction of a building.
Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

Application requirements

General

Any application requirements specified in a schedule to this zone.

Use for industry and warehouse

Unless the circumstances do not require, an application to use land for an industry or warehouse must be accompanied by the following information:

- The purpose of the use and the types of activities to be carried out.
- The type and quantity of materials and goods to be stored, processed or produced.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- How land not required for immediate use is to be maintained.
- The likely effects, if any, on the neighbourhood, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation (including the hours of delivery and dispatch of materials and goods).

Buildings and works associated with a Section 2 use

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A site analysis and descriptive statement explaining how the proposal responds to the site and its context.
- Plans drawn to scale and dimensioned which show:
  - The layout of proposed buildings and works.
  - An elevation of the building design and height.
  - Setbacks to property boundaries.
  - All proposed access and pedestrian areas.
  - All proposed driveway, car parking and loading areas.
  - Existing vegetation and proposed landscape areas.
  - The location of easements and services.

Exemption from notice and review

Subdivision

An application for subdivision is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.
Other applications

A schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

32.04-14
26/10/2018
VC152

Decision guidelines

General

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a Mixed Use Zone or Residential Growth Zone.

Use for industry, service station and warehouse

- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The design of buildings, including provision for solar access.
- The availability and provision of utility services.
- The effect of traffic to be generated by the use.
- The interim use of those parts of the land not required for the proposed use.
- Whether the use is compatible with adjoining and nearby land uses.
- For non-residential uses, the proposed hours of operation, noise and any other likely off-site amenity impacts.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Construction and extension of one dwelling on a lot

- The objectives, standards and decision guidelines of Clause 54.

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

- For two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

32.04-15
26/10/2018
VC152

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.
SCHEDULE TO CLAUSE 32.04 MIXED USE ZONE

Shown on the planning scheme map as **MUZ**.

MELTON MIXED USE AREAS

1.0

**Objectives**

None specified.

2.0

**Clause 54 and Clause 55 requirements**

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0

**Maximum building height requirement**

None specified.

4.0

**Exemption from notice and review**

None specified.

5.0

**Application requirements**

None specified.

6.0

**Decision guidelines**

None specified.
RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as RGZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide housing at increased densities in buildings up to and including four storey buildings.

To encourage a diversity of housing types in locations offering good access to services and transport including activity centres and town centres.

To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas.

To ensure residential development achieves design objectives specified in a schedule to this zone.

To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Design objectives

A schedule to this zone must contain the design objectives to be achieved for the area.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

**Section 2 – Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Accommodation (other than Community care accommodation, Dependent person’s unit, Dwelling, Residential aged care facility and Rooming house)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)</strong></td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
<td>The land must be located within 100 metres of a commercial zone.</td>
</tr>
<tr>
<td></td>
<td>The land must have the same street frontage as the land in the commercial zone.</td>
</tr>
<tr>
<td></td>
<td>The leasable floor area must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>- Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>- Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not exceed either:</td>
</tr>
<tr>
<td></td>
<td>- 3000 square metres.</td>
</tr>
<tr>
<td></td>
<td>- 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Bottle shop and Convenience shop)</td>
<td>The land must be located within 100 metres of a commercial zone or Mixed Use Zone.</td>
</tr>
<tr>
<td></td>
<td>The land must have the same street frontage as the land in the commercial zone or Mixed Use Zone.</td>
</tr>
<tr>
<td>Store</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in</td>
</tr>
<tr>
<td></td>
<td>conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Take away food premises</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
<tr>
<td>Section 3 – Prohibited</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td></td>
</tr>
<tr>
<td>Adult sex product shop</td>
<td></td>
</tr>
<tr>
<td>Amusement parlour</td>
<td></td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
<td></td>
</tr>
<tr>
<td>Animal training</td>
<td></td>
</tr>
<tr>
<td>Bottle shop</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Horse husbandry</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Car wash)</td>
<td></td>
</tr>
<tr>
<td>Motor racing track</td>
<td></td>
</tr>
<tr>
<td>Nightclub</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Food and drink premises, Market, Plant nursery and Shop)</td>
<td></td>
</tr>
<tr>
<td>Saleyard</td>
<td></td>
</tr>
<tr>
<td>Stone extraction</td>
<td></td>
</tr>
</tbody>
</table>
**Subdivision**

**Permit requirement**

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<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>
Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.

- Has started lawfully.

- The subdivision does not create a vacant lot.

---

### Construction and extension of one dwelling on a lot

#### Permit requirement

A permit is required to construct or extend one dwelling on a lot less than 300 square metres. A development must meet the requirements of Clause 54.

#### No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.

- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.

- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

#### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

---

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Clause 59.14</td>
</tr>
</tbody>
</table>

Construct an outbuilding or extend a dwelling if the development:

- Does not exceed a building height of 5 metres.

- Is not visible from the street (other than a lane) or a public park.

- Meets the requirements in the following standards of Clause 54:
  - A10 Side and rear setbacks.
  - A11 Walls on boundaries.
  - A12 Daylight to existing windows.
  - A13 North-facing windows.
  - A14 Overshadowing open space.
  - A15 Overlooking.

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.
Class of application | Information requirements and decision guidelines
--- | ---
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.

Class of application | Information requirements and decision guidelines
--- | ---
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. | Clause 59.03

Transitional provisions
Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:
- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:
- An application for a planning permit lodged before the approval date of Amendment VC136.
An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

### Requirements of Clause 54 and Clause 55

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

### Residential aged care facility

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

### Buildings and works associated with a Section 2 use

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.07-2.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
</tbody>
</table>

  - The building or works is not associated with a dwelling.
  - The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:
    - A10 Side and rear setbacks.
    - A11 Walls on boundaries.
    - A12 Daylight to existing windows.
    - A13 North-facing windows.
    - A14 Overshadowing open space.
    - A15 Overlooking.

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.
Maximum building height requirement for a dwelling or residential building

A building must not be constructed for use as a dwelling or a residential building that exceeds the maximum building height specified in a schedule to this zone.

If no maximum building height is specified in a schedule to this zone, the building height should not exceed 13.5 metres.

This building height requirement replaces the maximum building height specified in Standard A4 in Clause 54 and Standard B7 in Clause 55.

A building may exceed the maximum building height specified in a schedule to this zone if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in this zone or a schedule to this zone applies whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

Buildings on lots that abut another residential zone

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, or Township Zone must meet the requirements of Clauses 55.03-5, 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

Application requirements

An application must be accompanied by the following information, as appropriate:

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.
- For an apartment development of five or more storeys, an urban context report and design response as required in Clause 58.01.
- For an application for subdivision, a site and context description and design response as required in Clause 56.
- Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
- The siting and use of existing and proposed buildings.
- Adjacent buildings and uses.
- The building form and scale.
- Setbacks to property boundaries.

- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.
- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Exemption from notice and review

Subdivision
An application to subdivide land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General
- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a Mixed Use Zone or Residential Growth Zone.

Subdivision
- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Dwellings and residential buildings
- For the construction of one dwelling on a lot, whether the development is an under-utilisation of the lot.
- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.
Non-residential use and development
- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

32.07-14 Signs
Sign requirements are at Clause 52.05. This zone is in Category 3.
MELTON PLANNING SCHEME

SCHEDULE 1 TO CLAUSE 32.07 RESIDENTIAL GROWTH ZONE

Shown on the planning scheme map as RGZ1.

MELTON RESIDENTIAL GROWTH AREAS

1.0

Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

2.0

Maximum building height requirement for a dwelling or residential building

None specified

3.0

Application requirements

None specified

4.0

Decision guidelines

None specified
GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as GRZ, R1Z, R2Z or R3Z with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To encourage development that respects the neighbourhood character of the area.
To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Neighbourhood character objectives

A schedule to this zone may contain neighbourhood character objectives to be achieved for the area.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres. Must not require a permit under Clause 52.06-3. The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres. The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
</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>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>• Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>• Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not exceed either:</td>
</tr>
</tbody>
</table>
### Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>- 3000 square metres.</td>
<td></td>
</tr>
<tr>
<td>- 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</td>
<td></td>
</tr>
<tr>
<td><strong>Store</strong></td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td><strong>Take away food premises</strong></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td><strong>Utility installation (other than Minor utility installation and Telecommunications facility)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Any other use not in Section 1 or 3</strong></td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 – Prohibited

- Amusement parlour
- Animal production (other than Grazing animal production)
- Animal training
- Brothel
- Cinema based entertainment facility
- Domestic animal boarding
- Horse husbandry
- Industry (other than Car wash)
- Motor racing track
- Nightclub
- Office (other than Medical centre)
- Retail premises (other than Convenience shop, Food and drink premises, Market, and Plant nursery)
- Saleyard
- Stone extraction
- Transport terminal
- Warehouse (other than Store)

### Subdivision

**Permit requirement**

A permit is required to subdivide land.

An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:
An approved precinct structure plan or an equivalent strategic plan;

An incorporated plan or approved development plan; or

A permit for development.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>

Subdivide land into lots each containing an existing building or car parking space where:

- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.
- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

Subdivide land into 2 lots if:

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.
Construction or extension of a dwelling or residential building

Minimum garden area requirement

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

<table>
<thead>
<tr>
<th>Lot size</th>
<th>Minimum percentage of a lot set aside as garden area</th>
</tr>
</thead>
<tbody>
<tr>
<td>400 - 500 sqm</td>
<td>25%</td>
</tr>
<tr>
<td>Above 500 - 650 sqm</td>
<td>30%</td>
</tr>
<tr>
<td>Above 650 sqm</td>
<td>35%</td>
</tr>
</tbody>
</table>

This does not apply to:

- An application to construct or extend a dwelling or residential building if specified in a schedule to this zone as exempt from the minimum garden area requirement;
- An application to construct or extend a dwelling or residential building on a lot if:
  - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
  - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.08-4 on the approval date of Amendment VC110.

Construction and extension of one dwelling on a lot

Permit requirement

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of between 300 square metres and 500 square metres if specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
  - A lot of less than 300 square metres, or
  - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.
**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development:</td>
<td>Clause 59.14</td>
</tr>
<tr>
<td>Meets the minimum garden area requirement of Clause 32.08-4.</td>
<td></td>
</tr>
<tr>
<td>- Does not exceed a building height of 5 metres.</td>
<td></td>
</tr>
<tr>
<td>- Is not visible from the street (other than a lane) or a public park.</td>
<td></td>
</tr>
<tr>
<td>- Meets the requirements in the following standards of Clause 54:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

| Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling. | Clause 59.03 |

**Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings**

**Permit requirement**

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.
An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person’s unit on a lot.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

**Transitional provisions**

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**Residential aged care facility**

**Permit requirements**

A permit is required to construct a building or 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 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.

Maximun building height requirement for a dwelling or residential building

A building must not be constructed for use as a dwelling or a residential building that:

• exceeds the maximum building height specified in a schedule to this zone; or

• contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

• the building height must not exceed 11 metres; and

• the building must contain no more than 3 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

• It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.

• There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
• It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.

• It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

Application requirements

An application must be accompanied by the following information, as appropriate:

• For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.

• For an apartment development of five or more storeys, an urban context report and design response as required in Clause 58.01.

• For an application for subdivision, a site and context description and design response as required in Clause 56.

• Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
  - The siting and use of existing and proposed buildings.
  - Adjacent buildings and uses.
  - The building form and scale.
  - Setbacks to property boundaries.

• The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.

• Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.
Exemption from notice and review

Subdivision

An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Dwellings and residential buildings

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

Non-residential use and development

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.
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.

MELTON GENERAL RESIDENTIAL AREAS

1.0

Permit requirement for the construction or extension of one dwelling on a lot

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

None specified

2.0

Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
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<td>Side and rear setbacks</td>
<td>A10 and B17</td>
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<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
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</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0

Maximum building height requirement for a dwelling or residential building

None specified.

4.0

Application requirements

None specified.

5.0

Decision guidelines

None specified.
NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as NRZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise areas of predominantly single and double storey residential development.
To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.
To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Neighbourhood character objectives

A schedule to this zone must contain the neighbourhood, heritage, environment or landscape character objectives to be achieved for the area.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres. Must be located in an existing building. The site must adjoin, or have access to, a road in a Road Zone. 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. The site must adjoin, or have access to, a road in a Road Zone. Must not require a permit under Clause 52.06-3.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
</tbody>
</table>
## Condition Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person’s unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td>The leasable floor area must not exceed 80 square metres.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>• Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>• Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
</tbody>
</table>
### 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

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Animal training</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
</tr>
<tr>
<td>Horse husbandry</td>
</tr>
<tr>
<td>Industry (other than Car wash)</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
</tr>
<tr>
<td>Retail premises (other than, Convenience shop, Food and drink premises, Market and Plant nursery)</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Stone extraction</td>
</tr>
<tr>
<td>Transport terminal</td>
</tr>
<tr>
<td>Warehouse (other than Store)</td>
</tr>
</tbody>
</table>

### Subdivision

#### Permit requirement

A permit is required to subdivide land.
An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:

- An approved precinct structure plan or an equivalent strategic plan;
- An incorporated plan or approved development plan; or
- A permit for development.

A schedule to this zone may specify a minimum lot size to subdivide land. Each lot must be at least the area specified for the land, except where an application to subdivide land is made to create lots each containing an existing dwelling or car parking space, where an application for the existing dwelling or car parking space was made or approved before the approval date of the planning scheme amendment that introduced this clause 32.09 into the planning scheme.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td></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></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>
### Construction or extension of a dwelling or residential building

#### Minimum garden area requirement

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

<table>
<thead>
<tr>
<th>Lot size</th>
<th>Minimum percentage of a lot set aside as garden area</th>
</tr>
</thead>
<tbody>
<tr>
<td>400 - 500 sqm</td>
<td>25%</td>
</tr>
<tr>
<td>Above 500 - 650 sqm</td>
<td>30%</td>
</tr>
<tr>
<td>Above 650 sqm</td>
<td>35%</td>
</tr>
</tbody>
</table>

This does not apply to:

- An application to construct or extend a dwelling or residential building on a lot if:
  - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
  - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.09-4 on the approval date of Amendment VC110.

### Construction and extension of one dwelling on a lot

#### Permit requirement

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of less than the lot size specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
  - A lot of less than 300 square metres, or
  - A lot of less than the lot size specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.
A development must meet the requirements of Clause 54.

**No permit required**

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development:</td>
<td>Clause 59.14</td>
</tr>
<tr>
<td>- Meets the minimum garden area requirement of Clause 32.09-4.</td>
<td></td>
</tr>
<tr>
<td>- Does not exceed a building height of 5 metres.</td>
<td></td>
</tr>
<tr>
<td>- Is not visible from the street (other than a lane) or a public park.</td>
<td></td>
</tr>
<tr>
<td>- Meets the requirements in the following standards of Clause 54:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

| Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling. | Clause 59.03 |

**Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings**

**Permit requirement**

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55.

A permit is not required to construct one dependent person’s unit on a lot.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

**Transitional provisions**

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**Residential aged care facility**

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

**Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.09-2.
### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

---

### 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 goods and materials, hours of operation and light spill, solar access and glare.

- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.
Exemption from notice and review

Subdivision
An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General
- The purpose of this zone.
- The objectives set out in the schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Subdivision
- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Dwellings and residential buildings
- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.

Non-residential use and development
In the local neighbourhood context:
- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

Signs
Sign requirements are at Clause 52.05. This zone is in Category 3.
Transitional provisions

The minimum garden area requirements of Clause 32.09-4 and the maximum building height and number of storeys requirements of Clause 32.09-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.
- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
  - A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
  - A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
  - A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.09-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.
SCHEDULE 1 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as NRZ1.

MELTON NEIGHBOURHOOD RESIDENTIAL AREAS

1.0

Minimum subdivision area
None specified

2.0

Permit requirement for the construction or extension of one dwelling on a lot

<table>
<thead>
<tr>
<th>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 on a lot</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0

Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
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<td>Walls on boundaries</td>
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<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

4.0

Number of dwellings on a lot
None specified

5.0

Maximum building height requirement for a dwelling or residential building
None specified

6.0

Application requirements
None specified

7.0

Decision guidelines
None specified
SCHEDULE 2 TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as **NRZ2**

**KURUNJANG RANCHES ESTATE**

1.0

**Minimum subdivision area**

The minimum lot size for subdivision is:

- 2,000 square metres where reticulated sewerage is connected.
- 4,000 square metres where reticulated sewerage is not connected.

2.0

**Permit requirement for the construction or extension of one dwelling on a lot**

<table>
<thead>
<tr>
<th>Permit requirement for the construction or extension of one dwelling on a lot</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permit requirement to construct or extend a front fence within 3 metres of a street on a lot</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0

**Requirements of Clause 54 and Clause 55**

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

4.0

**Number of dwellings on a lot**

None specified

5.0

**Maximum building height requirement for a dwelling or residential building**

None specified

6.0

**Application requirements**

None specified

7.0

**Decision guidelines**

None specified
INDUSTRIAL 1 ZONE

Shown on the planning scheme map as IN1Z.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convenience shop</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Crop raising</td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td>- The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Home based business</td>
<td>- 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td>- Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td>Mail centre</td>
<td>- Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td>Railway</td>
<td>- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</td>
</tr>
<tr>
<td>Service station</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td></td>
<td>Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td></td>
<td>- Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td></td>
<td>- Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Shipping container storage</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>• The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>• 100 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Shipping containers must be setback at least 9 metres from a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The height of shipping container stacks must not exceed 6 containers or 16 metres, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td></td>
<td>• Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td></td>
<td>• Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td></td>
<td>• Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</td>
</tr>
<tr>
<td>Take away food premises</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Tramway</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Warehouse (other than Mail centre and Shipping container storage)</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>• The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>• 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td></td>
<td>• Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td></td>
<td>• Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td></td>
<td>• Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</td>
</tr>
<tr>
<td>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 Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm)</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td>Must not be a primary or secondary school.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Office</td>
<td>The leasable floor area must not exceed the amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema based entertainment facility and Circus)</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Shop and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Transfer Station</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility).</td>
<td>Any gas holder, or sewerage or refuse treatment or disposal works, must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Caretaker’s house)</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
</tbody>
</table>
Use of land

Application requirements
An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
Subdivision

Permit requirement

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>• The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>• The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>• The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>• An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>• The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>• Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>• Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>• The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

• The Municipal Planning Strategy and the Planning Policy Framework.
• Any natural or cultural values on or near the land.
• Streetscape character.
• Landscape treatment.
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 production</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Service industry</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>- The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>- 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Service station</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Supermarket)</td>
<td>Must adjoin, or be on the same lot as, a supermarket when the use commences.</td>
</tr>
<tr>
<td></td>
<td>The combined leasable floor area for all shops adjoining or on the same lot as the supermarket must not exceed 500 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or be within 30 metres of, a road in a Road Zone.</td>
</tr>
<tr>
<td>Supermarket</td>
<td>The leasable floor area must not exceed 1800 square metres.</td>
</tr>
</tbody>
</table>
### Condition of Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>The site must adjoin, or be within 30 metres of, a road in a Road Zone. Must be on land within an urban growth boundary and in metropolitan Melbourne.</td>
<td></td>
</tr>
</tbody>
</table>

### Take away food premises

### Tramway

### Warehouse (other than Fuel depot, Mail centre or Shipping container storage)

Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.

The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:

- The threshold distance, for a purpose listed in the table to Clause 53.10.
- 30 metres, for a purpose not listed in the table to Clause 53.10.

Must not adversely affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

### Any use listed in Clause 62.01

Must meet the requirements of Clause 62.01.

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
</tbody>
</table>

Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm)

Caretaker’s house

Education centre

Must not be a primary or secondary school.

Industry (other than Service industry)

Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track)
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>The leasable floor area must not exceed the amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema based entertainment facility and Circus)</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Shop and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
<tr>
<td>Section 3 - Prohibited</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td></td>
</tr>
<tr>
<td>Accommodation (other than Caretaker's house)</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Hospital</td>
<td></td>
</tr>
<tr>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td>Motor racing track</td>
<td></td>
</tr>
<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, Restricted retail premises and Supermarket) – if the Section 1 conditions are not met</td>
<td></td>
</tr>
<tr>
<td>Supermarket – if the section 1 conditions are not met</td>
<td></td>
</tr>
</tbody>
</table>

### Use of land

#### Amenity of the neighbourhood

A use must not adversely affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

#### Application requirements

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.

- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.

- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:


- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.

- The effect that nearby industries may have on the proposed use.

- The drainage of the land.

- The availability of and connection to services.

- The effect of traffic to be generated on roads.

- The interim use of those parts of the land not required for the proposed use.

- The effect on nearby industries.

---

**Subdivision**

**Permit requirement**

A permit is required to subdivide land.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
</tbody>
</table>
Class of application

- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.
- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

Subdivide land into 2 lots if: Clause 59.02

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works. This does not apply to:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising or informal outdoor recreation.
- A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
  - The rainwater tank is not located within the building’s setback from a street (other than a lane).
- The rainwater tank is no higher than the existing building on the site.
- The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.

- A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<tr>
<td>- Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

**Application requirements**

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - Driveways and vehicle parking and loading areas.
  - Proposed landscape areas.
  - External storage and waste treatment areas.
  - Mechanisms to mitigate noise, odour and other adverse amenity impacts of, and on, nearby industries.

- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.
Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.
- The effect on nearby industries.
- The effect of nearby industries.

Maintenance
All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

Signs
Sign requirements are at Clause 52.05. This zone is in Category 2.
<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><strong>Accommodation (other than Community care accommodation, Corrective institution and Rooming house)</strong></td>
<td>Any frontage at ground floor level must not exceed 2 metres (other than a bed and breakfast and caretaker's house).</td>
</tr>
<tr>
<td><strong>Art and craft centre</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Child care centre</strong></td>
<td>Any frontage at ground floor level must not exceed 2 metres and access must not be shared with a dwelling (other than a caretaker's house).</td>
</tr>
<tr>
<td><strong>Cinema</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Cinema based entertainment facility</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Community care accommodation</strong></td>
<td>Any frontage at ground floor level must not exceed 2 metres. Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td><strong>Education centre (other than Child care centre)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Exhibition centre</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Home based business</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Informal outdoor recreation</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Office</strong></td>
<td>The leasable floor area for all offices must not exceed any amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td><strong>Place of worship</strong></td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td><strong>Railway</strong></td>
<td></td>
</tr>
</tbody>
</table>


### Use | Condition
---|---
Retail premises (other than Shop) |  
Rooming house | Any frontage at ground floor level must not exceed 2 metres.  
Must meet the requirements of Clause 52.23-2.  
Shop (other than Adult sex product shop) | The leasable floor area for all shops must not exceed any amount specified in the schedule to this zone.  
Tramway |  
Any use listed in Clause 62.01 | Must meet the requirements of Clause 62.01.

### Section 2 - Permit required

| Use | Condition |
---|---|
Adult sex product shop | Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.  
Agriculture (other than Animal production and Apiculture) |  
Grazing animal production |  
Industry | Must not be a purpose listed in the table to Clause 53.10.  
Leisure and recreation facility (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track) |  
Place of assembly (other than Carnival, Cinema, Cinema based entertainment facility, Circus, Exhibition centre and Place of worship) |  
Utility installation (other than Minor utility installation and Telecommunications facility) |  
Warehouse | Must not be a purpose listed in the table to Clause 53.10.  
Any other use not in Section 1 or 3 |  

### Section 3 - Prohibited

| Use |  |
---|---|
Animal production (other than Grazing animal production) |  
Corrective institution |
Use

Major sports and recreation facility
Motor racing track

Use of land

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Subdivision

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

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<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
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<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
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<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
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<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
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<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
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<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
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<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
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</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Buildings and works

A permit is required to construct a building or construct or carry out works.
This does not apply to:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building façade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

An apartment development must meet the requirements of Clause 58.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

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<tr>
<th>Class of application</th>
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<td>Clause 59.04</td>
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<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
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<td>- Used for a Brothel or Adult sex product shop.</td>
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</table>

**Transitional provisions**

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**Maintenance**

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

**Neighbourhood and site description and design response**

An application for any of the following must be accompanied by a neighbourhood and site description and a design response as described in Clause 54.01 or 55.01, as appropriate:

- Construction or extension of one dwelling on a lot of less than 300 square metres.
- Construction of a dwelling if there is at least one dwelling existing on the lot.
- Construction of two or more dwellings on a lot.
- Extension of a dwelling if there are two or more dwellings on the lot.
- Construction or extension of a dwelling on common property.
- Construction or extension of a residential building.

Clause 34.01-5 does not apply to an apartment development.
Satisfactory neighbourhood and site description before notice and decision

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 54.01 or 55.01 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

**Application requirements**

**Use**

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.
- The means of maintaining land not required for immediate use.
- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced.
  - Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
  - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
  - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

**Buildings and works**

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
• A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

### Exemption from notice and review

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General**

- The interface with adjoining zones, especially the relationship with residential areas.

**Use**

- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

**Subdivision**

- Provision for vehicles providing for supplies, waste removal and emergency services and public transport.
- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.

**Building and works**

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

The availability of and connection to services.

The design of buildings to provide for solar access.

The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to an apartment development.

For an apartment development, the objectives, standards and decision guidelines of Clause 58.

Transitional provisions

The objectives, standards and decision guidelines of Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 1.
## 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 shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Commercial 1 Zone, Capital City Zone, Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>- The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>- 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td>Museum</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Postal agency</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td>Must adjoin, or be on the same land as, a supermarket when the use commences.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Restricted retail premises and Supermarket)</td>
<td>The combined leasable floor area for all shops adjoining or on the same land as the supermarket must not exceed 500 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
</tbody>
</table>
### Supermarket

- The leasable floor area must not exceed 1800 square metres.
- The site must adjoin, or have access to, a road in a Road Zone.
- Must be on land within the City of Greater Geelong or within an urban growth boundary in metropolitan Melbourne.

### Trade supplies

- Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.

### Warehouses (other than Mail centre)

- Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.
- The land must be at least the following distances from land (not a road) which is in a residential zone, Commercial 1 Zone, Capital City Zone, Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:
  - The threshold distance, for a purpose listed in the table to Clause 53.10.
  - 30 metres, for a purpose not listed in the table to Clause 53.10.

### Any use listed in Clause 62.01

- Must meet the requirements of Clause 62.01.

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td>Agriculture (other than Animal production and Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Art gallery, Carnival, Cinema, Cinema based entertainment facility, Circus and Museum)</td>
<td></td>
</tr>
<tr>
<td>Residential hotel</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Food and drink premises, Postal agency, Restricted retail premises, Supermarket and Trade supplies)</td>
<td></td>
</tr>
</tbody>
</table>
Use of land

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Subdivision

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.
### Class of application

- The area of either lot is reduced by less than 15 percent.
- The general direction of the common boundary does not change.

### Subdivide land into lots each containing an existing building or car parking space

- Clause 59.02
- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.
- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

### Subdivide land into 2 lots if:

- Clause 59.02
- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

### Buildings and works

A permit is required to construct a building or construct or carry out works. This does not apply to:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
</tbody>
</table>
## Class of application

- Used for a Brothel or Adult sex product shop.

## Information requirements and decision guidelines

### 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.
GREEN WEDGE ZONE
Shown on the planning scheme map as GWZ with a number (if shown).

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for the use of land for agriculture.
To recognise, protect and conserve green wedge land for its agricultural, environmental, historic, landscape, recreational and tourism opportunities, and mineral and stone resources.
To encourage use and development that is consistent with sustainable land management practices.
To encourage sustainable farming activities and provide opportunity for a variety of productive agricultural uses.
To protect, conserve and enhance the cultural heritage significance and the character of open rural and scenic non-urban landscapes.
To protect and conserve the biodiversity of the area.

Table of uses
Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Must be no more than 100 poultry (not including emus or ostriches).</td>
</tr>
<tr>
<td></td>
<td>Must be no more than 10 emus and ostriches.</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>Must not be within 100 metres of a dwelling in separate ownership.</td>
</tr>
<tr>
<td></td>
<td>The area used for the display and sale of primary produce must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
</tbody>
</table>
### Use  |  Condition
---|---
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.

Tramway | Any use listed in Clause 62.01 Must meet the requirements of Clause 62.01.

### Section 2 - Permit required

| Use | Condition |
---|---|
Animal production (other than Broiler farm, Cattle feedlot and Grazing animal production) | Must meet the requirements of Clause 53.09. |
Broiler farm - if the Section 1 condition to Poultry farm is not met | Must meet the requirements of Clause 53.09. |
Camping and caravan park | Must be used in conjunction with another use in Section 1 or 2. |
Car park | Must meet the requirements of Clause 53.08. |
Cattle feedlot | Must meet the requirements of Clause 53.08. The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995. |
Dependent person’s unit | Must be the only dependent person’s unit on the lot. Must meet the requirements of Clause 35.04-2. |
Domestic animal boarding | 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 35.04-2. |
Dwelling (other than Bed and breakfast) | 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 35.04-2. |
Exhibition centre | |
Freezing and cool storage | The goods stored must be agricultural produce, or products used in agriculture. |
Function centre | 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 40 hectares. |
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Group accommodation</td>
<td>Must be used in conjunction with Agriculture, 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>Hall</td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td></td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>Must be for equestrian based leisure, recreation or sport.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Indoor recreation facility, Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>Must be for outdoor leisure, recreation or sport.</td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td>Must be an incidental part of Rural industry.</td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td>Must be used in conjunction with Refuse disposal or Transfer station.</td>
</tr>
<tr>
<td></td>
<td>Must not include the collecting, dismantling, storing, recycling or selling of used or scrap construction and demolition materials.</td>
</tr>
<tr>
<td>Milk depot</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema based entertainment facility, Circus, Exhibition centre, Function centre, Hall, Nightclub and Place of worship)</td>
<td>Must not be used for more than 10 days in a calendar year.</td>
</tr>
<tr>
<td>Place of worship</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Primary school</td>
<td></td>
</tr>
<tr>
<td>Racing dog husbandry – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td>Refuse disposal</td>
<td></td>
</tr>
<tr>
<td>Research and development centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td>Research centre</td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Residential building (other than Residential hotel)</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td></td>
<td>Must be used to provide accommodation for persons away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Residential hotel</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td></td>
<td>The number of bedrooms must not exceed the number specified in a schedule to the zone or 80 bedrooms, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td></td>
<td>The number of patrons present must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>If used in conjunction with Function centre, the total number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td>Must not be used for more than 30 days in a calendar year.</td>
</tr>
<tr>
<td>Rice growing</td>
<td></td>
</tr>
<tr>
<td>Rural industry</td>
<td></td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td>Solid fuel depot</td>
<td></td>
</tr>
<tr>
<td>Timber production</td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
<tr>
<td>Transfer station</td>
<td>Must not include the collecting, storing or processing of used or scrap construction and demolition materials.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Vehicle store</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>
Section 3 - Prohibited

**Use**

Accommodation (other than Camping and caravan park, Dependent person’s unit, Dwelling, Group accommodation, Host farm and Residential building)

Brothel

Cinema based entertainment facility

Display home centre

Education centre (other than Primary school and Secondary school)

Freeway service centre

Funeral parlour

Hospital

Industry (other than Materials recycling, Refuse disposal, Transfer station, Research and development centre and Rural industry)

Motor racing track

Office

Nightclub

Retail premises (other than Manufacturing sales, Market, Plant nursery, Primary produce sales and Restaurant)

Service station

Warehouse (other than Freezing and cool storage, Milk depot, Rural store, Solid fuel depot and Vehicle store)

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**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>
</tbody>
</table>

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

**Long term lease or licence for accommodation**

A permit is required to lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation.

Each portion of a lot leased or licensed for the purpose of Accommodation must be at least the minimum subdivision area specified for the land in a schedule to this zone. If no area is specified, each portion of a lot leased or licensed for the purpose of Accommodation must be at least 40 hectares.

**Buildings and works**

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.04-1. This does not apply to:
  - An alteration or extension to an existing dwelling with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 50 square metres.
  - An alteration or extension to an existing building used for agriculture with a floor area of no more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. The building must not be used to keep, board, breed or train animals.
  - A rainwater tank.

- Earthworks specified in a schedule to this zone, if on land specified in a schedule.

- A building which is within any of the following setbacks:
  - 100 metres from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1.
  - 40 metres from a Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2.
  - 20 metres from any other road.
  - 5 metres from any other boundary.
- 100 metres from a dwelling not in the same ownership.
- 100 metres from a waterway, wetlands or designated flood plain.

- Permanent or fixed feeding infrastructure for season or supplementary feeding for grazing animal production constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $250,000 where the land is not:</td>
<td>Clause 59.13</td>
</tr>
<tr>
<td>- Used for Domestic animal husbandry, Intensive animal production, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry.</td>
<td></td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td>Any works must not be earthworks specified in the schedule to the zone.</td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application to use or subdivide land, lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General issues**

- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development.
- How the use or development relates to rural land use, rural diversification, natural resource management, natural or cultural heritage management, recreation or tourism.
- Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.
- Whether the use or development is essential to the health, safety or well-being of the State or area but is not appropriate to locate in an urban area because of the effect it may have on existing or proposed urban areas or the effect that existing or proposed urban areas may have on the proposed use or development.
- The need to minimise adverse impacts on the character and appearance of the area or features of architectural, scientific or cultural heritage significance, or of natural scenic beauty.
Rural issues

- The maintenance of agricultural production and the impact on the rural economy.
- The environmental capacity of the site to sustain the rural enterprise.
- The need to prepare an integrated land management plan.
- The impact on the existing and proposed rural infrastructure.
- The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agriculture and other land uses.
- The protection and retention of land for future sustainable agricultural activities.

Environmental issues

- The impact of the use or development on the flora and fauna on the site and its surrounds.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- How the use or development relates to sustainable land management and the need to prepare an integrated land management plan.
- The location of on site effluent disposal areas to minimise impact of nutrient loads on waterways and native vegetation.

Design and siting issues

- The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.
- The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.
- The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.

Primary school or secondary school issues

- Access being provided via an all-weather road with dimensions adequate to accommodate emergency vehicles and not rely on local residential streets for access.
- Access by public transport, or if public transport is not available or adequate, transport may be provided by the school. Where transport is provided by the school the parking of buses should be accommodated on site.
- Connection to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- Connection to a reticulated potable water supply or an alternative potable water supply with adequate storage for school use as well as for fire fighting purposes.
- Connection to a reticulated electricity supply or an alternative energy source.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.
### Schedule to the Green Wedge Zone

Shown on the planning scheme map as **GWZ**

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares)</td>
<td>The number of lots into which the land may be subdivided is to be calculated using the following formula: $N = A/20$. Where $N$ (rounded down) is the number of lots that can be created and $A$ is the area of the land in hectares. The subdivision must comprise one large primary lot. The secondary lots must be at least 1.0 hectares and must be no larger than 5.0 hectares. 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 under this provision.</td>
</tr>
<tr>
<td>All land marked “A” on the map forming part of this schedule.</td>
<td>12 hectares</td>
</tr>
<tr>
<td>All land marked “B” on the map forming part of this schedule.</td>
<td>None specified</td>
</tr>
<tr>
<td>All land marked “C” on the map forming part of this schedule.</td>
<td>None specified</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 within the zone to a depth of 1m except for any works directly associated with the construction of a dwelling, or any works associated with the construction of the Leakes Road interchange.</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>All land within the zone to a depth of 1m except for any works directly associated with the construction of a dwelling.</td>
</tr>
</tbody>
</table>
Map forming part of the Schedule to the Green Wedge Zone

Incorporated Map

This map applies to land within the Rural Zone, for boundary details refer to Zoning Map.
GREEN WEDGE A ZONE

Shown on the planning scheme map as GWAZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for the use of land for agriculture.

To protect, conserve and enhance the biodiversity, natural resources, scenic landscapes and heritage values of the area.

To ensure that use and development promotes sustainable land management practices and infrastructure provision.

To protect, conserve and enhance the cultural heritage significance and the character of rural and scenic non-urban landscapes.

To recognise and protect the amenity of existing rural living areas.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</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>Home based business</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>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Must be used in conjunction with Agriculture.</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td>Must be used in conjunction with Agriculture.</td>
</tr>
<tr>
<td>Rural store</td>
<td>Must be used in conjunction with Agriculture.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>---------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Tramway</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>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>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>Camping and caravan park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.05-2.</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.</td>
</tr>
<tr>
<td></td>
<td>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.</td>
</tr>
<tr>
<td></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>Freezing and cool storage</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 8 hectares.</td>
</tr>
<tr>
<td>Function centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry, or Winery.</td>
</tr>
<tr>
<td>Group accommodation</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry, or Winery.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Condition</strong></td>
<td>The number of dwellings must not exceed the number specified in a schedule to the zone or 40 dwellings, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.</td>
</tr>
<tr>
<td>Hall</td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td></td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>Must be for equestrian based leisure, recreation or sport.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Indoor recreation facility, Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>Must be for outdoor leisure, recreation or sport.</td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of worship</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Primary school</td>
<td></td>
</tr>
<tr>
<td>Racing dog husbandry - if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td>Research centre</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.</td>
</tr>
<tr>
<td>Residential building (other than Residential hotel)</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td></td>
<td>Must be used to provide accommodation for persons away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>The lot on which the use is conducted must be at least the minimum subdivision area specified in a schedule to this zone. If no area is specified, the lot must be at least 8 hectares.</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td></td>
<td>The number of patrons present must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>If used in conjunction with Function centre, the total number of patrons present at any time must not exceed the number specified in a schedule to the zone or 150 patrons, whichever is the lesser.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td>Must not be used for more than 30 days in a calendar year.</td>
</tr>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
<td></td>
</tr>
<tr>
<td>Rice growing</td>
<td></td>
</tr>
<tr>
<td>Rural store – if the Section 1 condition is not met</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td>Timber production</td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Vehicle store</td>
<td>Must be in a building not a dwelling and used to store motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
<tr>
<td><strong>Section 3 - Prohibited</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Use</strong></td>
<td></td>
</tr>
<tr>
<td>Abattoir</td>
<td></td>
</tr>
<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>Display home centre</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>Funeral parlour</td>
<td></td>
</tr>
<tr>
<td>Hospital</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>Office</td>
<td></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>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Market, Plant nursery, Primary produce sales and Restaurant)</td>
<td></td>
</tr>
<tr>
<td>Saleyard</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 8 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.

- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- Each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td></td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>
### Information requirements and decision guidelines

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<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>

### 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 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 $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>
</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>• 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.</td>
<td></td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application to use or subdivide land, lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General issues**

- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development, 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.

35.05-7
Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.
**SCHEDULE TO CLAUSE 35.05 GREEN WEDGE A ZONE**

Shown on the planning scheme map as **GWAZ**.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/dimensions/number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>Land within 300 metres of the Djerriwarrh Creek&lt;br&gt;Land within 300 metres of a Rural Conservation Zone or a Public Conservation and Resource Zone, or other public use zone</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>All 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

<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>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling. Must meet the requirements of Clause 35.06-2.</td>
</tr>
<tr>
<td>Emergency services facility</td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td></td>
</tr>
<tr>
<td>Group accommodation</td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td></td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Primary produce sales</td>
<td></td>
</tr>
<tr>
<td>Primary school</td>
<td></td>
</tr>
<tr>
<td>Racing dog husbandry - if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td>Recreational boat facility</td>
<td></td>
</tr>
<tr>
<td>Renewable energy facility (other than Wind energy facility)</td>
<td>Must meet the requirements of Clause 53.13.</td>
</tr>
<tr>
<td>Residential hotel</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td></td>
</tr>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
<td></td>
</tr>
<tr>
<td>Rural store</td>
<td></td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td>Timber production</td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
</tbody>
</table>
### Use 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>
</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, 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**

Protect and conserve vegetation, minimise erosion and soil degradation, protect and enhance water quality, protect native habitat and protect significant rural landscapes.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

**Permit requirement for earthworks**

- 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 2 TO THE RURAL CONSERVATION ZONE

Shown on the planning scheme map as RCZ2.

CONSERVATION VALUES

The Rural Conservation land has been applied to areas of environmental significance identified through detailed flora and fauna assessments of the Growth Areas Precinct Planning Process. The land is within the Victorian Volcanic Plain bio-region and would have supported low-rainfall Plains Grassland Ecological Vegetation Class (EVC 132_63) as well as riparian EVCs within the Stony Hill Creek tributary.

An area of Plains Grassy Wetland (EVC 125) remains around the large dam at the eastern boundary of the PSP area where indigenous flora species are present. Plains Grassy Wetland has an ‘endangered’ conservation status within Victoria and the patch within the precinct has high conservation significance. The critically endangered Spiny Rice-flower and state significance Small Scurf-Pea have been recorded in this area. This dam also has conservation value as potential habitat for Growling Grass Frog habitat and known habitat for Bibron’s Toadlet. Growling Grass Frog is listed under the Federal EPBC Act 1999 as vulnerable and is listed as endangered under the State’s Flora and Fauna Guarantee Act 1988. Bibron’s Toadlet has a conservation status of vulnerable and is listed as threatened under the Flora and Fauna Guarantee Act 1988.

The Rural Conservation Zone has been applied to protect the patch of Plains Grassy Wetland, identify and manage potential endangered flora species including Small Scurf Pea and Spiny Rice Flower and ensure development does not negatively impact on habitat for the endangered Growling Grass Frog and Bibron’s Toadlet.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
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</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None Specified</td>
</tr>
</tbody>
</table>

<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 3 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as RCZ3.

CONSERVATION VALUES

Growling Grass Frog Conservation, Floodplain and Open Space Conservation Areas

Land classified as Growling Grass Frog Conservation, Floodplain and Open Space within the Biodiversity Conservation Strategy (Department of Environment and Primary Industries, 2013) are areas which will be protected and managed primarily for the Growling Grass Frog in accordance with the requirements of the Sub-regional Species Strategy for the Growling Grass Frog, but will also include areas managed for floodplain and stormwater infrastructure as well as areas of open space for passive recreation. This land is to be managed as outlined within the Biodiversity Conservation Strategy.

1.0

Subdivision and other requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
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<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
<td>All land</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>All land</td>
</tr>
</tbody>
</table>
SCHEDULE 4 TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as RCZ4.

CONSERVATION VALUES

Nature conservation areas

Land classified as Nature Conservation within the Biodiversity Conservation Strategy (Department of Environment and Primary Industries, 2013) is to be protected and managed primarily for nature conservation, including matters of national environmental significance and state significance, in accordance with the Biodiversity Conservation Strategy.

1.0 Subdivision and other requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None Specified</td>
</tr>
</tbody>
</table>

<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>
**FARMING ZONE**

Shown on the planning scheme map as **FZ** with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for the use of land for agriculture.

To encourage the retention of productive agricultural land.

To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.

To encourage the retention of employment and population to support rural communities.

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

**Table of uses**

**Section 1 – Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>Must meet the requirements of Clause 53.08.</td>
</tr>
<tr>
<td></td>
<td>The total number of cattle to be housed in the cattle feedlot must be 1000 or less.</td>
</tr>
<tr>
<td></td>
<td>The site must be located outside a special water supply catchment under the <em>Catchment and Land Protection Act 1994</em>.</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>Cattle feedlot</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 the only dwelling on the lot.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot.</td>
</tr>
<tr>
<td></td>
<td>The lot must be at least the area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Must be no more than 100 poultry (not including emus or ostriches). 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 shown with a Note 1 or Note 2 in the table to Clause 53.10. The land must be at least the following distances from land (not a road) which is in a residential zone or Rural Living Zone:  
  - The threshold distance, for a purpose listed in the table to Clause 53.10.  
  - 30 metres, for a purpose not listed in the table to Clause 53.10. |
| 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. 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. |
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tramway</td>
<td>Must meet requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet requirements of Clause 62.01.</td>
</tr>
<tr>
<td><strong>Section 2 – Permit required</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Use</strong></td>
<td><strong>Condition</strong></td>
</tr>
<tr>
<td>Abattoir</td>
<td>Must meet the requirements of Clause 53.09.</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>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car park</td>
<td>Must meet the requirements of Clause 53.08.</td>
</tr>
<tr>
<td>Cattle feedlot – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.08.</td>
</tr>
<tr>
<td></td>
<td>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.</td>
</tr>
<tr>
<td>Cemetery</td>
<td></td>
</tr>
<tr>
<td>Crematorium</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td>Emergency services facility</td>
<td></td>
</tr>
<tr>
<td>Freeway service centre</td>
<td>Must meet the requirements of Clause 53.05.</td>
</tr>
<tr>
<td>Group accommodation</td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Rural industry)</td>
<td></td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)</td>
<td>Primary school</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

<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>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Education centre (other than Primary school and Secondary school)</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>Office</td>
</tr>
<tr>
<td>Retail premises (other than Market, Landscape gardening supplies, Manufacturing sales, Primary produce sales, Restaurant and Trade supplies)</td>
</tr>
</tbody>
</table>

### Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:
Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.

The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.

The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.

The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

### Subdivision

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
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<tbody>
<tr>
<td><strong>Subdivide land to realign the common boundary between 2 lots where:</strong></td>
<td>Clause 59.01</td>
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<td>- Each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
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</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
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</tr>
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<td>- The general direction of the common boundary does not change.</td>
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</tbody>
</table>

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.

| **Buildings and works** | |
|-------------------------| |
| A permit is required to construct or carry out any of the following: | |
| - A building or works associated with a use in Section 2 of Clause 35.07-1. This does not apply to: | |
| - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres. | |
- An out-building associated with an existing dwelling provided the floor area of the out-building is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

- An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 200 square metres. Any area specified must be more than 200 square metres. The building must not be used to keep, board, breed or train animals.

- A rainwater tank.

- Earthworks specified in a schedule to this zone, if on land specified in a schedule.

- A building which is within any of the following setbacks:
  - The setback from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1 specified in a schedule to this zone or, if no setback is specified, 50 metres.
  - The setback from any other road or boundary specified in a schedule to this zone.
  - The setback from a dwelling not in the same ownership specified in a schedule to this zone.
  - 100 metres from a waterway, wetlands or designated flood plain.

- Permanent or fixed feeding infrastructure for seasonal or supplementary feeding for grazing animal production constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works associated with a Section 1 use in the Table of uses of the zone with an estimated cost of up to $500,000.</td>
<td>Clause 59.13</td>
</tr>
</tbody>
</table>

Any works must not be earthworks specified in the schedule to the zone.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works associated with a Section 2 use in the Table of uses of the zone with an estimated cost of up to $500,000 where the land is not:</td>
<td>Clause 59.13</td>
</tr>
<tr>
<td>- Used for Domestic animal husbandry, Intensive animal production, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry.</td>
<td></td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td>Any works must not be earthworks specified in the schedule to the zone.</td>
</tr>
</tbody>
</table>

**Application requirements for dwellings**

An application to use a lot for a dwelling must be accompanied by a written statement which explains how the proposed dwelling responds to the decision guidelines for dwellings in the zone.
Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General issues

- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development relates to sustainable land management.
- Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.
- How the use and development makes use of existing infrastructure and services.

Agricultural issues and the impacts from non-agricultural uses

- Whether the use or development will support and enhance agricultural production.
- Whether the use or development will adversely affect soil quality or permanently remove land from agricultural production.
- The potential for the use or development to limit the operation and expansion of adjoining and nearby agricultural uses.
- The capacity of the site to sustain the agricultural use.
- The agricultural qualities of the land, such as soil quality, access to water and access to rural infrastructure.
- Any integrated land management plan prepared for the site.

Dwelling issues

- Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
- Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.
- Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
- The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.

Environmental issues

- The impact of the proposal on the natural physical features and resources of the area, in particular on soil and water quality.
- The impact of the use or development on the flora and fauna on the site and its surrounds.
- The need to protect and enhance the biodiversity of the area, including the retention of vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.
Design and siting issues

- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses and to minimise the loss of productive agricultural land.

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.

- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.

- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.

- Whether the use and development will require traffic management measures.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 4.
### SCHEDULE TO THE FARMING ZONE

Shown on the planning scheme map as **FZ**

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land marked “A” on the map forming part of this schedule.</td>
</tr>
<tr>
<td></td>
<td>The number of lots into which the land may be subdivided is to be calculated using the following formula: ( N = \frac{A}{20} ). Where ( N ) (rounded down) is the number of lots that can be created and ( A ) is the area of the land in hectares.</td>
</tr>
<tr>
<td></td>
<td>The subdivision must comprise one large primary lot. The secondary lots must be at least 1.0 hectares and must be no larger than 5.0 hectares.</td>
</tr>
<tr>
<td></td>
<td>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 under this provision.</td>
</tr>
<tr>
<td>All other land</td>
<td>12 hectares</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to use land for a dwelling (hectares).</td>
<td>All land marked “A” on the map forming part of this schedule.</td>
</tr>
<tr>
<td></td>
<td>1 hectare if land is created under the above formula</td>
</tr>
<tr>
<td>All other land</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>
<tr>
<td>Permit requirement for earthworks</td>
<td>Land</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
<td>All land within the zone to a depth of 1m except for any works directly associated with the construction of a dwelling.</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>All land within the zone to a depth of 1m except for any works directly associated with the construction of a dwelling.</td>
</tr>
</tbody>
</table>
Map forming part of the Schedule to the Farming Zone

Incorporated Map

This map applies to land within the Rural Zone; for boundary details refer to Zoning Map.
PUBLIC USE ZONE

Shown on the planning scheme map as PUZ with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise public land use for public utility and community services and facilities.
To provide for associated uses that are consistent with the intent of the public land reservation or purpose.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Railway station</td>
<td>The total leasable floor area for the selling of food, drink and other convenience goods and services must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Any other use</td>
<td>The use must be for the purpose described in the table to Clause 36.01-6 which corresponds to the notation on the planning scheme map. The use must be carried out by or on behalf of the public land manager.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
</tr>
</tbody>
</table>

Permit requirement

A permit is required to:
- Construct a building or construct or carry out works for any use in Section 2 of Clause 36.01-1. This does not apply to navigational beacons and aids.
- Subdivide land.

Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:
- To the application for permit being made.
To the application for permit being made and to the proposed use or development.

Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The comments of any Minister or public land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

Permit not required

A permit is not required to use land, or to construct a building or construct or carry out works on land, listed in a schedule to this zone, provided any condition in the schedule is complied with.

Table of public land use

<table>
<thead>
<tr>
<th>Shown on the planning scheme map</th>
<th>Purpose of public land use</th>
</tr>
</thead>
<tbody>
<tr>
<td>PUZ1</td>
<td>Service &amp; Utility</td>
</tr>
<tr>
<td>PUZ2</td>
<td>Education</td>
</tr>
<tr>
<td>PUZ3</td>
<td>Health &amp; Community</td>
</tr>
<tr>
<td>PUZ4</td>
<td>Transport</td>
</tr>
<tr>
<td>PUZ5</td>
<td>Cemetery/Crematorium</td>
</tr>
<tr>
<td>PUZ6</td>
<td>Local Government</td>
</tr>
<tr>
<td>PUZ7</td>
<td>Other public use</td>
</tr>
</tbody>
</table>

Signs

Sign requirements are at Clause 52.05. This zone, except for the PUZ4 (Transport), is in Category 4 unless a different requirement is specified in the schedule to this zone.

For land within the PUZ4 (Transport), the sign category which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

Where the Road Zone is the nearest adjoining zone, a permit is required to display a sign.
### SCHEDULE TO THE PUBLIC USE ZONE

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></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>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 costeaneing or bulk sampling.</td>
</tr>
<tr>
<td>Open sports ground</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Contractor's depot</td>
<td>Must be either of the following:</td>
</tr>
<tr>
<td>Heliport</td>
<td>A use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the <em>Local Government Act 1989</em>, the <em>Reference Areas Act</em> 1978, the National Parks Act 1975, the <em>Fisheries Act</em> 1995, the <em>Wildlife Act</em> 1975, the <em>Forest Act</em> 1958, the <em>Water Industry Act</em> 1994, the <em>Water Act</em> 1989, the <em>Marine Act</em> 1988, the Port of Melbourne Authority Act 1958, or the Crown Land (Reserves) Act 1978.</td>
</tr>
<tr>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Retail premises</td>
<td></td>
</tr>
<tr>
<td>Store</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 3</td>
<td></td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractor's depot - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Heliport - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Office - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Retail premises - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Store - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
</tbody>
</table>
Section 3 - Prohibited

Use

Brothel
Cinema based entertainment facility
Corrective institution
Display home centre
Funeral parlour
Industry
Saleyard
Transport terminal (other than Heliport)
Veterinary centre
Warehouse (other than Store)

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply to:
  - Pathways, trails, seating, picnic tables, drinking taps, shelters, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure.
  - Playground equipment or sporting equipment, provided these facilities do not occupy more than 10 square metres of parkland.
  - Navigational beacons and aids.
  - Planting or landscaping.
  - Fencing that is 1 metre or less in height above ground level.
  - A building or works shown in an Incorporated plan which applies to the land.
  - A building or works carried out by or on behalf of a public land manager or Parks Victoria under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978.

- Subdivide land.

Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.
Exemption from notice and review

An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

Incorporated plan

An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of any proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses or a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.
- The location of existing native and other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.

Use and development of land identified in a schedule

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.
### SCHEDULE TO THE PUBLIC PARK AND RECREATION ZONE

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land</td>
<td>Advertising Sign Category</td>
<td></td>
</tr>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
PUBLIC CONSERVATION AND RESOURCE ZONE

Shown on the planning scheme map as PCRZ.

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To protect and conserve the natural environment and natural processes for their historic, scientific, landscape, habitat or cultural values.
To provide facilities which assist in public education and interpretation of the natural environment with minimal degradation of the natural environment or natural processes.
To provide for appropriate resource based uses.

Table of uses
Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>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></td>
</tr>
<tr>
<td>Marine dredging</td>
<td></td>
</tr>
<tr>
<td>Mooring pole</td>
<td></td>
</tr>
<tr>
<td>Open sports ground</td>
<td></td>
</tr>
<tr>
<td>Pier</td>
<td></td>
</tr>
<tr>
<td>Pontoon</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Telecommunications facility)</td>
<td>Must be a use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forests Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 2 or 3</td>
<td></td>
</tr>
</tbody>
</table>
Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency services facility</td>
<td></td>
</tr>
<tr>
<td>Renewable energy facility (other than Wind energy facility)</td>
<td>Must not be located on land reserved under the <em>National Parks Act 1975</em>. Must meet the requirements of Clause 53.13.</td>
</tr>
<tr>
<td>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>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
ROAD ZONE

Shown on the planning scheme map as RDZ1 for a Category 1 road and RDZ2 for a Category 2 road.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify significant existing roads.

To identify land which has been acquired for a significant proposed road.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td>Any other use not in Section 1 or 3</td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
</tr>
</tbody>
</table>

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works for a use in Section 2 of Clause 36.04-1.
- Subdivide land.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The views of the relevant road authority.
- The effect of the proposal on the operation of the road and on public safety.
Signs

Sign requirements are at Clause 52.05. A permit is required to display a sign over the road formation or over land within 600 millimetres of the road formation. For other land in this zone, the category of advertising control which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

Where the Public Use Zone 4 is the nearest adjoining zone, a permit is required to display a sign.
SPECIAL PURPOSE ZONES
SPECIAL USE ZONE

Shown on the planning scheme map as SUZ with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise or provide for the use and development of land for specific purposes as identified in a schedule to this zone.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 1 of the schedule to this zone</td>
<td>Must comply with any condition in Section 1 of the schedule to this zone</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 2 of the schedule to this zone</td>
<td>Must comply with any condition in Section 2 of the schedule to this zone</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3 of the schedule to this zone</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 3 of the schedule to this zone</td>
<td></td>
</tr>
</tbody>
</table>

Use of land

Any requirement in the schedule to this zone must be met.

Application requirements

An application to use land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any guidelines in the schedule to this zone.
Subdivision

Permit requirement

A permit is required to subdivide land.
Any requirement in the schedule to this zone must be met.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>• The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>• The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>• The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>• An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>• The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>• Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>• Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>• The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Application requirements

An application to subdivide land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

• The Municipal Planning Strategy and the Planning Policy Framework.
• 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.

1.0 Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extensive animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal keeping, Animal training, Apiculture, Extensive animal husbandry, Horse stables, and Intensive animal husbandry)</td>
<td></td>
</tr>
<tr>
<td>Animal keeping (other than Animal boarding)</td>
<td>Must be no more than four animals.</td>
</tr>
<tr>
<td>Caretaker's house</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Materials recycling, Refuse disposal, and Transfer station)</td>
<td>Must not be a purpose listed in the table to Clause 52.10.</td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Refuse disposal</td>
<td></td>
</tr>
</tbody>
</table>
### Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transfer station</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation)</td>
<td></td>
</tr>
<tr>
<td>Warehouse</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>Accommodation (other than Caretaker’s house and Dependent person's unit)</td>
</tr>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Animal boarding</td>
</tr>
<tr>
<td>Animal training</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Horse stables</td>
</tr>
<tr>
<td>Intensive animal husbandry</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>Office</td>
</tr>
<tr>
<td>Retail premises (other than Landscape gardening supplies and Manufacturing sales)</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Service station</td>
</tr>
<tr>
<td>Transport terminal</td>
</tr>
<tr>
<td>Veterinary centre</td>
</tr>
</tbody>
</table>

### Buildings and works

#### Permit requirement

The requirement for a permit does not apply to the construction of a building or the construction or carrying out of works which are a modification necessary to comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.
SCHEDULE 3 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ3.

TERMINAL STATIONS

Purpose
To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To provide for areas in private ownership to be used for the purposes of essential service utility installations.

To ensure that the development of these facilities takes place in an orderly and proper manner and does not cause a loss of amenity to the surrounding neighbourhood.

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>Utility installation</td>
<td>In accordance with an agreed Development Plan (Sub-clause 4).</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>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 costeaneing or bulk sampling.</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 Keeping (other than animal boarding)</td>
<td>Must be no more than four animals.</td>
</tr>
<tr>
<td>Car Park</td>
<td></td>
</tr>
<tr>
<td>Convenience Shop</td>
<td>The leasable floor area must not exceed 80m².</td>
</tr>
<tr>
<td>Office</td>
<td>Must not exceed a floor area of 500m².</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>
## Section 3 – Prohibited

### Use

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement Parlour</td>
</tr>
<tr>
<td>Animal Boarding</td>
</tr>
<tr>
<td>Animal Training</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cemetery</td>
</tr>
<tr>
<td>Community Market</td>
</tr>
<tr>
<td>Convenience Restaurant</td>
</tr>
<tr>
<td>Crematorium</td>
</tr>
<tr>
<td>Extractive Industry</td>
</tr>
<tr>
<td>Food and Drink Premises</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>Motor Racing Track</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>Retail Premises (other than Community Market, Convenience Shop, Food and Drink Premises and Plant Nursery)</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Service Station</td>
</tr>
<tr>
<td>Take Away Food Premises</td>
</tr>
<tr>
<td>Transport Terminal</td>
</tr>
<tr>
<td>Warehouse (other than Store)</td>
</tr>
</tbody>
</table>

### Use of land

#### Application Requirements

An application to use land must be accompanied by the following information as appropriate:

- The purpose of the use and types of activities which will be carried out; and
- The likely effects, if any, on the adjacent land including noise levels, traffic and hours of operation.

#### Decision Guidelines

Before deciding on an application to use land, the Responsible Authority must consider the following as appropriate.
- The effect that the proposed use may have on existing uses; and
- The effect that the proposed use may have on the amenity of the neighbourhood.

### Subdivision

**Application Requirements**

An application to subdivide land must be accompanied by the following information as appropriate:

- The purpose of the subdivision; and
- The likely effects of the subdivision on the adjacent land.

**Decision Guidelines**

Before deciding on an application to subdivide land, the Responsible Authority must consider the following as appropriate:

- The effect that the proposed subdivision may have on existing uses; and
- The effect that the proposed subdivision may have on the amenity of the neighbourhood.

### Development Plan

A Development Plan is required to be formulated in consultation with responsible authorities and include the following details and considerations:

- The layout and use of existing and proposed buildings and works, driveways, car parking and loading areas;
- Construction details of all drainage works, site access arrangements, vehicle parking and loading areas;
- Details of existing and proposed landscaping, including perimeter landscaping treatments;
- The appearance and bulk of buildings having regard to the adjoining zones, especially the relationship with residential areas; and
- The effect of the proposed buildings and works on the amenity of the neighbourhood, including the effects of noise, lighting, overshadowing and privacy.
SCHEDULE 5 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ5.

LEAKES ROAD TOURIST PRECINCT

Purpose
To recognise or provide for the use and development of land for tourist oriented uses and associated rural activities.

To encourage development that is in harmony with the rural landscape.

To ensure that subdivision provides for tourist and tourist related uses and promotes effective land management practices and infrastructure provision.

1.0

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture</td>
<td></td>
</tr>
<tr>
<td>Animal Husbandry</td>
<td></td>
</tr>
<tr>
<td>Café</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s House</td>
<td></td>
</tr>
<tr>
<td>Equestrian Supplies</td>
<td>Must be ancillary to a tourist theme established on the land</td>
</tr>
<tr>
<td>Home Occupation</td>
<td></td>
</tr>
<tr>
<td>Hotel</td>
<td></td>
</tr>
<tr>
<td>Horse Stables</td>
<td></td>
</tr>
<tr>
<td>Mineral Exploration</td>
<td></td>
</tr>
<tr>
<td>Mining</td>
<td></td>
</tr>
<tr>
<td>Minor Utility Installation</td>
<td></td>
</tr>
<tr>
<td>Motel</td>
<td></td>
</tr>
<tr>
<td>Occupational Store</td>
<td></td>
</tr>
<tr>
<td>Outdoor Recreation Park</td>
<td></td>
</tr>
<tr>
<td>Passive Recreation</td>
<td></td>
</tr>
<tr>
<td>Place of Assembly</td>
<td></td>
</tr>
<tr>
<td>Place of Worship</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Reception Rooms</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td></td>
</tr>
</tbody>
</table>
### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop</td>
<td>Provided the use is associated with and ancillary to a Section 1 or 2 use.</td>
</tr>
<tr>
<td>Take-away Food Premises</td>
<td>Provided the use is associated with and ancillary to a Section 1 or 2 use.</td>
</tr>
<tr>
<td>Any use other than those in Section 1</td>
<td>If it can be demonstrated to the satisfaction of the Responsible Authority that there is a direct association with the tourist theme established on the land.</td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use not in Section 1 or 2</td>
</tr>
</tbody>
</table>

#### Use of land

Prior to the use or development of any land, a development plan must be prepared to the satisfaction of the Responsible Authority in accordance with the requirements of Schedule 4 to the Development Plan Overlay.

#### Subdivision

A permit is required to subdivide land.

No subdivision may be approved until an Overall Development Plan has been prepared to the satisfaction of the Responsible Authority.

Any subdivision must accord with the site requirements for a use or development permitted under this zone.

An application must be referred to a referral authority listed in Clause 66.01, and the department administering the Extractive Industries Development Act 1995 for any subdivision within 500 metres of land zoned for extractive industry or land in a separate tenement used for extractive industry.

A permit may be granted to create a lot if it is required for a public use by the Crown, a public authority or municipality.

Before deciding on an application to subdivide land, the Responsible Authority must consider:

- Whether the subdivision promotes the purpose of the zone
- Whether the proposed subdivision conforms with the Overall development Plan and the Local Area Development Plan
Whether the proposed subdivision would prejudice the future use and development of the zone in accordance with the zone purposes.

- The impact of the subdivision on Melton Highway
- Whether each lot created contains a building envelope which is capable of development (including reference to any recommended buffer distance from an adjacent use or development published by the EPA) to the satisfaction of the Responsible Authority. The building envelope must be shown on any approved plan of subdivision.

### Buildings and works

A permit is required to construct a building or construct or carry out works. The building must be sited in conformity with any buffer distance from an adjacent use for existing extractive industry recommended by the Environment Protection Authority.

No buildings or works may be constructed until a plan of the overall development of the land has been prepared to the satisfaction of the Responsible Authority.

A permit application for buildings and works generally with an overall development plan approved by the Responsible Authority is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64 (1), (2) and (3) and the review rights of Section 82(1) of the Act. This exemption does not apply to an application for buildings and works which contain a sensitive use which would be located within 500 metres of land zoned for extractive industry or land in a separate tenement used for extractive industry.

### Agreements

The applicant may be required to enter into an agreement in accordance with Section 173 of the Act which specifies:

- subdivision requirements
- ongoing management requirements of an approved outline development plan
- development contributions
- any other matter

### 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:

#### General issues

- The Local Area Development Plan and relevant local planning policies
- Any Catchment and Land Protection Strategy and policies applying to the land
- Whether the land is adequately serviced with physical infrastructure
- The capability of the land to accommodate the proposed use or development, addressing the site quality attributes including soil type, soil fertility, soil structure, soil permeability, aspect, contour and drainage patterns
- Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining and nearby farming and other uses
- Any recommended buffer distance from an adjoining use or development published by the EPA
Tourism Issues
- The requirements of any existing or proposed rural industry
- The impact on the existing and proposed rural infrastructure
- An assessment of industry requirements, growth expectations, staging of the development and investment requirements

Environmental Issues
- 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 noise, dust and odours
- The impact of the use or development on the flora, fauna and landscape features of the locality
- The protection and enhancement of the natural environment and the character of the area, including the retention of vegetation and fauna habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridge lines, property boundaries, discharge and recharge areas.
- The impact on the character and appearance of the area or feature of architectural, historic or scientific significance or of natural scenic beauty or importance
- The means of disposal of effluent and other wastes and its compliance with Clause 40 of the State Environment Protection Policy – Waters of Victoria and the Septic Tank Code of Practice 1996 published by the EPA
- The means, location, implementation and management of erosion control of the creek/drainage line on the eastern edge of the property
- Treatment of site runoff and stormwater drainage

Design and Siting Issues
- The design, colours and materials to be used and the siting, including the provision of development and effluent envelopes for any building or works
- The impact of the use or development on the existing and surrounding rural uses
- The location of any building or works with respect to the natural environment, major roads, vistas and water features and the measures to be taken to minimise any adverse impacts
- The location and design of existing and proposed roads and their impact on the landscape and whether the use or development will cause significant traffic generation which will require additional traffic management programs to be initiated
- The location and design of existing and proposed infrastructure services including gas, water, drainage, telecommunications and sewerage facilities
SCHEDULE 6 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ6

REMAND CENTRE AT TRUGANINA

Purpose
To facilitate the development of a remand centre in accordance with a Correctional Facility Development Plan.

To ensure that development and use of the correctional facility occurs with minimum negative impact on surrounding land uses.

To encourage a form of development that will enhance the visual quality of the surrounding area.

To provide for correctional facility industries, prisoner education, recreation, visitor and health service facilities and any other facility necessary for the operation of an international best practice correctional facility.

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>Corrective Institution</td>
<td>Must be in accordance with the Correctional Facility Development Plan prepared to the satisfaction of the Minister for Planning</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>Search for stone</td>
<td>Must not be costeining or bulk sampling</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 – Prohibited

Use

Use of land

The use of the land for a remand centre may include facilities for education and training of prisoners and for visitors, recreation and health services.

Buildings and works

Permit requirement

A permit is not required to construct a building or construct and carry out works for a remand centre.
All buildings and works must comply with a Correctional Facility Development Plan prepared to the satisfaction of the Minister for Planning.

4.0

**Correctional Facility Development Plan**

Before any use or development commences (excluding demolition and internal building works), a Correctional Facility Development Plan must be prepared in accordance with the purpose of the zone to the satisfaction of the Minister for Planning.

The Correctional Facility Development Plan must include:

- Site plans at a scale of not less than 1:2000 showing:
  - the proposed location (excluding internal building layout), type, design and where appropriate, the height and colour of all buildings and works;
  - all fencing;
  - all security lighting, including a statement of lighting intensity and indicative hours of operation;

- Stormwater management details, including discharge points and water quality management;

- Details of Emergency Management Plans;

- the proposed access to and egress from the site and location of vehicle parking areas for employees and visitors, of access for public transport, of loading areas for service providers and of roads and accessways within the site; and the number, location, size and form of all signs proposed to be erected

- Principal view corridors into the site, particularly from existing dwellings and roads.

- Details, including plans, of the proposed landscape treatment of the site, including:
  - location and type of existing vegetation indicating what is to be removed and what is to be retained;
  - location and type of proposed additional plantings;
  - The staging of screening vegetation to achieve maximum effect as quickly as possible.

- Details of any public address, alarm, amplified music or other such system that may be audible beyond the boundary of the site, including indicative locations, hours of operation and volume.

- Details of the waste disposal system, including appropriate details to the satisfaction of Environment Protection Authority for obtaining a Works Approval for installation of a packaged sewerage treatment plant.

The Correctional Facility Development Plan may be modified to the satisfaction of the Minister for Planning after consultation with the responsible authority.

5.0

**Decision Guidelines**

When considering the Correctional Facility Development Plan, the Minister for Planning must consider:

- The views of the responsible authority.

- The views of the Roads Corporation in relation to noise attenuation measures.

- Potential off-site effects, including those associated with:
  - lighting;
  - noise;
- traffic access and parking generated by employees, visitors and service providers visual impact, including view corridors into the site; and
- landscaping design and treatment.

- The impact of vegetation removal.
- The effect of the prison on existing uses of nearby land.
- The effect of existing land uses on prison operations.
### SCHEDULE 7 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ7**

### MELTON HARNESS RACING CENTRE

**Purpose**

To provide for areas to be used as a harness racing centre and associated uses.

### Table of uses

#### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal training</td>
<td></td>
</tr>
<tr>
<td>Apiculture</td>
<td>Must meet the requirements of the Apiary Code of Practice, May 1997</td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Car Park</td>
<td></td>
</tr>
<tr>
<td>Food and Drink Premises</td>
<td></td>
</tr>
<tr>
<td>Gambling Premises</td>
<td></td>
</tr>
<tr>
<td>Home occupation</td>
<td></td>
</tr>
<tr>
<td>Horse Stables</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>Must be in accordance with a Development Plan approved by the Responsible Authority.</td>
</tr>
<tr>
<td>Minor sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td>Office with a floor area of not more than 500sq m.</td>
<td></td>
</tr>
<tr>
<td>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Residential hotel</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>Motel</td>
<td></td>
</tr>
<tr>
<td>Natural systems</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Search for stone</td>
<td>Must not be costeaming or bulk sampling</td>
</tr>
<tr>
<td>Veterinary clinic</td>
<td></td>
</tr>
</tbody>
</table>

#### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bottle Shop</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
</tbody>
</table>
## Condition Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mineral, stone or soil extraction (other than extractive Industry,</td>
<td>Mineral exploration, Mining and Search for Stone</td>
</tr>
<tr>
<td>Restricted Retail Premises</td>
<td>All use not in section 1 or 3</td>
</tr>
<tr>
<td>Any other use not in section 1 or 3</td>
<td>Any use not in section 1 or 3</td>
</tr>
</tbody>
</table>

### Section 3 – Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than caretakers house, motel and residential hotel)</td>
</tr>
<tr>
<td>Adult Sex Bookshop</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Extractive Industry</td>
</tr>
<tr>
<td>Utility Installation (other than minor utility installation)</td>
</tr>
<tr>
<td>Warehouse</td>
</tr>
</tbody>
</table>

### Subdivision

A permit is required to subdivide land.

#### Exemptions

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the appeal rights of Section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or school or land in a Public Acquisition Overlay to be acquired for a hospital or school.

### Buildings and works

A permit is required to construct a building or to construct or carry out works.

#### Application requirements

An application to construct a building or to carry out works must be accompanied by the following information including:

- Any Development Plan approved for the site
- The location and type of landscaping to be provided.
- Provision for access to and from the site.

#### Exemption from notice and appeal

Any application to construct a building or to construct or carry out works that is in accordance with a Development Plan approved by the Responsible Authority 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, the responsible authority must consider as appropriate:

- The interface with adjoining areas, including the relationship with the Toolern Employment Precinct.
- The location and type of access to the site.
- The appearance of buildings having regard to surrounding areas.
- The provision of landscaping.
- The provision of car parking.
- Loading and service areas.

4.0
25/01/2007
C50

**Advertising signs**

Advertising sign requirements are at Clause 52.05. This zone is in Category 2.
SCHEDULE 8 TO THE SPECIAL USE ZONE

Shown on the planning scheme map as SUZ8.

PRISON PRECINCT

Purpose
To facilitate the development of land within the prison precinct in accordance with a Correctional Facility Development Plan.
To ensure that development and use of a correctional facility occurs with minimum negative impact on surrounding land uses.
To encourage a form of development that will enhance the visual quality of the surrounding area.
To provide for correctional facility industries, prisoner education, recreation, visitor and health service facilities and any other facility necessary for the operation of an international best practice correctional facility.

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>Corrective institution</td>
<td>Must be in accordance with a Correctional Facility Development Plan prepared to the satisfaction of the Minister for Planning</td>
</tr>
<tr>
<td>Mineral exploration</td>
<td>Must meet the requirements of Clause 52.08-2</td>
</tr>
<tr>
<td>Mining</td>
<td></td>
</tr>
<tr>
<td>Search for stone</td>
<td>Must not be costeanning or bulk sampling</td>
</tr>
<tr>
<td>Utility installation</td>
<td>Must be in association with a corrective institution</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.</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

Use of land

The use of the land for a corrective institution may include facilities for education and training of prisoners and visitors, recreation and health services.

Buildings and works

A permit is not required to construct a building or construct and carry out works for a prison.
All buildings and works associated with a prison must be generally in accordance with a Correctional Facility Development Plan prepared to the satisfaction of the Minister for Planning.
Correctional Facility Development Plan

Before any use or development commences (excluding demolition and internal building works), a Correctional Facility Development Plan must be prepared to the satisfaction of the Minister for Planning. A Correctional Facility Development Plan may be prepared in stages, or there may be separate Correctional Facility Development Plans prepared and approved for land within the prison precinct. Any approved Correctional Facility Development Plan may be modified to the satisfaction of the Minister for Planning.

A Correctional Facility Development Plan must show or include (where relevant):

- Site plans at a scale of not less than 1:2000 showing:
  - the proposed location of the prison perimeter, general zones for buildings and works, and indicative height and type of all buildings.
  - the setback of buildings from any adjacent development and from the Deer Park Bypass, addressing any safety and security issues associated with the bypass as necessary.
  - conceptual details of the proposed secure perimeter wall.
  - security lighting, including a statement of lighting intensity and indicative hours of operation;
  - a vehicle management concept plan, which identifies: access to and egress from the site; the location of vehicle parking areas for employees and visitors; access for public transport; and the location of roads and accessways external to the site.
  - the proposed landscape treatment of the site.

- Details of principal view corridors into the site.

- A Traffic Impact Assessment which addresses anticipated traffic volumes and impacts on the surrounding road network.

- A Noise Management Plan which addresses noise impacts from the bypass and management of noise amenity external to the site.

- A Remediation Plan for management of any contamination.

- An Environmental Management Plan, to the satisfaction of the Department of Sustainability and Environment, that:
  - provides details of the flora, fauna and heritage features of the site;
  - provides an offset plan for any native vegetation loss, prepared in accordance with Victoria’s Native Vegetation Management – A Framework for Action; and
  - includes details of any potential impacts (if any) on the adjacent conservation reserves arising from the construction or carrying out of any buildings and works on the land (including site drainage, removal or planting of any vegetation, erection of fencing, etc).

Requirement before commencement of use or buildings and works

Other than land within the current boundaries of the Metropolitan Remand Centre, Middle Road, Ravenhall, as identified in the Correctional Facility Development Plan endorsed plan dated 19/12/2003, and the current boundaries of the Prison Compound (not the buffer area) of the Metropolitan Women’s Prison, Riding Boundary Road, Deer Park, as identified in the Prison Development Plan, Proposed Metropolitan Women’s Prison, dated April 1995 before the use of the land for a corrective institution 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 (or stage) in accordance with Part IXD of the Environmental 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 (or stage) are suitable for the sensitive use.

6.0
19/09/2013
C149

Decision Guidelines
When considering a Correctional Facility Development Plan, the Minister for Planning may consider:

• The views of the relevant Councils.

• The views of the Roads Corporation in relation to noise attenuation measures associated with the Deer Park Bypass.

• The views of the Department of Sustainability and Environment in relation to the preparation and approval of the Environmental Management Plan, as a component of the Correction Facility Development Plan.

• Potential off-site effects, including those associated with:
  - lighting;
  - noise;
  - traffic access and parking generated by employees, visitors and service providers
  - visual impact, including view corridors into the site; and
  - landscaping.

• The effect of the prison on existing uses of nearby land.

• The effect of existing land uses on prison operations.
SCHEDULE 9 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ9.

KOROROIT 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 the Kororoit Precinct Structure Plan.

Table of uses

Any requirement in the Table of uses and any requirement specified in this schedule or the Kororoit Precinct Structure Plan applying to the land must be met.

A permit granted must be generally in accordance with the Kororoit 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>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Car park</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</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>Display home</td>
</tr>
<tr>
<td>Education centre</td>
</tr>
<tr>
<td>Funeral parlour</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Industry (other than Rural industry)</td>
</tr>
</tbody>
</table>
### Use

- Intensive animal husbandry
- Office
- Place of assembly (other than Carnival and Circus)
- Research Centre
- Retail premises (other than Landscape gardening supplies, Market, and Primary produce sales)
- Rice growing
- Service Station
- Transport terminal
- Veterinary centre
- Warehouse

### Use of land

An application for the use of land which is generally in accordance with the Kororoit Precinct Structure Plan applying to the land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

### Subdivision

A permit granted must:

- Be generally in accordance with the Kororoit Precinct Structure Plan applying to the land.
- Include any conditions or requirements specified in the Kororoit Precinct Structure Plan.

An application for subdivision of land which is generally in accordance with the Kororoit Precinct Structure Plan applying to the land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

### Buildings and works

A permit granted must:

- Be generally in accordance with the Kororoit Precinct Structure Plan applying to the land.
- Include any conditions or requirements specified in the Kororoit Precinct Structure Plan.

An application to construct a building or to construct or carry out works which is generally in accordance with the Kororoit 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 4.
SCHEDULE 10 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ10.

PLUMPTON 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 the Plumpton Precinct Structure Plan.

Table of uses

Any requirement in the Table of uses and any requirement specified in this schedule or the Plumpton Precinct Structure Plan applying to the land must be met.

A permit granted must be generally in accordance with the Plumpton 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>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>USE</th>
<th>CONDITION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Car park</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</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>Display home</td>
</tr>
<tr>
<td>Education 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 husbandry</td>
</tr>
<tr>
<td>Office</td>
</tr>
</tbody>
</table>
USE

Place of assembly (other than Carnival and Circus)
Research Centre
Retail premises (other than Landscape gardening supplies, Market, and Primary produce sales)
Rice growing
Service Station
Transport terminal
Veterinary centre
Warehouse

2.0
Use of land
An application for the use of land which is generally in accordance with the *Plumpton 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.

3.0
Subdivision
A permit granted must:
- Be generally in accordance with the *Plumpton Precinct Structure Plan* applying to the land.
- Include any conditions or requirements specified in the *Plumpton Precinct Structure Plan*.

An application for subdivision of land which is generally in accordance with the *Plumpton 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.

4.0
Buildings and works
A permit granted must:
- Be generally in accordance with the *Plumpton Precinct Structure Plan* applying to the land.
- Include any conditions or requirements specified in the *Plumpton Precinct Structure Plan*.

An application to construct a building or to construct or carry out works which is generally in accordance with the *Plumpton Precinct Structure Plan* applying to the land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

5.0
Advertising signs
Advertising sign requirements are at Clause 52.05. This zone is in Category 4.
SCHEDULE 11 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ11.

MT ATKINSON & TARNEIT PLAINS 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 the Mt Atkinson & Tarneit Plains Precinct Structure Plan.

Table of uses
Any requirement in the Table of uses and any requirement specified in this schedule or the Mt Atkinson & Tarneit Plains Precinct Structure Plan must be met.

A permit granted must be generally in accordance with the Mt Atkinson & Tarneit Plains Precinct Structure Plan.

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
</table>
| Crop raising                           | Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10. The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:  
  • The threshold distance, for a purpose listed in the table to Clause 52.10.  
  • 30 metres, for a purpose not listed in the table to Clause 52.10.  
  Must not adversely affect the amenity of the neighbourhood, including through the:  
  • Transport of materials, goods or commodities to or from the land.  
  • Appearance of any stored goods or materials.  
  • Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit or oil. |
| Extensive animal husbandry             |                                                                                                                                          |
| Home occupation                        |                                                                                                                                          |
| Industry (other than Materials recycling and Transfer station) |                                                                                                                                          |
| Informal outdoor recreation            |                                                                                                                                          |
| Mail centre                            |                                                                                                                                          |
| Minor utility installation             |                                                                                                                                          |
| Railway                                |                                                                                                                                          |
### Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service station</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Shipping container storage</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10. The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>• The threshold distance, for a purpose listed in the table to Clause 52.10.</td>
</tr>
<tr>
<td></td>
<td>• 100 metres, for a purpose not listed in the table to Clause 52.10. The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Shipping containers must be set back at least 9 metres from a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The height of shipping container stacks must not exceed 6 containers or 16 metres, whichever is the lesser. Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td></td>
<td>• Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td></td>
<td>• Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td></td>
<td>• Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</td>
</tr>
<tr>
<td>Tramway</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 52.10.</td>
</tr>
<tr>
<td>Warehouse (other than Mail centre and Shipping container storage)</td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>• The threshold distance, for a purpose listed in the table to Clause 52.10.</td>
</tr>
<tr>
<td></td>
<td>• 30 metres, for a purpose not listed in the table to Clause 52.10. 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 bookshop</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, Extensive animal husbandry, and Intensive animal husbandry)</td>
<td></td>
</tr>
<tr>
<td>Caretaker's house</td>
<td></td>
</tr>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td>Must not be a primary or secondary school.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>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>Transfer station</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility).</td>
<td>Any gas holder, or sewerage or refuse treatment or disposal works, must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3 or a use in Section 1 where the condition is not met.</td>
<td></td>
</tr>
</tbody>
</table>

## Section 3 – Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Caretaker’s house)</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
</tbody>
</table>
Use

Hospital
Intensive animal husbandry
Shop (other than Adult sex bookshop, Convenience shop and Restricted retail premises)

Use of land

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Application requirements

An application to use land for 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 (Major Hazard Facilities) Regulations 2000 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2000 is exceeded.
  - 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.

An application for the use of land which is generally in accordance with the Mt Atkinson & Tarneit Plains 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.

Subdivision

The following application requirements apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- Be generally in accordance with the Mt Atkinson & Tarneit Plains Precinct Structure Plan.
- Include any conditions or requirements specified in the Mt Atkinson & Tarneit Plains Precinct Structure Plan.
An application for the subdivision of land which is generally in accordance with the *Mt Atkinson & Tarneit Plains 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.

### Buildings and works

The following requirements apply to construct a building or construct or carry out works:

A permit granted must:

- Be generally in accordance with the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*.
- Include any conditions or requirements specified in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*.

An application to construct a building or construct or carry out works which is generally in accordance with the *Mt Atkinson & Tarneit Plains 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.

### Advertising signs

Advertising sign requirements are at Clause 52.05. All land located within this zone is in Category 2.
COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as **CDZ** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for a range of uses and the development of land in accordance with a comprehensive development plan incorporated in this scheme.

**Table of uses**

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 1 of the schedule to this zone</td>
<td>Must comply with any condition in Section 1 of the schedule to this zone.</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 2 of the schedule to this zone</td>
<td>Must comply with any condition in Section 2 of the schedule to this zone.</td>
</tr>
</tbody>
</table>

| Any other use not in Section 1 or 3 of the schedule to this zone |

**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>
</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. | |

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>
Table: Class of subdivision and Objectives and standards to be met

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

An application to subdivide land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The objectives and standards of Clause 56.
- Any guidelines in the schedule to this zone.

Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.

An apartment development must meet the requirements of Clause 58.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 and the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
</tbody>
</table>

Transitional provisions

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.
An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

**Exemption from notice and review**

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if it is generally consistent with the comprehensive development plan.

The schedule to this zone may specify that other applications are also exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- For an apartment development, the objectives, standards and decision guidelines of Clause 58.
- Any guidelines in the schedule to this zone.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.
SCHEDULE 1 TO THE COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as CDZ1

CAROLINE SPRINGS TOWN CENTRE AREA

The Caroline Springs Town Centre Comprehensive Development Plan is the Comprehensive Development Plan for this area.

Land

Comprehensive Development Zone 1 and the Caroline Springs Town Centre Comprehensive Development Plan apply to the Caroline Springs Town Centre.

Purpose

To identify land developed as the Caroline Springs Town Centre.

To provide a dynamic range and mix of commercial, retail, entertainment, residential, recreational, educational and community uses in the Caroline Springs Town Centre.

To provide for the development of the Town Centre generally in accordance with the Caroline Springs Town Centre Comprehensive Development Plan.

To achieve a high standard of urban design, public amenity and safety.

To establish higher order sub regional functions to reflect the sub regional status of the Town Centre.

To provide opportunities for medium and higher density residential development.

To implement the Melton East Structure Plan.

To implement the Melton East Strategy Plan Revised (1997).

To integrate Kororoit Creek as a feature of the Town Centre.

To provide a community focus in an accessible and convenient location.

To establish an attractive pedestrian scale for the Town Centre.

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 bed and breakfast, caravan and camping</td>
<td>The site is identified for the use in a precinct plan approved by the responsible authority.</td>
</tr>
<tr>
<td>park, corrective institution, dwelling, group accommodation and host</td>
<td></td>
</tr>
<tr>
<td>farm).</td>
<td>In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority.</td>
</tr>
<tr>
<td></td>
<td>The approved plan may include requirements to ensure that the use does not adversely affect the amenity of the area.</td>
</tr>
<tr>
<td>Art and craft centre</td>
<td>The site is identified for the use in a precinct plan approved by the responsible authority.</td>
</tr>
<tr>
<td></td>
<td>In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority.</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>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Use</td>
<td>In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority.</td>
</tr>
<tr>
<td>Car park</td>
<td>The site is identified for the use in a precinct plan approved by the responsible authority.</td>
</tr>
<tr>
<td>Child care centre</td>
<td>The site is identified for the use in a precinct plan approved by the responsible authority.</td>
</tr>
<tr>
<td>Cinema-based entertainment facility</td>
<td>The site is identified for the use in a precinct plan approved by the responsible authority.</td>
</tr>
<tr>
<td>Display home</td>
<td>The site is identified for the use in a precinct plan approved by the responsible authority.</td>
</tr>
<tr>
<td>Dwelling</td>
<td>The site is identified for the use in a precinct plan approved by the responsible authority.</td>
</tr>
<tr>
<td>Education centre</td>
<td>The site is identified for the use in a precinct plan approved by the responsible authority.</td>
</tr>
<tr>
<td>Funeral parlour</td>
<td>The site is identified for the use in a precinct plan approved by the responsible authority.</td>
</tr>
<tr>
<td>Home occupation</td>
<td>The site is identified for the use in a precinct plan approved by the responsible authority.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Motor racing track and Paintball games facility)</td>
<td>The site is identified for the use in a precinct plan approved by the responsible authority.</td>
</tr>
<tr>
<td>Office</td>
<td>The site is identified for the use in a precinct plan approved by the responsible authority.</td>
</tr>
<tr>
<td>Office</td>
<td>The site is identified for the use in a precinct plan approved by the responsible authority.</td>
</tr>
<tr>
<td>Office</td>
<td>The site is identified for the use in a precinct plan approved by the responsible authority.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Place of assembly (other than carnival, circus) | The site is identified for the use in a precinct plan approved by the responsible authority.  
In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority.  
The approved plan may include requirements to ensure that the use does not adversely affect the amenity of the area. |
| Utility installation (other than Telecommunications facility) | The site is identified for the use in a precinct plan approved by the responsible authority.  
In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority.  
The approved plan may include requirements to ensure that the use does not adversely affect the amenity of the area. |
| Retail premises (other than shop)        | The site is identified for the use in a precinct plan approved by the responsible authority.  
In accordance with plans showing the proposed layout, elevations, dimensions, car parking, access and landscaping approved to the satisfaction of the responsible authority.  
The approved plan may include requirements to ensure that the use does not adversely affect the amenity of the area. |
| Research and development centre          | The site is identified for the use in a precinct plan approved by the responsible authority.  
In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority.  
The approved plan may include requirements to ensure that the use does not adversely affect the amenity of the area. |
| Service industry (other than motor repairs and panel beating) | The site is identified for the use in a precinct plan approved by the responsible authority.  
In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority.  
The approved plan may include requirements to ensure that the use does not adversely affect the amenity of the area. |
| Service station                          | The site is identified for the use in a precinct plan approved by the responsible authority.  
In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority.  
The approved plan may include requirements to ensure that the use does not adversely affect the amenity of the area. |
| Shop                                     | The site is identified for the use in a precinct plan approved by the responsible authority.  
In accordance with plans showing the proposed layout, elevations, dimensions, car parking, access and landscaping approved to the satisfaction of the responsible authority. |
| Transport terminal (other than airport, and road freight terminal) | The site is identified for the use in a precinct plan approved by the responsible authority.  
In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority.  
The approved plan may include requirements to ensure that the use does not adversely affect the amenity of the area |
| Veterinary centre                        | The site is identified for the use in a precinct plan approved by the responsible authority.  
In accordance with plans showing the proposed layout, elevations, car parking, access and landscaping approved to the satisfaction of the responsible authority. |
### Condition Use

The approved plan may include requirements to ensure that the use does not adversely affect the amenity of the area.

**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 or school or land in a Public Acquisition Overlay to be acquired for a hospital or school</td>
</tr>
<tr>
<td>Amusement parlour</td>
<td></td>
</tr>
<tr>
<td>Heliport</td>
<td></td>
</tr>
<tr>
<td>Hospital</td>
<td></td>
</tr>
<tr>
<td>Motor repairs (other than panel beating)</td>
<td></td>
</tr>
<tr>
<td>Store</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot. Must not be for a storage purpose listed in the Table to Clause 52.10.</td>
</tr>
<tr>
<td>Warehouse (other than store and fuel depot)</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. Must not be for a purpose listed in the Table to Clause 52.10.</td>
</tr>
</tbody>
</table>

### Any Section 1 use - if the Section 1 condition is not met

### Any other use not in Section 1 or Section 3

### Section 3 – Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Airport</td>
</tr>
<tr>
<td>Agriculture (other than Apiculture)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Camping and caravan park</td>
</tr>
<tr>
<td>Cemetery</td>
</tr>
<tr>
<td>Corrective institution</td>
</tr>
<tr>
<td>Crematorium</td>
</tr>
<tr>
<td>Freeway service centre</td>
</tr>
<tr>
<td>Fuel depot</td>
</tr>
<tr>
<td>Industry (other than research and development centre and service industry)</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Panel beating</td>
</tr>
<tr>
<td>Paintball games facility</td>
</tr>
<tr>
<td>Road freight terminal</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
</tbody>
</table>
Caroline Springs Town Centre Comprehensive Development Plan

The Caroline Springs Town Centre Comprehensive Development Plan identifies the area developed for the Caroline Springs Town Centre and associated uses. The plan shows the general location of the Town Centre, the indicative main road frontages and the indicative arrangement of land uses proposed within the Town Centre.

The Caroline Springs Town Centre Comprehensive Development Plan describes the vision for the Town Centre and includes design objectives for its development.

Precinct Plan

Before land is subdivided or buildings or works are constructed, a precinct plan for all or part of the land must be prepared and approved to the satisfaction of the responsible authority. A precinct plan may be amended at any time to the satisfaction of the responsible authority.

All subdivision and buildings and works must be generally in accordance with the approved precinct plan.

A precinct plan must be generally consistent with the Caroline Springs Town Centre Comprehensive Development Plan to the satisfaction of the responsible authority.

A precinct plan must provide or contain the following information as appropriate:

- The proposed land uses;
- A response to the design objectives and principles contained in the Caroline Springs Town Centre Comprehensive Development Plan;
- Details of roads, including pavement widths;
- A parking plan including the number of car parking spaces provided for particular uses; the basis on which the car parking rate is justified and the internal layout of the car parking areas;
- The staging of development;
- The relationship of the land to the existing or proposed land uses on adjoining land; and appropriate interface treatments particularly for residential uses;
- Buildings envelopes showing building heights, massing, and indicative scale;
- Pedestrian and bicycle paths, if provided;
- Areas available to the public and any recreation or other public facilities to be provided;
- Public transport facilities, if provided;
- Traffic Management Plan;
- Proposed landscaping and the urban design theme for public areas; and
- Any other relevant information.

Exemption from Clause 52.06- Car Parking

Clause 52.06 does not apply to a use shown in an approved precinct plan; provided the car parking numbers and arrangements are in accordance with the approved parking plan.

Use of land

The use of land must be generally in accordance with the Caroline Springs Town Centre Comprehensive Development Plan and any relevant approved precinct plan.
Exemption from notice and review
An application for a Section 2 Use on a site that is identified for the use in an approved precinct 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.

Subdivision
A permit is required to subdivide land. An application must be referred to a referral authority listed in Clause 66.

Exemption from notice and review
An application for subdivision which is generally consistent with an approved precinct 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 an application to subdivide land in addition to the decision guidelines in Clause 65, the responsible authority must consider the Caroline Springs Town Centre Comprehensive Development Plan.
Construction and extension of single dwellings on lots of at least 300 square metres
A permit is not required to construct or extend one dwelling on a lot of at least 300 square metres.

Construction and extension of single dwellings on lots of at least 300 square metres
A permit is not required to construct or extend one dwelling on a lot of at least 300 square metres.

Construction and extension of medium-density housing and residential buildings
Application requirement
An application:
- To construct or extend one dwelling on a lot of less than 300 square metres;
- To construct a dwelling if there is at least one dwelling on the lot;
- To construct two or more dwellings on a lot;
- To extend a dwelling if there are two or more dwellings on the lot;
- To construct or extend a residential building.

must be accompanied by a neighbourhood and site description and design response as described in Clause 55.01.
This does not apply to the construction of one dependent person’s unit on a lot.

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.

Satisfactory neighbourhood and site description
The responsible authority:
- Must inform the applicant in writing:

Before deciding an application that the neighbourhood and site description meets the requirements of Clause 51.01-1 and is satisfactory or does not meet the requirements of Clause 51.01-1 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.

- Must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 55.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The provisions of Clause 54 or clause 55. This does not apply to a development of five or more storeys, excluding a basement.

Buildings and works

Permit requirement
A permit is required to construct a building or construct or carry out works for a use in Section 2 of this Clause.

A permit is not required to construct a building or construct or carry out works for a use in Section 1 of this Clause.

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
- Existing ground levels
- The layout of existing and proposed buildings and works
- All driveways, car parking and loading areas
- Proposed landscaping
- All external storage and waste treatment areas.

Elevations drawn to scale and showing the colour and materials of all buildings and works.

Exemption from notice and appeal
An application for buildings and works in association with a Section 2 use is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1),(2) and(3) and the review rights of Section 82(1) of the Act.

Decision Guidelines
Before deciding an application, in additional to the decision guidelines in Clause 65, the Responsible Authority must consider the Caroline Springs Town Centre Comprehensive Development Plan and any relevant approved precinct plan.
9.0 Advertising signs

Advertising sign requirements are at Clause 52.05. This zone is in Category 1.
URBAN FLOODWAY ZONE
Shown on the planning scheme map as UFZ.

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify waterways, major floodpaths, drainage depressions and high hazard areas within urban areas which have the greatest risk and frequency of being affected by flooding.
To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.
To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989.
To protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

Table of uses
Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal production and Apiculture)</td>
</tr>
<tr>
<td>Grazing animal production</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Indoor recreation facility, and Motor racing track)</td>
</tr>
<tr>
<td>Road</td>
</tr>
<tr>
<td>Utility installation (other than Telecommunications facility)</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01 if any requirement is not met</td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Indoor recreation facility</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 2</td>
</tr>
</tbody>
</table>

Buildings and works
A permit is required to construct a building or construct or carry out works, including:
- A fence.
- Roadworks, if the water flowpath is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.

This does not apply to:
- Flood mitigation works carried out by the responsible authority or floodplain management authority.
- The following works in accordance with plans prepared to the satisfaction of the responsible authority:
  - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
  - The erection of telephone or power lines provided they do not involve the construction of towers or poles.
- Post and wire and post and rail fencing.

### Subdivision

A permit is required to subdivide land. A permit may only be granted to subdivide land if the following apply:
- The subdivision does not create any new lots, which are entirely within this zone. This does not apply if the subdivision creates a lot, which by agreement between the owner and the relevant floodplain management authority, is to be transferred to an authority for a public purpose.
- The subdivision is the resubdivision of existing lots and the number of lots is not increased, unless a local floodplain development plan incorporated into this scheme specifically provides otherwise.

### Application requirements

#### General

An application must be accompanied by any information specified in the schedule to this zone.

#### Local floodplain development plan

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

#### Flood risk report

If a local floodplain development plan for the area has not been incorporated into this scheme, an application must be accompanied by a flood risk report to the satisfaction of the responsible authority. The flood risk report must consider the following, where applicable:
The existing use and development of the land.

Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this zone.

The susceptibility of the development to flooding and flood damage.

The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:

- The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
- The flood warning time available.
- The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.

The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.

The effects of the development on environmental values such as natural habitat, stream stability, erosion, water quality and sites of scientific significance.

37.03-5
19/01/2006
VC37

Referral of applications

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

37.03-6
31/07/2018
VC148

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The local floodplain development plan or flood risk report.
- Any comments of the relevant floodplain management authority.
- Any other matters specified in the schedule to this zone.

37.03-7
31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4 unless the schedule to this zone specifies a different category.
## SCHEDULE TO THE URBAN FLOODWAY ZONE

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

---
URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To manage the transition of non-urban land into urban land in accordance with a precinct structure plan.

To provide for a range of uses and the development of land generally in accordance with a precinct structure plan.

To contain urban use and development to areas identified for urban development in a precinct structure plan.

To provide for the continued non-urban use of the land until urban development in accordance with a precinct structure plan occurs.

To ensure that, before a precinct structure plan is applied, the use and development of land does not prejudice the future urban use and development of the land.

Application of provisions

Part A – No precinct structure plan applies

The provisions of Clauses 37.07-1 to 37.07-8 apply if no precinct structure plan applies to the land.

Part B – Precinct structure plan applies

The provisions of Clauses 37.07-9 to 37.07-16 apply if a precinct structure plan applies to the land.

Precinct structure plan provisions

A precinct structure plan applies to land when the precinct structure plan is incorporated in this scheme.

Part A – Provisions For Land Where No Precinct Structure Plan Applies

Table of uses

Section 1 – Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production)</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>Must be the only Dependent person’s unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 37.07-2.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>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 with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone or Rural Living Zone:</td>
</tr>
<tr>
<td></td>
<td>- The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>- 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Rural store</td>
<td>Must be used in conjunction with Agriculture.</td>
</tr>
<tr>
<td></td>
<td>Must be in a building, not a dwelling, and have a gross floor area of less than 100 square metres.</td>
</tr>
<tr>
<td></td>
<td>Must be the only Rural store on the lot.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Section 2 – Permit required</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>Abattoir</td>
<td></td>
</tr>
<tr>
<td>Animal production (other than Broiler farm, Grazing animal production and Intensive animal production)</td>
<td></td>
</tr>
<tr>
<td>Broiler farm - if the Section 1 condition to Poultry farm is not met</td>
<td>Must be no more than 10,000 chickens.</td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>------------------------------------------------------</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>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Bed and breakfast, Camping and caravan park, Dependent person’s unit, Dwelling, Group accommodation, Host farm and Residential hotel)</td>
</tr>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Child care centre</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Intensive animal production</td>
</tr>
</tbody>
</table>
### Use 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.

**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).

### Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect on the future urban development and use of the land, and adjacent or nearby land, having regard to:
  - Any relevant Growth Corridor Framework Plan.
  - Any precinct structure plan being prepared for the area.
  - Any comments or directions of the referral authority.
- Whether the proposal will prejudice the logical, efficient and orderly future urban development of the land, including the development of roads, public transport and other infrastructure.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development relates to sustainable land management.
- Whether the site is suitable for the use or development.
- The impact of the siting, design, height, bulk, colours and materials to be used on the natural environment, major roads, vistas and water features, future urban use of the land, and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, public transport, walking and cycling networks, gas, water, drainage, telecommunications and sewage facilities.
- Whether the use and development will require new or upgraded infrastructure, including traffic management measures.

### Signs

Sign requirements are at Clause 52.05. The zone is in Category 3. Despite the provisions of Clause 52.05-13, a permit may be granted, for a period of not more than 5 years, to display a sign that promotes the sale of land or dwellings.

### Part B – Provisions For Land Where A Precinct Structure Plan Applies

#### Use of land

Any requirement in the Table of uses and any requirement specified in the schedule to this zone must be met.

A permit granted must be generally in accordance with the precinct structure plan applying to the land.
Table of uses

Section 1 – Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<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.

### Signs

Sign requirements are at Clause 52.05. This zone is in the category specified in the schedule to this zone or, if no category is specified, Category 3.
SCHEDULE 1 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ1.

TAYLORS HILL WEST PRECINCT STRUCTURE PLAN

1.0

The Plan

Map 1 to Schedule 1 to Clause 37.07 shows the Future Urban Structure for Taylors Hill West. It is a reproduction of Plan 5 in the Taylors Hill West Precinct Structure Plan.

Map 1 To Schedule 1 To Clause 37.07
Use and development

The land

The use and development provisions specified in this schedule apply to all land shown as UGZ1 in 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 generally in accordance with Map 1 of this Schedule.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Land shown on map 1 of this schedule</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Habitat Zone/Ecological Vegetation Class (EVC) and land within 20 metres of Habitat Zone/Ecological Vegetation Class (EVC)</td>
<td>Clause 35.06 – Rural Conservation Zone (RCZ2)</td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
</tbody>
</table>

The boundary of the local centre with the applied Commercial 1 Zone is to be determined by the designation of land on the south west corner of City Vista Court and Hume Drive in a plan of subdivision as a local centre to the satisfaction of the responsible authority.

Specific provisions – Use of land

The following provisions apply to the use of land.

Table 2: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office where the applied zone is General Residential Zone</td>
<td>A permit may be granted to use land for an office if the leasable floor area of the office does not exceed 100 square metres.</td>
</tr>
</tbody>
</table>

Table 3: Shop use where the applied zone is Commercial 1 Zone

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop</td>
<td>A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds 900 square metres.</td>
</tr>
</tbody>
</table>

Specific provisions – Construction of one dwelling on a lot

A permit is not required to construct one dwelling on a lot of between 250 and 300 square metres where an approved building envelope (as defined in Part 4 of the Building Regulations 2006) applies to the lot.

A permit is not required to construct a front fence within 3 metres of a street on a lot of between 250 and 300 square metres provided that the Front Fence Height Standard in Table A2 to Clause 54.06-2 is met.
3.0

Application requirements

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a subdivision of less than 60 lots must show the proposed use and development of each part of the land and the staging of the development for all land in contiguous ownership with the land under application. The responsible authority may waive or reduce these application requirements.

An application for a residential subdivision of 10 lots or more must be accompanied by a written statement that sets out how the proposed subdivision implements the Housing element of the precinct structure plan applying to the land to the satisfaction of the responsible authority. The responsible authority may waive or reduce these application requirements.

An application must be accompanied by a Public Infrastructure Plan which addresses the following:

- the provision, staging and timing of stormwater drainage works
- what land may be affected or required for the provision of infrastructure works
- the provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment
- the landscaping of any land
- the provision of public open space and land for any community facilities
- what, if any, infrastructure set out in the Taylors Hill West Development Contributions Plan is sought to be provided as "works in lieu" subject to the consent of the collecting agency
- any other matter relevant to the provision of public infrastructure required by the responsible authority.

An application to subdivide land or construct or carry out buildings and works on that part of a parcel of land identified as native vegetation to be protected, or land within 20 metres of land identified as native vegetation to be protected, must be accompanied by the following information:

- A targeted survey for Spiny Rice Flower to the satisfaction of the Department of Sustainability and Environment. If any Spiny Rice Flower are identified a Conservation Management Plan must be prepared for this species to the satisfaction of the Department of Sustainability and Environment.
- A targeted survey for Small Scurf Pea to the satisfaction of the Department of Sustainability and Environment. If any Small Scurf Pea are identified a Conservation Management Plan must be prepared for this species to the satisfaction of the Department of Sustainability and Environment.
- A conservation management plan for Bibron’s Toadlet and the Growling Grasss Frog (GGF) to the satisfaction Department of Sustainability and Environment.

4.0

Conditions and requirements for permits

A planning permit must include a condition or conditions which ensure that any requirements or conditions set out in the Taylors Hill West Precinct Structure Plan (including the Taylors Hill West Native Vegetation Precinct Plan) are implemented as part of the planning permit or the plans endorsed under the permit.

Land required for community facilities, public open space or public roads must be shown on a plan of certification as a reserve in favour of Melton City Council or another relevant person or body.

Before a plan is certified for a subdivision (or the relevant stage of a subdivision) where building envelopes are proposed, each lot between 250 square metres and 300 square metres in area must contain a building envelope (in accordance with Part 4 of the Building Regulations) to the satisfaction of the responsible authority.
The approved building envelopes must be applied as a restriction on the plan of subdivision or through an agreement under section 173 of the Act that is registered on the title to the land. The restriction or the agreement must provide for:

- The building envelope plan to apply to each relevant lot
- All buildings to conform to the building envelope on the relevant lot
- The construction of a building outside the building envelope only with the written consent of the responsible authority
- A building envelope to cease to apply to any building on the lot affected by the envelope after the issue of a certificate of occupancy for the whole of a dwelling on the land.

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.

Any permit issued for land identified as native vegetation to be protected, or land within 20 metres of land identified as native vegetation to be protected:

- 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.

Any permit granted to develop land must contain the following conditions:

- If individual Striped Legless Lizards occur on the land a fully costed Striped Legless Lizard translocation/salvage plan must be prepared to the satisfaction of the Department of Sustainability and Environment and must be submitted to and approved by the responsible authority.

### Advertising signs

The following advertising sign categories in this scheme apply by reference to Plan 1 of this Schedule.

**Table 3: Advertising signs**

<table>
<thead>
<tr>
<th>Land shown on plan 1 of this schedule</th>
<th>Advertising sign category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local centre</td>
<td>Category 1</td>
</tr>
<tr>
<td>Residential</td>
<td>Category 3</td>
</tr>
<tr>
<td>All other land</td>
<td>Category 4</td>
</tr>
</tbody>
</table>

### Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The 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.

5.2
28/10/2010
C82

Education promotion signs

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display an advertising sign that promotes an education centre on land identified as education, community and district sports reserve on Map 1 to this schedule.

5.3
01/08/2013
C148

Office and convenience shop signs in residential areas

A permit may be granted for a business identification sign of no more 2 square metres on land where the applied zone is General Residential Zone provided:

- The application for a permit is lodged concurrently with an application for buildings and works for a convenience shop or office on the same land
- The sign is not illuminated
- No fittings or wiring are visible from adjacent streets or properties
- The sign is maintained to a high standard.

6.0
01/08/2013
C148

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 2 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ2.

MELTON NORTH PRECINCT STRUCTURE PLAN

1.0

12/08/2010

C83

The Plan

Map 1 shows the future urban structure in the Melton North Precinct Structure Plan.

Map 1 to Schedule 2 to Clause 37.07
Use and development

The Land
The use and development provisions specified in this schedule apply to all land shown as UGZ2 in 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 by reference to Map 1 of this Schedule.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Land as shown on map 1 of this schedule</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business (retail/commercial)</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>

The precise boundary of the Commercial 1 Zone will be determined by the Urban Design Framework Plan approved under Clause 3.0 of this schedule.

Specific provisions – Use of land
The following provisions apply to the use of land.

Table 2: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office where the applied zone is General Residential Zone</td>
<td>A permit may be granted to use land for an office if the leasable floor area of the office does not exceed 100 square metres.</td>
</tr>
</tbody>
</table>

Table 3: Shop use where the applied zone is Commercial 1 Zone

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop</td>
<td>A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds 5000 square metres.</td>
</tr>
</tbody>
</table>

Specific provisions - Buildings and works
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 4 of the Building Regulations 2006) applies to the lot.

A permit is not required to construct a front fence within 3 metres of a street on a lot of between 250 and 300 square metres if:

- The fence is associated with one dwelling on the lot
- The fence meets the height requirements of Clause 54.06-2.
Application requirements

Town centre urban design framework

If land to the east of Coburns Road is shown as, or in the immediate vicinity of, a neighbourhood activity 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.

Subdivision

An application must be accompanied by a Public Infrastructure Plan which addresses the following, as applicable:

- the provision, staging and timing of stormwater drainage works
- what land may be affected or required for the provision of infrastructure works
- the provision, staging and timing of road works internal and external to 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 Melton North Development Contributions Plan is sought to be provided as "works in lieu" subject to the consent of the collecting agency
- any other matter relevant to the provision of public infrastructure required by the responsible authority.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the Housing Plan in the incorporated Melton North Precinct Structure Plan.
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority, in accordance with the incorporated Melton North Precinct Structure Plan.
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.

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 the above requirements.

The Subdivision and Housing Design Guidelines may be amended by the responsible authority and the requirements waived with written consent of the responsible authority.

Conditions and requirements for permits

General

A planning permit must include a condition, or conditions, which ensures that any requirements or conditions set out in the Melton North Precinct Structure Plan are implemented as part of the planning permit or the plans endorsed under the permit.
Prior to the issue of a Statement of Compliance for the first stage of a development, the owner must enter into an agreement or agreements under Section 173 of the Act which specifies the infrastructure required to be provided as a part of the development. The agreement must give effect to the approved Public Infrastructure Plan.

Land required for community facilities, public open space or public roads must be shown on a certified plan as a reserve in favour of Melton City Council.

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.

The approved building envelopes must be applied as a restriction on the plan of subdivision or an agreement under section 173 of the Act that is registered on the title to the land. The restriction or the agreement must provide for:

- The building envelope plan to apply to each relevant lot
- All buildings to conform to the building envelope on the relevant lot
- The construction of a building outside the building envelope only with the written consent of the responsible authority
- A building envelope to cease to apply to any building on the lot affected by the envelope after the issue of a certificate of occupancy for the whole of a dwelling on the land.

**Biodiversity**

A permit to subdivide land, construct and/or carry buildings and works on any land must include the following condition, as appropriate:

- If individual Striped Legless Lizards occur on the land a fully costed Striped Legless Lizard translocation/salvage plan must be prepared to the satisfaction of the Department of Sustainability and Environment and must be submitted to and approved by the responsible authority.

- A targeted survey for Golden Sun Moth to the satisfaction of the Department of Sustainability and Environment and the approval of the responsible authority and, where Golden Sun Moth is found on a parcel of land, an offset Plan for the removal of Golden Sun Moth habitat to the satisfaction of the Department of Sustainability and Environment. These offsets are to be directed to the Western Grassland Reserves, or as otherwise agreed to by the Department of Sustainability and Environment.

Where a permit to subdivide land, construct and/or carry buildings and works on 413-439 or 601-625 Minns Road, Kurunjang allows a disturbance to land along a drainage line:

- Prior to the commencement of works, a targeted survey for Small Scurf Pea must be conducted along the drainage line. If any Small Scurf Pea occurs on the land, a Conservation Management Plan must be prepared to the satisfaction of the Department of Sustainability and Environment and the approval of the responsible authority.

In the event that there is an application to subdivide land, construct and/or carry out buildings and works (proposed actions) and:

- the Minister administering the *Environment Protection and Biodiversity Conservation Act 1999* (Commonwealth) (‘the EPBC Act’) has not made a decision as to whether or not the proposed action is a controlled action under the EPBC Act, and
- the proposed action falls within a class of actions approved pursuant section 146B(1) of the EPBC Act.

a permit may contain a condition or conditions, as appropriate, requiring the implementation of any relevant conditions imposed in relation to the approval of the class of actions under section 146B(2) of the EPBC Act.
Advertising signs

The following advertising sign categories in this scheme apply by reference to Map 1 of this Schedule.

Table 3: Advertising signs

<table>
<thead>
<tr>
<th>Land as shown on map 1 of this schedule</th>
<th>Advertising sign category</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business (retail/commercial)</td>
<td>Category 1</td>
</tr>
<tr>
<td>All other land</td>
<td>Category 3</td>
</tr>
</tbody>
</table>

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.
SCHEDULE 3 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ3.

TOOLERN PRECINCT STRUCTURE PLAN

1.0

The plan

Map 1 shows the future urban structure proposed in the Toolern Precinct Structure Plan. It is a reproduction of Plan 5 in the Toolern Precinct Structure Plan.

Map 1 to Schedule 3 to Clause 37.07

2.0

Use and development

The land

The use and development provisions specified in this schedule apply to the land as shown below in Map 2.
Map 2 to Schedule 3 to Clause 37.07

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 construction and carrying out of works, by reference to Map 2 of this schedule.

The precise boundary of the Business 1 area, Business 2 area and the Mixed Use Zone will be determined by the approved Urban Design Framework Plans.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Land as shown on Map 2 of this Schedule</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business 1</td>
<td>Clause 34.01 - Commercial 1 Zone</td>
</tr>
<tr>
<td>Business 2</td>
<td>Clause 34.01 - Commercial 1 Zone</td>
</tr>
<tr>
<td>Business 3</td>
<td>Clause 34.02 - Commercial 2 Zone</td>
</tr>
<tr>
<td>Business 4</td>
<td>Clause 34.02 - Commercial 2 Zone</td>
</tr>
<tr>
<td>Mixed Use</td>
<td>Clause 32.04 - Mixed Use Zone</td>
</tr>
<tr>
<td>Regional Park</td>
<td>Clause 36.02 - Public Park and Recreation Zone</td>
</tr>
<tr>
<td>Residential</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
<tr>
<td>Rural Conservation</td>
<td>Clause 35.06 – Rural Conservation Zone</td>
</tr>
<tr>
<td>Public Use</td>
<td>Clause 36.01 - Public Use Zone – Schedule 1</td>
</tr>
<tr>
<td>Public Conservation &amp; Resource</td>
<td>Clause 36.03- Public Conservation and Resource 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 General Residential Zone</td>
<td>A permit may be granted to use land for an office if the leasable floor area of the office does not exceed 100 square metres.</td>
</tr>
<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 space for all shops exceeds the following areas (square metres) for the relevant centre as described in the Toolern Precinct Structure Plan:</td>
</tr>
<tr>
<td></td>
<td>- 30,000 – Toolern Major Town Centre</td>
</tr>
<tr>
<td></td>
<td>- 4000 – Exford Road Neighbourhood Activity Centre (north)</td>
</tr>
<tr>
<td></td>
<td>- 4000 – Exford Road Neighbourhood Activity Centre (south)</td>
</tr>
<tr>
<td></td>
<td>- 4000 – Ferris Road Neighbourhood Activity Centre</td>
</tr>
<tr>
<td>Shop (other than Adult sex bookshop and Supermarket) where the applied zone is Commercial 2 Zone</td>
<td>The use is a Section 2 use.</td>
</tr>
<tr>
<td>Supermarket where the applied zone is Commercial 2 Zone</td>
<td>The use is a Section 2 use.</td>
</tr>
<tr>
<td></td>
<td>The leasable floor area must not exceed 1800 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
</tbody>
</table>

Table 4: Use of land within the applied Commercial 1 Zone (west of Ferris Road, north of Bridge Road, and south of the Ballarat Railway Line)

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling</td>
<td>No permit is required to construct a dwelling with a ground floor frontage greater than two metres.</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>The use is a Section 2 use.</td>
</tr>
</tbody>
</table>

Table 5: Use of land within the applied Commercial 1 Zone (east of Ferris Road and north of the Ballarat Railway Line)

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling</td>
<td>No permit is required to construct a dwelling within a ground floor frontage greater than two metres.</td>
</tr>
<tr>
<td>Shop</td>
<td>A permit is required to use land for a shop if the leasable floor area exceeds 100 square metres.</td>
</tr>
</tbody>
</table>

Specific provisions - Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of the Melton Planning Scheme.
A permit is not required to construct a fence within 3 metres of a street provided that the Front Fence Height Standard in Table A2 to Clause 54.06-2 is met.

2.5
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 incorporated Toolern Precinct Structure Plan.

2.6
Specific provisions – Major and Neighbourhood Activity Centres and Employment Land
If the land is shown as in or adjoining a Business 1, Business 2, Business 3 or Business 4 area on Map 2, 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 land 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 is consistent with the requirements for the Urban Design Framework for the relevant locality 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.

2.7
Specific provisions - Referral of applications
An application on land shown as ‘Major Activity Centre’ in Map 1 to this schedule must be referred in accordance with section 55 of the Planning and Environment Act 1987 to the Growth Areas Authority.

Unless a reduced distance is accepted by the Responsible Authority and Environment Protection Authority (EPA) based on the findings of a satisfactory environmental audit report, an application for residential subdivision and development of land within 500m of the former 22.18 hectares Melton landfill site on Ferris Road must be referred in accordance with Section 55 of the Planning and Environment Act 1987 to the EPA.

An application for a sensitive use on land that is north of the railway line and within 440m of the boundary of the Technochem Australia Pty Ltd site at 41-53 Abey Road must be referred in accordance with Section 55 of the Planning and Environment Act 1987 to the EPA and WorkSafe Victoria.

2.8
Specific provisions - Toolern Creek Park Western Interface
Except with the consent of the Responsible Authority, a permit must not be granted to use or subdivide land, or construct a building and carry out works within land located adjacent to the west of the Toolern Creek Park (shown as ‘Toolern Creek Regional Park - western interface’ on Plan 7 “Image & Character” of the Toolern Precinct Structure Plan) until an Urban Design Framework 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 is consistent with the requirements for the Urban Design Framework for the relevant locality set out in the incorporated precinct structure plan.
Specific provisions - Exford Rd Conservation Area

Except with the consent of the Responsible Authority, a permit must not be granted to use or subdivide land, or construct a building and carry out works within shown as the Exford Rd Conservation Area (on Plan 7 “Image & Character” of the Toolern Precinct Structure Plan) until an Urban Design Framework 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 is consistent with the requirements for the Urban Design Framework for the relevant locality set out in the incorporated precinct structure plan.

Specific provisions – North West Mixed Use Precinct Urban Design Framework

Except with the consent of the Responsible Authority, a permit must not be granted to use or subdivide land, or construct a building and carry out works within land shown as the North West Mixed Use Precinct Urban Design Framework Area (on Plan 7 “Image & Character” of the Toolern Precinct Structure Plan) until an Urban Design Framework 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 is consistent with the requirements for the Urban Design Framework for the relevant locality set out in the incorporated precinct structure plan.

Application requirements

An application for a permit must be accompanied by the following information:

Residential subdivision

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:

- 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 preliminary site assessment of the potential for contaminated land as a result of previous land uses carried out by a suitably qualified person.

- A Transport Impact Assessment Report to the satisfaction of the relevant Roads Authority (be it VicRoads or Council).

- 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.

The responsible authority may waive or reduce these application requirements.

All subdivision

- 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 any 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 Melton City Council; and
- The provision of public open space and land for any community facilities.
- Any other matter relevant to the provisions of public infrastructure required by the responsible authority

3.3 Subdivision – land that does not abut a linear corridor in or intended to be in public ownership

An application for the subdivision of land that does not abut a linear corridor in or intended to be in public ownership must be accompanied by an Eastern Grey Kangaroo Management Plan that includes:
- Strategies (ie. Staging) to avoid land locking Eastern Grey kangaroos;
  and where this is not practicable
- Management solutions and actions to respond to their containment in an area with no reasonable likelihood of their continued safe existence.

The plan must be to the satisfaction of the Department of Environment, Land, Water and Planning

4.0 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 Toolern Precinct Structure Plan and the Toolern Native Vegetation Precinct Plan are implemented as part of the planning permit or the plans endorsed under the planning permit.

Conditions for the first stage of development

Prior to the issue of a Statement of Compliance for the first stage of a development, the owner must, if required by the Responsible Authority, 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.

Conditions for subdivision permits that allow for the creation of a lot of less than 300 square metres

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:
- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the Responsible Authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 81 of the Melton Planning Scheme; and
- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the Responsible Authority.

Conditions for subdivision applications requiring an Eastern Grey Kangaroo Management Plan

Any permit granted for subdivision must contain the following condition if an Eastern Grey Kangaroo Management Plan was required to be submitted with the permit application:
- The subdivision must implement the Eastern Grey Kangaroo Management Plan by either:
  - Proceeding in the order of stages as shown on the plan;
and where this is not practicable
  - Implementing the management solutions and actions of the Plan.

**Conditions – Salvage and Translocation**

Salvage and translocation of threatened flora and fauna species and ecological communities must be undertaken in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

**Conditions – all buildings, subdivision and associated works application within 100m of the Toolern Creek, on land within the Precinct Structure Plan (Growling Grass Frog conservation management plan)**

Any permit granted for buildings, subdivision and associated works must contain the following conditions:

- Prior to the commencement of works a Growling Grass Frog conservation management plan must be prepared to the satisfaction of the Department of Environment, Land, Water and Planning and submitted to and approved by the responsible authority.
- The Growling Grass Frog conservation management plan must be implemented to the satisfaction of the responsible authority.

**Conditions – all buildings, subdivision and works applications (Golden Sun Moth) on land identified as Properties 2573 – 2675 Western Highway, Rockbank**

- Prior to the commencement of works a targeted survey for the Golden Sun Moth must be prepared to the satisfaction of the Department of Environment, Land, Water and Planning.
- Prior to the issue of a Statement of Compliance in respect of any plan of subdivision within which Golden Sun Moth native habitat has been identified:
  - Offsets for removal of Golden Sun Moth native habitat within the area of that plan of subdivision must be provided or agreed to the satisfaction of the Department of Environment, Land, Water and Planning.

**Conditions for subdivision or buildings 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 Toolern Precinct Structure Plan or the Toolern Development Contributions Plan must be transferred to or vested in Council at no cost to Council unless the land is funded by the Toolern Development Contributions Plan.

Land required for public open space as a local or district park as set out in the Toolern Precinct Structure Plan or the Toolern Development Contributions Plan must be transferred to or vested in Council at no cost to Council unless funded by the Toolern Development Contributions Plan.

Land required for road widening including right of way flaring for the ultimate design of any intersection with an existing or proposed arterial road must be referred to or vested in Council or VicRoads at no cost to the acquiring agency unless funded by the Toolern Development Contributions Plan.

Land required for a community facility, road or public open space must be shown on a Plan of Certification as a reserve in favour of Melton City Council or another relevant person or body.

**Decision Guidelines**

Before deciding on an application to use land for a sensitive use on land shown as Mixed Use, Business 2, Business 3 or Business 4 on Map 2, in addition to the decision guidelines in Clause 65 and Clause 37.07-14, the responsible authority must consider, as appropriate:

- The General Practice Note on Potentially Contaminated Land June 2005 (DSE).
- The status of any remediation being carried out at the former Melton landfill site on Ferris Road.
- The views of the EPA and WorkSafe Victoria if the land is north of the railway line and within 440m of 41-53 Abey Road, Melton (measured from the boundary of 41-53 Abey Road Melton).

6.0
01/08/2013
C148

Advertising signs

Land is in the category specified in the applied zone. If there is no applied zone the land is in Category 2.

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.

6.1
24/11/2011
C84(Part 2)

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.

6.2
11/11/2010
C84(Part 1)

Education promotion signs

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display an advertising sign that promotes an education centre on land identified as ‘Education Facility’, ‘Community Facilities’ or ‘Unencumbered Active Open Space/Playing Fields’ on Map 1 to this schedule.

7.0
01/08/2013
C148

No exemption from notice and review

An application to use land for a convenience shop or office in the 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 4 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as **UGZ4**.

ROCKBANK NORTH PRECINCT STRUCTURE PLAN

1.0

**The Plan**

Map 1 below shows the future urban structure proposed for the *Rockbank North Precinct Structure Plan* (PSP) area. It is a reproduction of Plan 2 in the *Rockbank North Precinct Structure Plan*.

Map 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 within the ‘Precinct Boundary’ on Map 1 of this schedule and shown as UGZ4 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 the land, the construction of a building, construction or carrying out of works as set out in Table 1.

Table 1: Applied zones

<table>
<thead>
<tr>
<th>Land use/ development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land.</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leakes Road Reserve</td>
<td>Clause 36.03 – Public Conservation and Resource Zone</td>
</tr>
<tr>
<td>Local Town Centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Major Town Centre</td>
<td></td>
</tr>
<tr>
<td>Mixed Use</td>
<td>Clause 32.04 – Mixed Use Zone</td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
</tbody>
</table>

Specific provisions – Use of land

The following provisions apply to the use of land. Table 2: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Car Wash</td>
<td>The site must adjoin or have access to a road identified in the precinct structure plan as an existing or future arterial road.</td>
</tr>
<tr>
<td>Convenience Restaurant</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>A permit may be granted to use land for office if the leasable floor area does not exceed 100 square metres.</td>
</tr>
</tbody>
</table>
| Service Station | The site must either:  
  - Adjoin land with an applied zone provision for a Commercial Zone; or  
  - Adjoin or have access to a road identified in the Precinct Structure Plan as an existing or future arterial road.  
  The site must not exceed either:  
  - 3,000 square metres;  
  - 3,600 square metres if it adjoins two boundaries in a road zone or roads identified in the precinct structure plan as an existing or future arterial road. |
Table 3: Shop use where the applied zone is Commercial 1 Zone

<table>
<thead>
<tr>
<th>Land</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rockbank North Local Town Centre</td>
<td>A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds 5700 square metres.</td>
</tr>
<tr>
<td>Rockbank North Major Town Centre</td>
<td>A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds 36,500 square metres.</td>
</tr>
</tbody>
</table>

2.4

Specific provisions - Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of the Melton Planning Scheme.

2.5

Specific provisions – Rockbank North Major Town Centre urban design framework

Except with the consent of the Responsible 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 Rockbank North Major Town Centre until an urban design framework for the centre has been prepared to the satisfaction of the Responsible 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 Rockbank North 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 Rockbank North 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.

2.6

Specific Provisions – Buidings and works on land where the Rockbank North Growling Grass Frog Conservation Management Plan applies

Development on land in the Conservation Management Plan Area shown on Map 1 of this Schedule and Plan 5- Biodiversity and Threatened Species Action Plan in the Rockbank North Precinct Structure Plan must be undertaken in accordance with the relevant actions as outlined in the approved Conservation Management Plan.

The Rockbank North Conservation Management Plan may be amended to the satisfaction of the Department of Sustainability and Environment.

The subdivision of land within or adjoining the Conservation Management Plan area must accord with the Conservation Management Plan boundary as shown on Plan 5 - Biodiversity and Threatened Species Action Plan in the Rockbank North Precinct Structure Plan.

3.0

Application requirements

If in the opinion of the Responsible Authority an application requirement listed at 3.1, 3.2, 3.3 is not relevant to the assessment of an application, the Responsible Authority may waive or reduce the requirement.
3.1

Subdivision – residential development

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land, and the staging of the development for all land in contiguous ownership with the land under application.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the incorporated Rockbank North Precinct Structure Plan.
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the Responsible Authority, in accordance with the incorporated Rockbank North Precinct Structure Plan.
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority.

Any application for residential subdivision must be accompanied by:

- Potential bus route and bus stop locations prepared to the satisfaction of the Director of Public Transport.
- An assessment of the existing surface and subsurface drainage conditions on the site including any potential impacts on the proposed development, prepared by a suitably qualified professional. The assessment must include any measures required to mitigate the impacts of the development on groundwater and drainage.

3.2

Public Infrastructure Plan

An application for subdivision and/ or use and development of land must be accompanied by a Public Infrastructure Plan which addresses the following:

- What land may be affected or required for the provision of infrastructure works.
- The provision, staging and timing of stormwater drainage works.
- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment.
- The landscaping of any land.
- What, if any, infrastructure set out in the Rockbank North Development Contributions Plan is sought to be provided as "works in lieu" subject to the consent of the collecting agency.
- The provision of public open space and land for any community facilities.
- Any other matter relevant to the provision of public infrastructure required by the Responsible Authority.

3.3

Use or develop land for a Local Town Centre

An application to use, subdivide land, construct a building or construct or carry out works for a Local Town Centre must be generally in accordance with the role and function of the Local Town Centre set out in Figure 4 of the Rockbank North Precinct Structure Plan.

An application to use, subdivide land, construct a building or construct or carry out works for a Local Town Centre must also include the following information, as appropriate, to the satisfaction of the responsible authority:

- A design response report and plans that:
- Address the Local Town Centre Design Requirements, the Local Town Centre General Guidelines in Appendix A to the Rockbank North Precinct Structure Plan and the Local Town Centre Concept in Figure 4 of the Rockbank North Precinct Structure Plan;

- Address any relevant design guidelines prepared by the Victorian Government or the Melton 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 such as the Department of Transport;

- Include environmental sustainability initiatives including integrated water management and energy conservation;

- Address 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 town square/public space.

### 3.4

Develop land where the Rockbank North Conservation Management Plan applies as shown on Plan 5 – Biodiversity and Threatened Species Action Plan in the Rockbank North Precinct Structure Plan

An application for development of land in the Conservation Management Plan area as shown on Plan 5 – Biodiversity and Threatened Species Action Plan in the Rockbank North Precinct Structure Plan, must demonstrate that it is in accordance with the approved Rockbank North Conservation Management Plan.

### 3.5

Use or develop land for a sensitive purpose – 598-632 Beattys Road, Plumpton – Environmental Site Assessment

An application to use land for a sensitive use or to subdivide land where General Residential Zone is the applied zone must be accompanied by a preliminary assessment of the potential for contaminated land as a result of the previous land uses, carried out by a suitably qualified person.

### 3.6

Use or develop land for a sensitive purpose – 886 -940 Beattys Road, Rockbank – Phase 2 Environmental Site Assessment

An application for subdivision on land at 886-940 Beattys Road, Rockbank must be accompanied by:

- A Phase 2 Environmental Site Assessment, including intrusive soil and groundwater investigation of the Environmental Assessment Areas ranked as “Medium Potential for Contamination” (and Assessment Level B) for land at 886-940 Beattys Road, Rockbank, as identified in the Phase 1 Environmental Site Assessment (prepared by LanePiper, July 2011).
Use or develop land – 886-940 Beattys Road, Rockbank (Lot 5 on LP127284) – Flood modelling

The land identified as ‘Area subject to detailed flood analysis’ on Plan 2 of the Rockbank North Precinct Structure Plan at 886-940 Beattys Road, Rockbank, falls within the Kororoit Creek Floodplain. Any future land uses, buildings or works, or subdivision proposed in this area must be compatible with the floodwater conveyance and storage functions of the land, and would be required to preserve the floodplain, geomorphic, environmental or other relevant values. If a proposal for land use, buildings or works, or subdivision is made, the application must include evidence that the function and values of the land will be maintained by the proposal. Applications must include a 2 dimensional flood model of the site to confirm the flood plain conditions, a model of the proposed developed conditions and confirmation of the impact on the Kororoit Creek floodplain, to the satisfaction of Melbourne Water.

Public transport referral requirements

For the purpose of Clause 52.36-1 of the scheme a development is generally in accordance with the Rockbank North Precinct Structure Plan where the following requirements are met:

- A road nominated on Plan 8 – Public transport and walking networks in the Rockbank North Precinct Structure Plan as a potential bus route is constructed including any partial road construction required in accordance with its corresponding cross section in the Rockbank North Precinct Structure Plan; and
- Signalised intersections that contain a proposed Principal Public Transport Network (PPTN) route in the Rockbank North Precinct Structure Plan include bus priority measures to mitigate delays to bus travel times, to the satisfaction of the Director of Public Transport; and
- Any roundabouts or other road management devices on potential bus routes are constructed to accommodate ultra low floor buses in accordance with the Public Transport Guidelines for Land Use and Development; and
- The proposal includes the construction of the bus stops as agreed with the Department of Transport, including bus stop hard stands with direct and safe pedestrian access to a pedestrian path (all in accordance with the Public Transport Guidelines for Land Use and Development and compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002) at no cost to the Director of Public Transport all to the satisfaction of the Director of Public Transport.

Conditions and requirements for permits

General requirements

A planning permit must include a condition or conditions which ensure that any requirements or conditions set out in the Rockbank North Precinct Structure Plan and the Rockbank North Native Vegetation Precinct Plan are implemented as part of the planning permit or the plans endorsed under the permit.

Major and Local Town centre

The boundary of the Major Town Centre and Local Town Centre with the applied Commercial 1 Zone and applied Mixed Use Zone must be identified on the plan of subdivision to the satisfaction of the Responsible Authority.
Conditions for subdivision or building and works permits where land is required for community facilities, public open space and road widening

Land required for community facilities, as set out in the Rockbank North Precinct Structure Plan or the Rockbank North Development Contributions Plan must be transferred to or vested in Council at no cost to Council unless the land is funded by the Rockbank North Development Contributions Plan.

Land required for public open space as a local park as set out in the Rockbank North Precinct Structure Plan or the Rockbank North Development Contributions Plan must be transferred to or vested in Council at no cost to Council unless funded by the Rockbank North Development Contributions Plan.

Land required for road widening including right of way flaring for the ultimate design of any intersection with an existing or proposed arterial road must be referred to or vested in Council or VicRoads at no cost to the acquiring agency unless funded by the Rockbank North Development Contributions Plan.

Land required for a community facility, road or public open space must be shown on a Plan of Certification as a reserve in favour of Melton City Council or the relevant agency.

Conditions for subdivision permits that allow for the creation of a lot of less than 300 square metres

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the Responsible Authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 81 of the Melton Planning Scheme; and

- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the Responsible Authority.

Use or develop land for a sensitive purpose – 886-940 Beattys Road, Rockbank – Environmental Site Assessment

Before a plan of subdivision is certified under the Subdivision Act 1988, the recommendations of the Phase 2 Environmental Site Assessment for 886-940 Beattys Road, Rockbank, lodged with the application, must be carried out to the satisfaction of the Responsible Authority. Upon receipt of the further testing report the owner must comply with any further requirements made by the Responsible Authority after having regard to the guidance set out in the General Practice Note on Potentially Contaminated Land June 2005 (DSE). The plan of subdivision must not be certified until the Responsible Authority is satisfied that the land is suitable for the intended use.

Use or develop land for a sensitive purpose – 598-632 Beattys Road, Plumpton – Environmental Site Assessment

Before a plan of subdivision is certified under the Subdivision Act 1988, the recommendations of the preliminary site assessment for 598-632 Beattys Road, Plumpton, lodged with the application, must be carried out to the satisfaction of the Responsible Authority. Upon receipt of the further testing report the owner must comply with any further requirements made by the Responsible Authority after having regard to the guidance set out in the General Practice Note on Potentially Contaminated Land June 2005 (DSE). The plan of subdivision must not be certified until the Responsible Authority is satisfied that the land is suitable for the intended use.
Use or develop land for a sensitive purpose – 1992 - 2106 Western Highway, Rockbank

If land is identified as an area where an Environmental Audit is required (as identified by LanePiper, November 2011) on Plan 3 – Land Budget of the Rockbank North Precinct Structure Plan, 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; and
- 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.

Biodiversity

Eastern Grey Kangaroo

Prior to the commencement of any works in a stage of subdivision an Eastern Grey Kangaroo Management Plan must be submitted for approval to the Department of Sustainability and Environment. The plan must include:

- Strategies (e.g. staging) to avoid land locking Eastern Grey Kangaroos, or where this is not practicable, management solutions and actions to respond to their containment in an area with no reasonable likelihood of their continued safe existence.

The subdivision and associated works must implement the Eastern Grey Kangaroo Management Plan in the timeframes set out in the plan by:

- Proceeding in the order of stages as shown on the plan;
- Implementing the management solutions and actions of the Plan.

all to the satisfaction of the Department of Sustainability and Environment and the Responsible Authority.

Growling Grass Frog

Any permit which would allow subdivision, buildings or works that will impact on an area identified as Growling Grass Frog Category 2 habitat on Plan 5 – Biodiversity and Threatened Species Action Plan in the Rockbank North Precinct Structure Plan must contain the following conditions unless otherwise agreed to in writing by the Department of Sustainability and Environment:

- Prior to the commencement of any buildings or works or the removal of any vegetation, offsets for Growling Grass Frog Category 2 habitat on the land must be provided or agreed to the satisfaction of the Secretary of the Department of Sustainability and Environment.
Prior to the commencement of any buildings or works, a fully costed Growling Gras Frog translocation/salvage plan must be prepared to the satisfaction of the Department of Sustainability and Environment and be submitted to and approved by the Responsible Authority. The approved Growling Grass Frog translocation/salvage plan must be implemented to the satisfaction of the Department of Sustainability and Environment and the Responsible Authority.

Any permit which would allow subdivision, buildings or works that will impact on an area where the Rockbank North Growling Grass Frog Conservation Management Plan (CMP) applies as shown on Plan 5 – Biodiversity and Threatened Species Action Plan in the Rockbank North Precinct Structure Plan must contain the following conditions unless otherwise agreed to in writing by the Department of Sustainability and Environment:

- Works on land in the CMP area shown on Plan 5 – Biodiversity and Threatened Species Action Plan in the Rockbank North Precinct Structure Plan must be undertaken in accordance with the approved CMP.

Unless the land included within the CMP area as shown on Plan 5 - Biodiversity and Threatened Species Action Plan of the Rockbank North Precinct Structure Plan has been voluntarily transferred into the Crown Reserve System, the Owner must:

- Enter into a legally, binding on-title agreement with the Secretary of the Department of Sustainability and Environment under Section 69 of the Conservation Forest and Lands Act 1987 prior to the commencement of works on the land. The agreement must provide for the following:
  - Protection of the conservation area
  - The landowner to undertake all pre-construction maintenance and monitoring (Phase One) actions in accordance with the approved CMP
  - The landowner granting Department of Sustainability and Environment (or its nominee) rights of access to undertake habitat works (Phase Two) and any additional actions as required.
  - The landowner to undertake ongoing maintenance and monitoring activities (Phase Three) in perpetuity as outlined in the approved CMP.

The land owner must pay the reasonable costs of preparation, execution and registration of the agreement.

**Striped Legless Lizard**

Any permit which would allow subdivision, buildings or works that will impact on an area of land identified as potential habitat for Striped Legless Lizard habitat on Plan 5 – Biodiversity and Threatened Species Action Plan in the Rockbank North Precinct Structure Plan must contain the following condition unless otherwise agreed to in writing by the Department of Sustainability and Environment:

- The Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Strategic Approach (DSE 2011) and Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Operational Plan (DSE 2011) must be implemented to the satisfaction of the Secretary of the Department of Sustainability and Environment before, during and after the carrying out of any buildings or works or native vegetation removal and all specifications and requirements of the approved plan must be complied with.

**Golden Sun Moth**

Any permit which would allow subdivision, buildings or works that will impact on land identified as Golden Sun Moth habitat on Plan 5 – Biodiversity and Threatened Species Action Plan in the Rockbank North Precinct Structure Plan must contain the following condition unless otherwise agreed to in writing by the Department of Sustainability and Environment:
• Prior to the commencement of any buildings or works or the removal of any vegetation offsets for Golden Sun Moth habitat on land, must be provided, to the satisfaction of the Secretary of the Department of Sustainability and Environment.

**Threatened Flora Salvage and Translocation**

Any permit which would allow subdivision, buildings or works that will impact on an area of land where the Matted Flax Lily identified on Plan 5 – Biodiversity and Threatened Species Action Plan in the **Rockbank North Precinct Structure Plan** must contain the following condition unless otherwise agreed to in writing by the Department of Sustainability and Environment:

• Prior to the commencement of any works, a fully costed Matted Flax Lily translocation and/or propagation and ex situ conservation plan must be prepared to the satisfaction of the Department of Sustainability and Environment. The plan must be submitted to and endorsed by the Responsible Authority. When approved, the Plan will be endorsed and will then form part of the permit.

### Advertising signs

Land is in the category specified in the applied zone.

### Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

• The 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.

### Education / Community Promotion signs

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display an advertising sign greater than two square metres in area that promotes a community facility or education centre on the land identified as education, community and/or active open space on Map 1 to this schedule.

### Referral of applications

An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land in a local town centre must be referred in accordance with section 55 of the Act to the Growth Areas Authority.

### No exemption from notice and review

An application to use land for a purpose identified in the Table 2 at section 2.3 of this Schedule, 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 5 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ5.

DIGGERS REST PRECINCT STRUCTURE PLAN

The plan

Map 1 below shows the future urban structure proposed for the Diggers Rest Precinct Structure Plan. It is a reproduction of Plan 2 in the Diggers Rest Precinct Structure Plan.

Map 1 to Schedule 5 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 Map 1 of this schedule and shown as UGZ5 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 the land, the construction of a building and construction and carrying out of works as set out in Table 1.

Table 1: Applied Zones

<table>
<thead>
<tr>
<th>Land use/development (carried out or proposed)</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>Employment</td>
<td>Clause 34.02 - Commercial 2 Zone</td>
</tr>
<tr>
<td>Local 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>
<tbody>
<tr>
<td>Office</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>

Table 3: Shop use where the applied zone is Commercial 1 Zone

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop</td>
<td>A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds 6000 square metres.</td>
</tr>
</tbody>
</table>

Specific provisions – Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of the Melton Planning Scheme.

Specific provisions – Heritage house (HO47) and environs

Except with the written consent of the Responsible Authority, a permit must not be granted to use or subdivide land, or construct a building and carry out works within 100 metres to the south, east or west of the Heritage Place (HO47) until a Conservation Management Plan has been prepared for the heritage farmhouse and its environs to the satisfaction of the Responsible Authority.
3.0 Application requirements

If in the opinion of the Responsible Authority an application requirement listed at 3.1, 3.2 or 3.3 is not relevant to the assessment of an application, the Responsible Authority may waive or reduce the requirement.

3.1 Subdivision – residential development

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land and the staging of the development for all land in contiguous ownership with the land under application.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the incorporated *Diggers Rest Precinct Structure Plan*.
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the Responsible Authority, in accordance with the incorporated *Diggers Rest Precinct Structure Plan*.
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority.

Any application for residential subdivision must be accompanied by:

- Potential bus route and bus stop locations prepared to the satisfaction of the Director of Public Transport.
- An assessment of the existing surface and subsurface drainage conditions on the site by a suitably qualified professional and the potential impacts on the proposed development, including any measures required to mitigate the impacts of the development on groundwater and drainage.

3.2 Public Infrastructure Plan

An application for subdivision and or use and development of land must be accompanied by a Public Infrastructure Plan which addresses the following:

- what land may be affected or required for the provision of infrastructure works;
- the provision, staging and timing of stormwater drainage works;
- the provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- the landscaping of any land;
- what, if any, infrastructure set out in the *Diggers Rest Development Contributions Plan* is sought to be provided as "works in lieu" subject to the consent of the collecting agency;
- the provision of public open space and land for any community facilities; and
- any other matter relevant to the provision of public infrastructure required by the Responsible Authority.

3.3 Diggers Rest Local Town Centre

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 Design Requirements, the Local Town Centre General Guidelines in Appendix A and the Local Town Centre Concept in figure 2 of the Diggers Rest Precinct Structure Plan;
- address any relevant design guidelines prepared by the Victorian Government or the Melton 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 such as the Department of Transport;
- 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 town square/public space.

### 3.4 Specific provisions – Public transport referral requirements

For the purpose of Clause 52.36-1 of the scheme a development is generally in accordance with the [Diggers Rest Precinct Structure Plan](#) where the following requirements are met:

- A road nominated on [Plan 9 – Public Transport and Walking Trails](#) in the Diggers Rest Precinct Structure Plan as a potential bus route is constructed (including any partial road construction required) in accordance with its corresponding cross section in the Diggers Rest Precinct Structure Plan;
- Signalised intersections that contain a proposed Principal Public Transport Network (PPTN) route in the Diggers Rest Precinct Structure Plan include bus priority measures to mitigate delays to bus travel times, to the satisfaction of the Director of Public Transport;
- Any roundabouts or other management devices on potential bus routes are constructed to accommodate ultra low floor buses in accordance with the Public Transport Guidelines for Land Use and Development; and
- The proposal includes the construction of bus stops in locations approved by the Director of Public Transport including bus stop hard stands with direct and safe pedestrian access to a pedestrian path (all in accordance with the Public Transport Guidelines for Land Use and Development and compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2001) at no cost to the Director of Public Transport all to the satisfaction of the Director of Public Transport.

A responsible authority may address any of the above matters through planning permit conditions.
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 Diggers Rest Precinct Structure Plan and the Diggers Rest Native Vegetation Precinct Plan are implemented as part of the planning permit or the plans endorsed under the permit.

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 Diggers Rest Precinct Structure Plan or the Diggers Rest Development Contributions Plan must be transferred to or vested in Council at no cost to Council unless the land is funded by the Diggers Rest Development Contributions Plan.

Land required for public open space such as a local or district park set out in the Diggers Rest Precinct Structure Plan or the Diggers Rest Development Contributions Plan must be transferred to or vested in Council at no cost to Council unless funded by the Diggers Rest Development Contributions Plan.

Land required for road widening including right of way flaring for the ultimate design of any intersection with an existing or proposed arterial road must be referred to or vested in Council or VicRoads at no cost to the acquiring agency unless funded by the Diggers Rest Development Contributions Plan.

Land required for a community facility, road or public open space must be shown on a Plan of Certification as a reserve in favour of Melton City Council or another relevant agency.

Conditions for subdivision permits that allow for the creation of a lot of less than 300 square metres

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the Responsible Authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 81 of the Melton Planning Scheme; and

The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the Responsible Authority

Local town centre

The boundary of a local town centre with the applied Commercial 1 Zone must be identified on the plan of subdivision to the satisfaction of the Responsible Authority.

Employment

The boundary of the employment area with the applied Commercial 2 Zone must be identified on a plan of subdivision to the satisfaction of the Responsible Authority.

Conditions for subdivision and/or development:

Pertaining to 2-188 Davis Road, Diggers Rest (Lot 1 PS 302333 & Lot 4 LP6069), 62-144 Diggers Rest-Coimadai Road, Diggers Rest (Lot 1 PS315836 & Part of Lot 2 617724k) & 107-207 Plumpton Road, Diggers Rest (Lot 1 TP61801) – Environmental Site Assessment
Prior to the issue of a Statement of Compliance for a Plan of Subdivision under the Subdivision Act 1988, further testing in accordance with the recommendations of the *Future Diggers Rest Precinct Structure Plan, Diggers Rest, Phase 1 Environmental Site Assessment* (Golder Associates 2010) prepared for the property must be carried out to the satisfaction of the Responsible Authority. Upon completion of the testing the landowner must submit the results and comply with any additional requirements to the satisfaction of the Responsible Authority, having regard to the guidance set out in the General Practice Note on Potentially Contaminated Land June 2005 (DSE).

### Biodiversity

#### Eastern Grey Kangaroos

Prior to the commencement of any works in a stage of subdivision of land an Eastern Grey Kangaroo Management Plan must be submitted for approval to the Department of Environment, Land, Water and Planning. The plan must include:

- Strategies (e.g. staging) to avoid land locking Eastern Grey Kangaroos, or where this is not practicable, management solutions and action to respond to their containment in an area with no reasonable likelihood of their continued safe existence
- The subdivision and associated works must implement the Eastern Grey Kangaroo Management Plan in the timeframes set out in the plan by:
  - Proceeding in the order of stages as shown on the plan; and
  - Implementing the management solutions and actions of the Plan;
all to the satisfaction of the Department of Environment, Land, Water and Planning, and the responsible authority.

#### Golden Sun Moth

Any permit which would allow subdivision, buildings or works that will impact on an area identified on the Threatened Species Action Plan in the *Diggers Rest Precinct Structure Plan* as Golden Sun Moth habitat must contain the following condition unless otherwise agreed to in writing by the Department of Environment, Land, Water and Planning.

- Prior to the commencement of any buildings or works or the removal of any vegetation, offsets for Golden Sun Moth habitat on the land must be provided to the satisfaction of the Secretary of the Department of Environment, Land, Water and Planning.

#### Striped Legless Lizard

Any permit which would allow subdivision, buildings or works that will impact on an area of land identified as potential Striped Legless Lizard habitat on the Threatened Species Action Plan in the *Diggers Rest Precinct Structure Plan* must contain the following condition unless otherwise agreed to in writing by the Department of Environment, Land, Water and Planning:

The specifications and requirements contained in the documents known as:

- The Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Strategic Approach (DSE 2011); and
- Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Operational Plan (DSE 2011);

must be complied with to the satisfaction of the Secretary of the Department of Environment, Land, Water and Planning.

### Advertising signs

Land is in the category specified in the applied zone.
5.1 27/06/2012
C121

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.

5.2 27/06/2012
C121

Education and community facility promotion signs
Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5
years, to display an advertising sign that promotes an educational centre on the land identified as
education, community and indoor recreation or active open space on Map 1 to this schedule.

6.0 16/08/2018
C181

Referral of applications
An application to subdivide land, or construct a building or carry out works (where the value of
those works is in excess of $500,000) on land in a local town centre must be referred in accordance
with section 55 of the Act to the Victorian Planning Authority.

7.0 01/08/2013
C148

No exemption from notice and review
An application to use land for a purpose identified in the Table 2 at section 2.3 of this Schedule,
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.

TOOLERN PARK PRECINCT STRUCTURE PLAN

1.0

The plan

Map 1 below shows the future urban structure proposed for the Toolern Park Precinct Structure Plan (PSP) area.

Map 1 to Schedule 6 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 within the ‘Precinct Structure Plan Area’ on Map 1 of this schedule and shown as UGZ6 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  
C122  
Applied zone provisions
The provisions of the following zones in this scheme apply to the use and subdivision of the land, the construction of a building, construction or carrying out of works as set out in Table 1.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Land as shown on Map 1 of this Schedule</th>
<th>Applied Zone Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land</td>
<td>Clause 32.08s1 – General Residential Zone 1</td>
</tr>
</tbody>
</table>

2.3  
C122  
Specific provisions – Use of land

Table 2: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convenience Shop (other than Adult sex bookshop) where the applied zone is General Residential Zone 1</td>
<td>A permit may be granted to use land for a convenience shop if 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 1</td>
<td>A permit may be granted to use land for an office if the leasable floor area of the office does not exceed 100 square metres.</td>
</tr>
</tbody>
</table>

2.4  
C122  
Specific provision – Dwellings on a lot less than 300 square metres
A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of the Melton Planning Scheme.

2.5  
C122  
Specific provisions - Toolern Creek Park interface
Except with the consent of the responsible authority, a permit must not be granted to use or subdivide land, or construct a building and carry out works on land shown as ‘Potential Residential (subject to land capability assessment)’ on Plan 2 Future Urban Structure in the Toolern Park Precinct Structure Plan until an Urban Design Framework, as identified in ‘Requirement 6’ of the Toolern Park PSP, 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 is consistent with the requirements for the Urban Design Framework for the relevant locality set out in the incorporated Precinct Structure Plan.

3.0  
C122  
Application requirements
If in the opinion of the responsible authority an application requirement listed at 3.1 or 3.2 is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

3.1  
C122  
Subdivision – Residential development
In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land and the staging of the development for all land in contiguous ownership with the land under application.
An application for a residential subdivision of 10 lots or more must be accompanied by:
A written statement that sets out how the subdivision implements the incorporated Toolern Park Precinct Structure Plan;

Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority, in accordance with the incorporated Toolern Park Precinct Structure Plan;

A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields; and

A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority.

Any application for residential subdivision must be accompanied by:

- Potential bus route and bus stop locations prepared in consultation with Public Transport Victoria; and

- An assessment of the existing surface and subsurface drainage conditions on the site by a suitably qualified professional and the potential impacts on the proposed development, including any impacts of the development on drainage.

**Public Infrastructure Plan**

An application must be accompanied by a Public Infrastructure Plan which addresses the following:

- What land may be affected or required for the provision of infrastructure works;

- The provision, staging and timing of stormwater drainage works;

- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;

- The landscaping of any land;

- What, if any, infrastructure set out in the Toolern Park Development Contributions Plan is sought to be provided as "works in lieu" subject to the consent of the collecting agency;

- The provision of public open space and land for any community facilities; and

- Any other matter relevant to the provision of public infrastructure required by the responsible authority.

**Use or develop land for a sensitive use**

An application to use or develop land for a sensitive use, or to construct a building or construct and carry out works associated with a sensitive use on the land must be accompanied by a Phase 1 Environmental Site Assessment report prepared by a suitably qualified environmental professional to the satisfaction of the responsible authority.

The report must contain:

- Clear advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all, or part, of the land is recommended having regard to the *General Practice Note on Potentially Contaminated Land, June 2005* (DSE); and

- Recommended remediation actions for any contaminated land.

**Kangaroo management**

An application for subdivision must be accompanied by a Kangaroo Management Plan to the satisfaction of the responsible authority which includes:

- Strategies to avoid land locking kangaroos, including staging of subdivision; and

- Management requirements to respond to the containment of kangaroos in an area with no reasonable likelihood of their continued safe existence; or
Management and monitoring actions to sustainably manage a population of kangaroos within a suitable location.

Where a Kangaroo Management Plan has been approved in respect to the land to which the application applies, the application must be accompanied by:

- A copy of the approved Kangaroo Management Plan; and
- A ‘design/management response’ statement outlining how the application is consistent with and gives effect to any requirements of the approved Kangaroo Management Plan.

### Conditions and requirements for permits

#### 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 Toolern Park Precinct Structure Plan or the Toolern Park Development Contributions Plan must be transferred to or vested in Council at no cost to Council unless the land is funded by the Toolern Park Development Contributions Plan.

Land required for public open space as a local park as set out in the Toolern Park Precinct Structure Plan or the Toolern Park Development Contributions Plan must be transferred to or vested in Council at no cost to Council unless funded by the Toolern Park Development Contributions Plan.

Land required for road widening including right of way flaring for the ultimate design of any intersection with an existing or proposed arterial road must be referred to or vested in Council or VicRoads at no cost to the acquiring agency unless funded by the Toolern Park Development Contributions Plan.

Land required for a road or public open space must be shown as a reserve on a Plan of Subdivision submitted for Certification in favour of Melton City Council or the relevant agency.

#### Conditions for subdivision permits that allow the creation of a lot of less than 300 square metres

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the Plan of Subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 81 of the Melton Planning Scheme; and
- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the responsible authority.

#### Use or develop land for a sensitive use

Prior to the certification of a Plan of Subdivision, or a stage of subdivision, under the Subdivision Act 1988, further testing in accordance with the recommendations of the Phase 1 Environmental Site Assessment (See 3.3 application requirement) must be carried out to the satisfaction of the responsible authority.

Upon completion of the testing the landowner must submit the results and comply with any additional requirements to the satisfaction of the responsible authority, having regard to the guidance set out in the General Practice Note on Potentially Contaminated Land, June 2005 (DSE). The Plan of Subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.
Biodiversity

Kangaroo Management Plan

A permit granted for subdivision of land must include the following conditions:

- Before the certification of the Plan of Subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment and Primary Industries. Once approved the plan will be endorsed by the responsible authority and form part of the permit.
- The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority.

Salvage and translocation

The Salvage and Translocation Protocol for Melbourne’s Growth Corridors, 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 and Primary Industries.

Land management co-operative agreement (for land containing a conservation area)

A permit to subdivide land shown in the incorporated Toolern Park 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 and Primary Industries 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 Toolern Park 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; and
- Pays the reasonable costs of the Secretary to the Department of Environment and Primary Industries 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 a Conservation Area identified in the Precinct Structure Plan that:

- Is identified in a Precinct Structure Plan as public open space and is vested, or will be vested, in the council as a reserve for the purposes of public open space; or
- Is identified in a Precinct Structure Plan as a drainage reserve and is vested, or will be vested, in Melbourne Water Corporation or the council as a drainage reserve; or
- Is within a Conservation Area identified in a Precinct Structure Plan for nature conservation and is vested, or will be vested, in the Secretary to the Department of Environment and Primary Industries for conservation purposes; or
- Is the subject of an agreement with the Secretary to the Department of Environment and Primary Industries to transfer or gift that land to:
  - the Secretary to the Department of Environment and Primary Industries;
  - the Minister for Environment and Climate Change; or
  - another statutory authority.

The requirement for an agreement in this clause does not apply to land of any lot or part of a lot with a Conservation Area identified in the Precinct Structure Plan that:

- Is identified in a Precinct Structure Plan as public open space and is vested, or will be vested, in the council as a reserve for the purposes of public open space; or
- Is identified in a Precinct Structure Plan as a drainage reserve and is vested, or will be vested, in Melbourne Water Corporation or the council as a drainage reserve; or
- Is within a Conservation Area identified in a Precinct Structure Plan for nature conservation and is vested, or will be vested, in the Secretary to the Department of Environment and Primary Industries for conservation purposes; or
- Is the subject of an agreement with the Secretary to the Department of Environment and Primary Industries to transfer or gift that land to:
  - the Secretary to the Department of Environment and Primary Industries;
  - the Minister for Environment and Climate Change; or
  - another statutory authority.

The requirement for an agreement in this clause does not apply to land of any lot or part of a lot with a Conservation Area identified in the Precinct Structure Plan that:

- Is identified in a Precinct Structure Plan as public open space and is vested, or will be vested, in the council as a reserve for the purposes of public open space; or
- Is identified in a Precinct Structure Plan as a drainage reserve and is vested, or will be vested, in Melbourne Water Corporation or the council as a drainage reserve; or
- Is within a Conservation Area identified in a Precinct Structure Plan for nature conservation and is vested, or will be vested, in the Secretary to the Department of Environment and Primary Industries for conservation purposes; or
- Is the subject of an agreement with the Secretary to the Department of Environment and Primary Industries to transfer or gift that land to:
  - the Secretary to the Department of Environment and Primary Industries;
  - the Minister for Environment and Climate Change; or
  - another statutory authority.

The requirement for an agreement in this clause does not apply to land of any lot or part of a lot with a Conservation Area identified in the Precinct Structure Plan that:

- Is identified in a Precinct Structure Plan as public open space and is vested, or will be vested, in the council as a reserve for the purposes of public open space; or
- Is identified in a Precinct Structure Plan as a drainage reserve and is vested, or will be vested, in Melbourne Water Corporation or the council as a drainage reserve; or
- Is within a Conservation Area identified in a Precinct Structure Plan for nature conservation and is vested, or will be vested, in the Secretary to the Department of Environment and Primary Industries for conservation purposes; or
- Is the subject of an agreement with the Secretary to the Department of Environment and Primary Industries to transfer or gift that land to:
  - the Secretary to the Department of Environment and Primary Industries;
  - the Minister for Environment and Climate Change; or
  - another statutory authority.

The requirement for an agreement in this clause does not apply to land of any lot or part of a lot with a Conservation Area identified in the Precinct Structure Plan that:

- Is identified in a Precinct Structure Plan as public open space and is vested, or will be vested, in the council as a reserve for the purposes of public open space; or
- Is identified in a Precinct Structure Plan as a drainage reserve and is vested, or will be vested, in Melbourne Water Corporation or the council as a drainage reserve; or
- Is within a Conservation Area identified in a Precinct Structure Plan for nature conservation and is vested, or will be vested, in the Secretary to the Department of Environment and Primary Industries for conservation purposes; or
- Is the subject of an agreement with the Secretary to the Department of Environment and Primary Industries to transfer or gift that land to:
  - the Secretary to the Department of Environment and Primary Industries;
  - the Minister for Environment and Climate Change; or
  - another statutory authority.
Protection of conservation areas and native vegetation during construction

A permit granted to subdivide land where construction or works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, on land including or abutting a conservation area or patch of native vegetation or scattered tree identified for retention in the incorporated Toolern Park Precinct Structure Plan must ensure that:

- Before the start of construction or carrying out of works, the developer of the land must erect a vegetation protection fence that is:
  - Highly visible;
  - At least 2 metres in height;
  - Sturdy and strong enough to withstand knocks from construction vehicles.
  - In place for the whole period of construction; and
  - Located the following minimum distance from the element to be protected:

<table>
<thead>
<tr>
<th>Element</th>
<th>Minimum Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation area</td>
<td>2 metres</td>
</tr>
<tr>
<td>Scattered tree</td>
<td>twice the distance between the tree trunk and the edge of the tree canopy</td>
</tr>
<tr>
<td>Patch of native vegetation</td>
<td>2 metres</td>
</tr>
</tbody>
</table>

- Construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:
  - Be located more than 15 metres from a waterway;
  - Be located outside the vegetation protection fence;
  - Be constructed and designed to ensure that the conservation area or scattered trees or patches of native vegetation identified for retention in the Precinct Structure Plan, and any located trees identified in the Planning Scheme Provisions to be retained are protected from adverse impacts during construction;
  - Not be undertaken if it presents a risk to any vegetation within a conservation area; and
  - Be carried out under the supervision of a suitable qualified ecologist or arborist.

Environmental Management Plans

A planning permit for subdivision, buildings or works on land shown as a Growling Grass Frog (GGF) conservation area in the incorporated Toolern Park Precinct Structure Plan must include the following condition:

- The subdivision, buildings or works must not commence until an Environmental Management Plan for the relevant works has been approved to the satisfaction of the Department of Environment and Primary Industries, unless otherwise agreed by the Department of Environment and Primary Industries.

Conservation interface areas

Any permit granted for subdivision, to construct a building and to construct or carry out works, within 50 metres of a Conservation Area identified in the Precinct Structure Plan must comply with the conservation interface requirements specified in the Precinct Structure Plan to the satisfaction of the Secretary to the Department of Environment and Primary Industries, unless the permit granted contains the following conditions:
Before the development starts, a Conservation Interface Plan must be submitted to and approved by the Secretary to the Department of Environment and Primary Industries which addresses how any development within 20 metres of any Conservation Area shown on a Precinct Structure Plan will be managed; and

The endorsed Conservation Interface Plan must be implemented to the satisfaction of the responsible authority.

Note:

Operation of Commonwealth Environmental Laws

On 5 September 2013 an approval under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) was issued by the Commonwealth Minister for Environment, Heritage and Water. The approval applies to all actions associated with urban development in growth corridors in the expanded Melbourne 2010 Urban Growth Boundary as described in page 4 in the Biodiversity Conservation Strategy for Melbourne’s Growth Corridors (Department of Environment and Primary Industries, 2013). The Commonwealth approval has effect until 31 December 2060. The approval is subject to conditions specified at Annexure 1 of the approval.

Provided the conditions of the EPBC Act approval are satisfied individual assessment and approval under the EPBC Act is not required.

5.0 23/10/2014 C122

Advertising signs

Land is in the category specified in the applied zone.

5.1 23/10/2014 C122

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.

6.0 23/10/2014 C122

No exemption from notice and review

An application to use land for a purpose identified in the Table 2 at section 2.3 of this Schedule, on land where the applied zone is General Residential Zone 1, 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 7 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ7.

ROCKBANK PRECINCT STRUCTURE PLAN

The Plan

Map 1 below shows the Future Urban Structure for the Rockbank Precinct Structure Plan. It is a reproduction of Plan 3 in the *Rockbank Precinct Structure Plan, August 2016.*
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 UGZ7 on the planning scheme maps.
2.2 17/11/2016 C145

Applied zone provisions

The use, subdivision, construction of a building and construction and carrying out of works provisions of the following zones in this scheme apply as set out in Table 1.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Land use/development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial Road</td>
<td>Clause 36.04 – Road Zone</td>
</tr>
<tr>
<td>Commercial</td>
<td>Clause 34.02 – Commercial 2 Zone</td>
</tr>
<tr>
<td>Connector Street</td>
<td>Clause 36.04 – Road Zone</td>
</tr>
<tr>
<td>Major Town Centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Local Convenience Centre</td>
<td></td>
</tr>
<tr>
<td>Mixed Use</td>
<td>Clause 32.04 – Mixed Use Zone</td>
</tr>
<tr>
<td>Medium Density Residential</td>
<td>Clause 32.07 – Residential Growth Zone 1</td>
</tr>
<tr>
<td>All Other Land</td>
<td>Clause 32.08 – General Residential Zone 1</td>
</tr>
</tbody>
</table>

2.3 17/11/2016 C145

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 a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land’.

2.4 17/11/2016 C145

Specific provisions – Use of land

The following provisions apply to the use of land.

Table 2: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>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>Potential non-government school</td>
<td>A permit is not required to use land for a primary school or secondary school on land shown as ‘potential non-government school’ in the Rockbank 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:</td>
</tr>
</tbody>
</table>
### Specific provisions – 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.

### Specific provisions – Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of the Melton Planning Scheme.

### Specific provisions – Rockbank Major Town Centre, Rockbank Mixed Commercial Precinct and Westcott Parade Precinct - 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 Westcott Parade Precinct (Figure 1) Rockbank Major Town Centre (Figure 2) or Rockbank Mixed Commercial Precinct (Figure 4) in the incorporated Rockbank Precinct Structure Plan until an urban design framework has been prepared for the relevant land 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 Westcott Parade Precinct or Rockbank Major Town Centre or Rockbank Mixed Commercial Precinct 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 Westcott Parade Precinct or Rockbank Major Town Centre or Rockbank Mixed Commercial Precinct as set out in the Rockbank Precinct Structure Plan, August 2016.

The responsible authority may allow an urban design framework to be prepared in stages.

An urban design framework may be amended to the satisfaction of the responsible authority and the Growth Areas Authority.

### Specific provisions – Referral of applications – Rockbank 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 Rockbank Major 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 – Melbourne Water, Westcott Parade Precinct

Any permit application for use or development on land in the Westcott Parade Precinct must be referred in accordance with section 55 of the Planning and Environment Act, 1987 to Melbourne Water.

Application requirements

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Subdivision – Residential development

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land, and the staging of the development for all land in contiguous ownership with the land under application.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the incorporated Rockbank Precinct Structure Plan, August 2016;
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority, in accordance with the incorporated Rockbank Precinct Structure Plan, August 2016;
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority.
- 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 on the development and the impact of the development on groundwater.
- A preliminary site assessment of the potential for contaminated land as a result of previous land uses, carried out by a suitably qualified person.

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 Rockbank Development Contributions Plan, August 2016 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 six lane or four lane 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 the relevant road management authority (Roads Corporation or Melton City Council), as required.
Railway noise attenuation

An application for use or development within the ‘railway noise amenity area’ on Plan 9 of the Rockbank Precinct Structure Plan, August 2016 must be accompanied by an acoustic assessment report prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority and Public Transport Victoria.

- The acoustic assessment report must demonstrate compliance with the ‘Railway Street Interface’ cross-section in the Rockbank Precinct Structure Plan, August 2016 where Plan 3 (Future Urban Structure) of the PSP shows a residential interface to the railway line.

The acoustic assessment report must also include (as appropriate to the particular use or development):

- An assessment of noise levels on the land taking into account the existing and likely future noise levels associated with the ongoing operation of the Melbourne-Ballarat rail line.
- Recommendations for noise attenuation measures designed to ensure internal bedroom noise levels will not exceed 65 dB LAmx and 40 dB LAEq,8h for the night period from 10pm to 6am.
- Recommendations for limiting the impact of railway noise on future buildings within the proposed subdivision.
- A design response that addresses the recommendations of the acoustic assessment including all necessary architectural noise attenuation treatments.

All to the satisfaction of the responsible authority and Public Transport Victoria.

Subdivide, use or develop land for a sensitive purpose – Phase 2 Environmental Site Assessment

An application to subdivide land or use or develop land for a sensitive use (residential use, child care centre or primary school) on the following land identified in the report prepared by Sinclair Knight Merz 2013):

- 1350-1360 Leakes Road, Rockbank (property 73)
- 520-556 Greigs Road, Rockbank (property 101)

must be accompanied by a Phase 2 Environmental Site Assessment prepared by a suitably qualified environmental professional to the satisfaction of the responsible authority which takes account of the report titled ‘Rockbank Precinct Structure Plan Area, Desktop Environmental, Hydrological and Geotechnical Assessments’ (Sinclair Knight Merz, September 2013) and provides information including:

- Intrusive soil and groundwater investigation of the Environmental Assessment Areas ranked as “Medium to High Potential for Contamination”;
- 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, 2005);
- Recommended remediation actions for any potentially contaminated land.

Conditions and requirements for permits

Conditions for 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 incorporated pursuant to Clause 81 of the Melton Planning Scheme; and

The plan of subdivision submitted for certification must identify whether Type A or Type B of the Small Lot Housing Code applies to each lot to the satisfaction of the responsible authority.

### Conditions for subdivision or buildings 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 *Rockbank Precinct Structure Plan, August 2016* or the development contributions plan applying to the land, must be transferred to or vested in Council at no cost to Council unless the land is funded by the development contributions plan applying to the land.

### Management of bushfire risk during subdivisional works

A permit for subdivision that contains a condition requiring a construction management or site 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.

### 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.

### Railway noise amenity area

Any permit for the use or development of land, within the ‘railway noise amenity area’ on Plan 9 of the *Rockbank Precinct Structure Plan, August 2016* must implement any recommendations of the acoustic assessment and include any conditions necessary, in the opinion of the responsible authority and Public Transport Victoria, to implement railway noise attenuation measures.

All to the satisfaction of the responsible authority and Public Transport Victoria.

### 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 or the Roads Corporation at no cost to the acquiring agency unless funded by the development contributions plan applying to the land.

### Kangaroo Management Plan

A permit granted for subdivision of land must include the following conditions:
- Before the certification of the Plan of Subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning. Once approved the plan will be endorsed by the responsible authority and form part of the permit.

- The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority.

**Salvage and Translocation**

Salvage and translocation of threatened flora and fauna species and ecological communities must be undertaken in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

**Conditions – Protection of conservation areas and native vegetation during construction**

A permit granted to subdivide land where construction or works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, on land including or abutting a conservation area or patch of native vegetation or scattered tree identified for retention in the incorporated *Rockbank Precinct Structure Plan, August 2016* must ensure that:

- Before the start of construction or carrying out of works in or around a conservation area, scattered native tree or patch of native vegetation the developer of the land must erect a conservation area/vegetation protection fence that is:
  - highly visible
  - at least 2 metres in height
  - sturdy and strong enough to withstand knocks from construction vehicles
  - in place for the whole period of construction
  - located the following minimum distance from the element to be protected:

<table>
<thead>
<tr>
<th>Element</th>
<th>Minimum Distance From Element</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation area</td>
<td>2 metres</td>
</tr>
<tr>
<td>Scattered tree</td>
<td>Twice the distance between the tree trunk and the edge of the tree canopy</td>
</tr>
<tr>
<td>Patch of native vegetation</td>
<td>2 metres</td>
</tr>
</tbody>
</table>

- Construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:
  - be located not less than 15 metres from a waterway;
  - be located outside the vegetation protection fence;
  - be constructed and designed to ensure that the conservation area, scattered tree or patches of native vegetation are protected from adverse impacts during construction;
  - not be undertaken if it presents a risk to any vegetation within a conservation area; and
  - be carried out under the supervision of a suitable qualified ecologist or arborist.

**Conditions & Requirements – Environmental Site Assessment**

The following conditions and requirements applies to:
1350-1360 Leakes Road, Rockbank (properties 73) and 520-556 Greigs Road, Rockbank (101)

Prior to the commencement of a sensitive use, or the commencement of development associated with a sensitive use, or the certification of a Plan of Subdivision, or a stage of subdivision, under the Subdivision Act 1988 associated with a sensitive use, the recommendations of the Phase 2 Environmental Site Assessment lodged with the application in accordance with Clause 3.5 of the schedule, must be carried out to the satisfaction of the responsible authority along 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 use or development must not commence, or the plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

1195 Leakes Road, Rockbank

Prior to the certification of a Plan of Subdivision, or a stage of subdivision, under the Subdivision Act 1988, the recommendations of the report Rockbank Precinct Structure Plan Additional Investigations - Property 24, March 2014 (Sinclair Knight Merz), must be carried out to the satisfaction of the responsible authority along 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.

22 Troups Road, Rockbank and 104 Troups Road, Rockbank

Prior to the certification of a Plan of Subdivision, or a stage of subdivision, under the Subdivision Act 1988, the recommendations of the Phase 2 (site sampling) report, March 2010 (Atma Environmental), must be carried out to the satisfaction of the responsible authority along 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.

Melbourne Water Westcott Parade Conditions

Any permit issued for use or development in the Westcott Parade Precinct, must, if required by Melbourne Water, include conditions addressing the following:

- Where Melbourne Water does not have an interim or established Development Services Scheme for the Westcott Parade Precinct:
  - Conditions requiring the owner to manage water retention on site, or to undertake water retention measures off site, at the owner’s cost as an interim measure;
  - A requirement that the owner enter into a section 173 agreement with Melbourne Water and Council at the owner’s cost to secure the future payment of its contribution to the Development Services Scheme to be established by Melbourne Water; and
  - A requirement that the use and/or development will not prejudice or delay the future approval, delivery and/or works of the Development Services Scheme to be established by Melbourne Water.

- Where Melbourne Water has an interim or established Development Services Scheme for the Westcott Parade Precinct:
  - If the permit application is to subdivide land:
    - a condition that the owner must make a contribution to the said Development Services Scheme before a certificate of compliance issues for the subdivision; and
    - a requirement that the use and/or development will not prejudice or delay the future approval, delivery and/or works of the said Development Services Scheme.
If the permit application is for any other use or development:

- a condition that the contribution to the said Development Services Scheme must be made before the earliest of the following occurs: The certificate of occupancy is issued; The use authorised under the permit commences; The development authorised under the permit is complete; and

- a requirement that the owner enter into a section 173 agreement with Melbourne Water and Council at the owner’s cost to secure the performance of its obligations set out in clause 2a) above; and

- a requirement that the use and/or development will not prejudice or delay the delivery and/or works of the said Development Services Scheme.

5.0
17/11/2016
C145

Advertising signs

The advertising sign category for the land is the category specified in the zone applied to the land at Clause 2.2 of this schedule.

5.1
17/11/2016
C145

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
17/11/2016
C145

Exemption from notice and review not to apply to certain applications

An application to use land for a use listed in Section 2 of the General Residential Zone or Residential Growth Zone on land where the applied zone listed at Table 1 of this schedule is General Residential Zone or Residential Growth Zone is not exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

6.0
17/11/2016
C145

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 the City of Melton.

Before deciding on an application for a permit in the Westcott Parade Precinct the responsible authority must consider the following factors:

- Where Melbourne Water does not have an interim or established Development Services Scheme for the Westcott Parade Precinct, whether water retention can be achieved on site, and if it cannot be achieved on site, whether any necessary works off site will be undertaken by the owner at the owner’s cost; and
Where Melbourne Water either does or does not have an interim or established Development Services Scheme for the Westcott Parade Precinct whether the approval of a permit would not prejudice or delay the future approval, delivery and/or works of the existing Development Services Scheme or the Development Services Scheme to be established by Melbourne Water (as the case may be).
SCHEDULE 8 TO THE URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ8.

PAYNES ROAD PRECINCT STRUCTURE PLAN

The plan

Map 1 below shows the future urban structure for the Paynes Road Precinct Structure Plan. It is a reproduction of Plan 3 in the Paynes Road Precinct Structure Plan.

Map 1 to Schedule 8 to Clause 37.07
Use and development

The land

The use and development provisions specified in this schedule apply to the land within the ‘Precinct Boundary’ on Map 1 of this schedule and shown as UGZ8 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 the land, the construction of a building and 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 Convenience Centre</td>
<td>Clause 34.01 - Commercial 1 Zone</td>
</tr>
<tr>
<td>Arterial Road (any type)</td>
<td>Clause 36.04 - Road Zone Category 1</td>
</tr>
<tr>
<td>Connector Street</td>
<td>Clause 36.04 - Road Zone Category 2</td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.08 - General Residential Zone 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 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>• 1000 square metres for land shown as a Local Convenience Centre in the incorporated Paynes Road 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 School in the incorporated Paynes Road Precinct Structure Plan.</td>
</tr>
</tbody>
</table>
2.5 Specific provisions – Buildings and works for a school
A permit is required to construct a building or construct or carry out works associated with a Primary school or Secondary school on land shown as a potential non-government school unless exempt under Clauses 62.02-1 and 62.02-2 of this Scheme.

2.6 Specific provisions – Dwellings on a lot less than 300 square metres
A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 81 of this Scheme.

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 the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land, and the staging of the development for all land in contiguous ownership with the land under application.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the incorporated Paynes Road Precinct Structure Plan.
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority, in accordance with the incorporated Paynes Road Precinct Structure Plan.
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority.
- 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 on the development and the impact of the development on groundwater.
- A preliminary site assessment of the potential for contaminated land as a result of previous land uses, carried out by a suitably qualified person.

3.2 Public Infrastructure Plan
An application for subdivision and/or use and development of land must be accompanied by a Public Infrastructure Plan which addresses the following:

- What land may be affected or required for the provision of infrastructure works;
- The provision, staging and timing of road works 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 the collecting agency;
- The provision of public open space and land for any community facilities; and
- Any other matter relevant to the provision of public infrastructure required by the responsible authority.
3.3
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 Melton, as required.

3.4
Railway noise attenuation
An application for use or development within the ‘railway noise amenity area’ on Plan 8 of the Paynes Road Precinct Structure Plan must be accompanied by an acoustic assessment report prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority and Public Transport Victoria.

- The acoustic assessment report must demonstrate compliance with the ‘Railway Street Interface’ cross-section in the PSP. The acoustic assessment report must also include (as appropriate to the particular use or development):
  - An assessment of noise levels on the land taking into account the existing and likely future noise levels associated with the ongoing operation of the Melbourne-Ballarat rail line.
  - Recommendations for noise attenuation measures designed to ensure internal bedroom noise levels will not exceed 65 dB LAmx and 40 dB L Ae,8h for the night period from 10pm to 6am.
  - Recommendations for limiting the impact of railway noise on future buildings within the proposed subdivision.
  - A design response that addresses the recommendations of the acoustic assessment including all necessary architectural noise attenuation treatments.

4.0
Conditions and requirements for permits

4.1
Conditions for subdivision permits that allows 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 incorporated pursuant to Clause 81 of this Scheme; and

- The Plan of Subdivision submitted for certification must identify whether Type A or Type B of the Small Lot Housing Code applies to each lot to the satisfaction of the responsible authority.

4.2
Conditions for subdivision or buildings 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 Paynes Road Precinct Structure Plan or the development contributions plan applying to the land, must be transferred to or vested in Council at no cost to Council unless the land is funded by the development contributions plan applying to the land.
Management of bushfire risk during subdivisional works

A permit for subdivision that contains a condition requiring a construction management or site 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.

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 Victoria Guidelines for Land Use and Development with a concrete hardstand 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.

Railway noise attenuation area

Any permit for the use or development of land, within the ‘railway noise amenity area’ on Plan 8 of the Paynes Road Precinct Structure Plan must implement any recommendations of the acoustic assessment and include any conditions necessary, in the opinion of the responsible authority and Public Transport Victoria, to implement railway noise attenuation measures.

All to the satisfaction of the responsible authority and Public Transport Victoria.

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 development contributions plan applying to the land.

Conditions – kangaroo management

A permit granted for subdivision of land must include the following conditions:

- Before the certification of the Plan of Subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning. Once approved the plan will be endorsed by the responsible authority and form part of the permit.
- The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority.

Conditions – salvage and translocation

Salvage and translocation of threatened flora and fauna species and ecological communities must be undertaken in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.
Conditions – subdivision and associated works applications (Golden Sun Moth) on land identified as Properties 2573 – 2675 Western Highway, Rockbank

Any permit granted for subdivision of land and associated works must contain the following conditions:

- Prior to the commencement of works a targeted survey for the Golden Sun Moth must be prepared to the satisfaction of the Department of Environment, Land, Water and Planning.
- Prior to the issue of a Statement of Compliance in respect of any plan of subdivision within which Golden Sun Moth native habitat has been identified:
  - Offsets for removal of Golden Sun Moth native habitat within the area of that plan of subdivision must be provided or agreed to the satisfaction of the Department of Environment, Land, Water and Planning.

Advertising signs

Land is in the category specified in the applied zone.

Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The 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.

Education / community promotion signs

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display an advertising sign greater than two square metres in area that promotes a community facility or education centre on the land identified as community facilities, potential government school, potential non-government school and credited open space on Map 1 to this schedule.

Exemption from notice and review not to apply to certain applications

An application to use land for a use listed in Section 2 of the General Residential Zone on land where the applied zone listed at Table 1 of this schedule is General Residential Zone 1 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 9 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ9.

MT. ATKINSON & TARNEIT PLAINS PRECINCT STRUCTURE PLAN

1.0

The Plan

Plan 1 below shows the future urban structure proposed in the Mt Atkinson & Tarneit Plains Precinct Structure Plan. It is a reproduction of Plan 3 in the Mt Atkinson & Tarneit Plains Precinct Structure Plan.
Plan 1 to Schedule 9 to Clause 37.07

Use and development

The Land

The use and development provisions specified in this schedule apply to the land as shown within the ‘precinct boundary’ on Plan 1 of this schedule and shown as UGZ9 on the planning scheme maps.

Note: If land shown on Plan 1 is not zoned UGZ, the provisions of this zone do not apply.
2.2

**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 *Mt Atkinson & Tarneit Plains Precinct Structure Plan*, the use, subdivision, construction of a building and construction and carrying out of works provisions of the corresponding zone in the right column apply.

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.

*Note:* e.g. The Commercial 2 Zone specifies 'Shop' as a Section 1 Use with the condition, 'The site must adjoin, or have access to, a road in a Road Zone.' In this instance the condition should be read as, 'The site must adjoin, or have access to, a road in a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land.'

**Table 1: Applied zone provisions**

<table>
<thead>
<tr>
<th>Arterial road</th>
<th>Clause 36.04 – Road Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business</td>
<td>Clause 34.02 – Commercial 2 Zone</td>
</tr>
<tr>
<td>Business/Large format retail</td>
<td></td>
</tr>
<tr>
<td>Connector street</td>
<td>Clause 36.04 – Road Zone</td>
</tr>
<tr>
<td>Connector street/Boulevard</td>
<td></td>
</tr>
<tr>
<td>Industrial</td>
<td>Clause 33.01 – Industrial 1 Zone</td>
</tr>
<tr>
<td>Light industrial</td>
<td>Clause 33.03 – Industrial 3 Zone</td>
</tr>
<tr>
<td>Mixed use</td>
<td>Clause 32.04 – Mixed Use Zone</td>
</tr>
<tr>
<td>Major town centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Local convenience centre</td>
<td></td>
</tr>
<tr>
<td>Residential on a lot wholly within walkable catchment boundary</td>
<td>Clause 32.07 – Residential Growth Zone</td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.07 – General Residential Zone</td>
</tr>
</tbody>
</table>

2.3

**Specific provisions – Use of land**

**Use of land for a school**

A permit is not required to use land for:

- Primary school on land shown as Potential Non Government Primary School in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*.
- Primary school on land shown as Potential Non Government P-12 School in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*.
- Secondary school on land shown as Potential Non Government Secondary School in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*.
- Secondary school on land shown as Potential Non Government P-12 School in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*.
Use of land for a shop

A permit is required to use land for a Shop where the applied zone is Commercial 1 Zone if the combined leasable floor area of all shops exceeds:

- 23,500 square metres for land shown as ‘major town centre’ south of the Melton Rail Corridor in the Mt Atkinson & Tarneit Plains Precinct Structure Plan.
- 2,500 square metres for land shown as ‘major town centre’ north of the Melton Rail Corridor in the Mt Atkinson & Tarneit Plains Precinct Structure Plan.
- 1,500 square metres for land shown as ‘local convenience centre’ in the Mt Atkinson & Tarneit Plains Precinct Structure Plan.

Use of land within the Quarry Sensitive Use Buffer

A permit is required to use land for Business college, Car wash, Dry cleaner, Employment training centre, Panel beating, Research and development centre and Tertiary institution on land shown within the Quarry Sensitive Use Buffer on Plan 11 in the Mt Atkinson & Tarneit Plains Precinct Structure Plan.

A permit is required to use land for Dry cleaning agent, Laundromat and Supermarket on land shown as ‘Business’ and ‘Business/Large Format Retail’ within the Quarry Sensitive Use Buffer on Plan 11 in the Mt Atkinson & Tarneit Plains Precinct Structure Plan.

The use of land for Dry cleaning agent, Laundromat and Supermarket on land shown as ‘Light Industrial’ within the Quarry Sensitive Use Buffer on Plan 11 in the Mt Atkinson & Tarneit Plains Precinct Structure Plan is prohibited.

The use of land for Accommodation, Child care centre, Education centre (other than Business college, Employment training centre or Tertiary institution) and Hotel on land shown within the Quarry Sensitive Use Buffer on Plan 11 in the Mt Atkinson & Tarneit Plains Precinct Structure Plan is prohibited.

Use of land within the High Pressure Gas Transmission Pipeline Measurement Length

A permit is required to use land for Accommodation (other than Dwelling), a Child care centre, Cinema based entertainment facility, Corrective institution, Education centre, Hospital, Place of assembly and Service station in the ‘high pressure gas transmission pipeline measurement length’ shown on Plan 11 in the Mt Atkinson & Tarneit Plains Precinct Structure Plan.

Use of land for a dwelling

The use of land for a Dwelling on land shown north of the Melton Rail Corridor in the Mt Atkinson & Tarneit Plains Precinct Structure Plan is prohibited until a pedestrian bridge or underpass connecting the northern and southern parts of the Major Town Centre is constructed and operational.

Use of land for a child care centre

The use of land for a Child care centre is prohibited where the applied zone is Industrial 1 Zone.

Specific provisions - Subdivision

None specified

Specific provisions - Buildings and works

Buildings and works for a school

A permit is required to construct a building or construct or carry out works associated with a Primary school or Secondary school on land shown as a ‘Potential non-government school’ unless exempt under Clauses 62.02-1 and 62.02-2.
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 the lot is identified as one to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated into the Melton Planning Scheme.

No buildings within Quarry Blast Buffer

The construction of a building (not including a temporary building, a building associated with a minor utility installation, a renewable energy facility or telecommunications facility, a structure, a fence or other appurtenances of a building) on land shown within the quarry blast buffer on Plan 11 of the Mt Atkinson & Tarneit Plains Precinct Structure Plan is prohibited.

Gas pipeline construction management plan required whether or not a permit is required

Prior to the commencement of any works, including demolition, on land within, or within 50 metres of the boundary of the high pressure gas transmission pipeline easement on Plan 11 in the Mt Atkinson & Tarneit Plains Precinct Structure Plan, a construction management plan must be submitted to and approved by the responsible authority. The plan must:

- Prohibit the use of rippers or horizontal directional drills unless otherwise agreed by the owner/operator of the high pressure gas pipeline; and

- Be endorsed by the owner/operator of the high pressure gas transmission pipeline prior to being submitted to the responsible authority.

The construction management plan must be implemented to the satisfaction of the responsible authority.

The construction management plan may, with the prior approval of the pipeline owner and operator, be amended to the satisfaction of the responsible authority.

Specific provisions – Urban design framework

Except with the consent of the responsible authority and the Victorian Planning Authority, a permit may not be granted to use or subdivide land, or construct a building and carry out works on land identified as ‘Mt Atkinson Major Town Centre Urban Design Framework Extent’, ‘Western Freeway Commercial Area Urban Design Framework Extent’ or ‘Hopkins Road Business Precinct Commercial Areas Urban Design Framework Extent’ on Plan 6 of the Mt Atkinson & Tarneit Plains 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. Prior to approving an urban design framework for the ‘Hopkins Road Business Precinct’, the responsible authority and the Victorian Planning Authority must seek the views of the owner and operator of the Boral Ravenhall Quarry and the Secretary to the Department of Economic Development, Jobs, Transport and Resources in relation to how the urban design framework responds to the potential impacts of the quarry.

An application for use and/or development on land identified as ‘Mt Atkinson Major Town Centre Urban Design Framework Extent’, ‘Western Freeway Commercial Area Urban Design Framework Extent’ or ‘Hopkins Road Business Precinct Commercial Areas Urban Design Framework Extent’ on Plan 6 of the Mt Atkinson & Tarneit Plains 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 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 relevant objectives in the Mt Atkinson & Tarneit Plains 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.

### Specific provisions – Referral of applications

#### Mt Atkinson major town centre

An application to subdivide land, or construct a building or carry out works (where the value of those works in in excess of $500,000) on land identified as ‘Mt Atkinson Major Town Centre Urban Design Framework Extent’ on Plan 6 of the *Mt Atkinson & Tarneit Plains Precinct Structure Plan* must be referred in accordance with Section 55 of the *Planning and Environment Act 1987* to the Victorian Planning Authority.

#### Ravenhall Quarry

An application to use land, or to construct a building on land, identified within the ‘Quarry Sensitive Use Buffer’ shown on Plan 11 of the *Mt Atkinson & Tarneit Plains Precinct Structure Plan* must be referred in accordance with Section 55 of the *Planning and Environment Act 1987* to the Secretary to the Department administering the Mineral Resources (Sustainable Development) Act 1990.

### Application requirements

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

#### Subdivision - Residential development

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land, and the staging of the development for all land in contiguous ownership with the land under application.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*.
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority, in accordance with the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*.
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- A plan showing any lots proposed as multi-dwelling sites, labelling these lots as a ‘multi-dwelling site’.
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority.
- 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 on the development and the impact of the development on groundwater.
- A preliminary site assessment, carried out by a suitably qualified person, of the potential for contaminated land as a result of previous land uses.

#### Public Infrastructure Plan

An application to subdivide, use or develop land must be accompanied by a Public Infrastructure Plan which addresses the following:
• What land may be affected and/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 six lane or four lane 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 the relevant road management authority (Roads Corporation or Melton City Council), as required.

Railway noise attenuation

An application for use or development within the ‘railway noise amenity area’ on Plan 11 of the Mt Atkinson & Tarneit Plains Precinct Structure Plan must be accompanied by an acoustic assessment report prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority and Public Transport Victoria.

• The acoustic assessment report must demonstrate compliance with ‘Section 12 – Commercial Frontage – Railway Interface’ cross-section in the Mt Atkinson & Tarneit Plains Precinct Structure Plan.
• The acoustic assessment report must also include (as appropriate to the particular use or development):
  - An assessment of noise levels on the land taking into account the existing and likely future noise levels associated with the ongoing operation of the Melbourne-Ballarat rail line.
  - Recommendations for noise attenuation measures designed to achieve the following internal 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
  - Recommendations for limiting the impact of railway noise on future buildings within the proposed subdivision.
  - A design response that addresses the recommendations of the acoustic assessment including all necessary architectural noise attenuation treatments.

All of the above application requirements are to be to the satisfaction of the responsible authority and Public Transport Victoria.

Subdivide, use or develop land for a sensitive purpose - Environmental Site Assessment

An application to subdivide, use or develop land identified in Table 2 of this schedule for a sensitive use (residential use, child care centre or primary school) must be accompanied by an Environmental Site Assessment, prepared by a suitably qualified environmental professional to the satisfaction of the responsible authority, which takes account of the report titled ‘PSP 1082 Mt Atkinson & PSP 1085 Tarneit Plains, Land Capability Assessment (Jacobs, 2 July 2015)’ and provides information including:

• Further detailed assessment of potential contaminants on the land;
Clear advice on whether the environmental condition of the land is suitable for the proposed use 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 (including soil and groundwater sampling) 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.

<table>
<thead>
<tr>
<th>Address</th>
<th>Legal Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>2-50 Meskos Road, Rockbank (rock crushing &amp; concrete batching plant)</td>
<td>Lot 3/PS448579</td>
</tr>
<tr>
<td>671-737 Troups Road South Mount Cottrell (Nevas Chicken Farm)</td>
<td>Allot. 5 Sec. 6 Parish of Pyweltjorrk</td>
</tr>
</tbody>
</table>

### Conditions and requirements for permits

**Conditions – 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 to and approved by the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the *Small Lot Housing Code* incorporated into the Melton Planning Scheme; and

- The plan of subdivision submitted for certification must identify whether type A or type B of the *Small Lot Housing Code* applies to each lot to the satisfaction of the responsible authority.

**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.

**Requirement – Management of bushfire risk during subdivisional works**

A permit for subdivision that contains a condition requiring a construction management or site 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.

**Condition – Environmental Management Plan**

A permit for subdivision, buildings or works on land shown as a conservation area (other than Conservation Area – Local) in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan* must include the following condition:
• The subdivision, buildings or works must not commence until an Environmental Management Plan for the relevant works has been approved to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning, unless otherwise agreed by the Department of Environment, Land, Water and Planning.

**Conditions – Kangaroo Management**

A permit for subdivision of land must include the following conditions:

• Before the certification of the Plan of Subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning.

• Once approved the plan will be endorsed by the responsible authority and form part of the permit

**Condition – Salvage and Translocation**

A planning permit for subdivision, buildings or works must include the following condition:

Salvage and translocation of threatened flora and fauna species and ecological communities must be undertaken in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

**Conditions – Protection of conservation areas and native vegetation during construction**

A permit to subdivide land where construction or works are required to carry out the subdivision, or a permit to construct a building or carry out works on land including or abutting a conservation area or patch of native vegetation or scattered tree identified for retention in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan*, must ensure that:

• Before the commencement of construction or carrying out of works in or around a conservation area, scattered native tree or patch of native vegetation, the developer of the land must erect a conservation area/vegetation protection fence that is:
  - highly visible
  - at least 2 metres in height
  - sturdy and strong enough to withstand knocks from construction vehicles
  - in place for the whole period of construction
  - located the following minimum distance from the element to be protected:

<table>
<thead>
<tr>
<th>Element</th>
<th>Minimum distance from element</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation area</td>
<td>2 metres</td>
</tr>
<tr>
<td>Scattered tree</td>
<td>Twice the distance between the tree trunk and the edge of the tree canopy</td>
</tr>
<tr>
<td>Patch of native vegetation</td>
<td>2 metres</td>
</tr>
</tbody>
</table>

• Construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:
  - be located not less than 15 metres from a waterway;
  - be located outside the vegetation protection fence;
  - be constructed and designed to ensure that the conservation area, scattered tree or patches of native vegetation are protected from adverse impacts during construction;
  - not be undertaken if it presents a risk to any vegetation within a conservation area; and
  - be carried out under the supervision of a suitably qualified ecologist or arborist.
Conditions – Land Management Co-operative Agreement

A permit to subdivide land shown to be in a conservation area in the *Mt Atkinson & Tarneit Plains Precinct Structure Plan* must ensure that, before the commencement of works for the final 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 *Mt Atkinson & Tarneit Plains 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 *Mt Atkinson & Tarneit Plains Precinct Structure Plan* that is:

- Identified the *Mt Atkinson & Tarneit Plains 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 *Mt Atkinson & Tarneit Plains 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 – 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.
Requirement – Railway noise attenuation area

Any permit for the use or development of land, within the ‘railway noise amenity area’ on Plan 11 of the Mt Atkinson & Tarneit Plains Precinct Structure Plan must implement any recommendations of the acoustic assessment and include any conditions necessary, in the opinion of the responsible authority and Public Transport Victoria, to implement railway noise attenuation measures.

All to the satisfaction of the responsible authority and Public Transport Victoria.

Requirement – Environmental Site Assessment for use and development of land listed in Table 2

Prior to the commencement of a sensitive use, or the commencement of development associated with a sensitive use, or the certification of a Plan of Subdivision, or a stage of subdivision, under the Subdivision Act 1988 associated with a sensitive use, the recommendations of the Environmental Site Assessment lodged with the application must be carried out to the satisfaction of the responsible authority along 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 use or development must not commence, or the plan of subdivision must not be certified, until the responsible authority is satisfied that the land is suitable for the intended use.

Exemption from notice and review

An application to use land for a use listed in Section 2 of the General Residential Zone and Residential Growth Zone on land where the applied zone listed at Table 1 of this schedule is General Residential Zone or Residential Growth 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.

Notice must be given to the person or body listed in the Schedule to Clause 66.06 of an application to use land or construct a building or carry out works associated with any of the following uses within the ‘high pressure gas transmission pipeline measurement length’, shown on Plan 11 in the incorporated Mt Atkinson & Tarneit Plains Precinct Structure Plan:

- Accommodation (other than a Dwelling)
- Child care centre
- Cinema based entertainment facility
- Corrective institution
- Education centre
- Hospital
- Place of assembly
- Retail
- Service station

Decision guidelines

Mt Atkinson Major Town Centre – Use of land for a Shop

Before deciding on an application to use land for a shop on land identified within the Mt Atkinson Major 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;
- The effect on existing and future major town centres within the City of Melton; and
- The extent to which the use of land for a shop on land to the north of the rail corridor might prejudice the development, expansion or operation of the retail core to the south of the rail corridor.

**Ravenhall Quarry Sensitive Use Buffer**

Before deciding on an application to use land or construct a building within the Quarry Sensitive Use Buffer, in addition to the decision guidelines in Clause 37.07-14, the responsible authority must consider the effect that emissions of noise, vibration, odour, dust and grit from the nearby Ravenhall Quarry (located east of Hopkins Road) may have on the proposed use or building.

**Advertising signs**

Land is in the category specified in the applied zone.

**Land and home sales signs**

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The 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 an 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 with an area greater than 10 square metres promoting the sale of land or homes on the land (or on adjoining land in the same ownership).

If the sign does not meet all of the requirements listed above, it must comply with the provisions of Clause 52.05.

**Education / community promotion signs**

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display an advertising sign greater than two square metres in area that promotes a community facility or education centre on the land identified as community facilities, potential government school, potential non-government school and credited open space on Plan 1 of this schedule.
SCHEDULE 11 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ11.

PLUMPTON PRECINCT STRUCTURE PLAN

1.0

The plan

Plan 1 below shows the future urban structure proposed in the *Plumpton Precinct Structure Plan*. It is a reproduction of Plan 3 in the *Plumpton Precinct Structure Plan*.

Plan 1 to Schedule 11 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 as shown within the ‘precinct boundary’ on Plan 1 of this schedule and shown as UGZ11 on the planning scheme maps.

Note: If land shown on Plan 1 is not zoned UGZ, the provisions of this zone do not apply.

2.2

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 *Plumpton Precinct Structure Plan*, the use, subdivision, construction of a building and construction and carrying out of works provisions of the corresponding zone in the right column apply.

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.
Note:  e.g. The Commercial 2 Zone specifies ‘Shop’ as a Section 1 Use with the condition, ‘The site must adjoin, or have access to, a road in a Road Zone.’ In this instance the condition should be read as, ‘The site must adjoin, or have access to, a road in a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land’

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Zone Type</th>
<th>Clause</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial Road</td>
<td>Clause 36.04 – Road Zone Category 1</td>
</tr>
<tr>
<td>Industrial</td>
<td>Clause 33.01 – Industrial 1 Zone</td>
</tr>
<tr>
<td>Business</td>
<td>Clause 34.02 – Commercial 2 Zone</td>
</tr>
<tr>
<td>Town Centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Local Convenience Centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Mixed Use</td>
<td>Clause 32.04 – Mixed Use Zone</td>
</tr>
<tr>
<td>Residential on a lot wholly within walkable residential catchment boundary (once subdivided)</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 – Use of land

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food and drink premises</td>
<td>On land where the applied zone is Commercial 2 Zone directly north of the Plumpton Local Town Centre in the Plumpton Precinct Structure Plan. The leasable floor area must not exceed 100m².</td>
</tr>
<tr>
<td>Primary school</td>
<td>On land shown as Potential Non-Government Primary School on Plan 3 of the Plumpton Precinct Structure Plan.</td>
</tr>
<tr>
<td>Restricted retail</td>
<td>On land where the applied zone is Commercial 2 Zone for land shown as Business in the Plumpton Precinct Structure Plan. The combined leasable floor area of all Restricted retail premises must not exceed 20,000m².</td>
</tr>
<tr>
<td>Retail premises (other than food and drink premises, gambling premises motor vehicle, boat, or caravan sales, and shop except restricted retail premises)</td>
<td>On land where the applied zone is Commercial 2 Zone directly north of the Plumpton Local Town Centre in the Plumpton Precinct Structure Plan. The leasable floor area of each use must not exceed 900m2.</td>
</tr>
<tr>
<td>Shop</td>
<td>On land where the applied zone is Commercial 1 Zone. The combined leasable floor area of all shops must not exceed:</td>
</tr>
</tbody>
</table>
### Condition Use

- 45,000 square metres for land shown as a Major Town Centre in the *Plumpton Precinct Structure Plan*.
- 7,200 square metres for land shown as a Local Town Centre in the *Plumpton Precinct Structure Plan*.
- 1,000 square metres for land shown as a Local Convenience Centre in the *Plumpton Precinct Structure Plan*.

**Any use listed in Clause 62.01** Must meet the requirements of Clause 62.01.

**Any use listed in Section 1 in the Table of uses of the applicable applied zone**

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling</td>
<td>On land where the applied zone is Mixed Use Zone if any frontage at ground level exceeds 2 metres.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>On land in the ‘high pressure gas transmission pipeline measurement length’ depicted on Plan 11 of the <em>Plumpton Precinct Structure Plan</em>.</td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
</tbody>
</table>

**Any other use not in Section 1 or 3 in the Table of uses in the applicable applied zone**

### Section 3 – Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food and drink premises</td>
<td>On land where the applied zone is Commercial 2 Zone directly north of the Plumpton Local Town Centre in the <em>Plumpton Precinct Structure Plan</em>, if the Section 1 condition is not met.</td>
</tr>
<tr>
<td>Gambling premises</td>
<td>On land where the applied zone is Commercial 2 Zone directly north of the Plumpton Local Town Centre in the <em>Plumpton Precinct Structure Plan</em>.</td>
</tr>
<tr>
<td>Motor vehicle, boat, or caravan sales</td>
<td></td>
</tr>
<tr>
<td>Shop (except restricted retail premises)</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than food and drink premises, gambling premises, motor vehicle, boat, or caravan sales, and shop except restricted retail premises)</td>
<td>On land where the applied zone is Commercial 2 Zone directly north of the Plumpton Local Town Centre in the <em>Plumpton Precinct Structure Plan</em>, if the Section 1 condition is not met.</td>
</tr>
</tbody>
</table>

**Any use listed in Section 3 in the Table of uses of the applicable applied zone**

### Subdivision

None specified.
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 incorporated pursuant to Clause 81 of the Melton Planning Scheme.

Buildings and works for a school

A permit is required to construct a building or construct or carry out works associated with a Primary school or Secondary school on land shown as a Potential Non-Government School unless exempt under Clauses 62.02-1 and 62.02-2.

Gas pipeline construction management plan required whether or not a permit is required

Prior to the commencement of any works, including demolition, on land within, or within 50m of the boundary of the gas easement shown as on Plan 2 – Precinct Features and Plan 11 – Utilities in the incorporated Plumpton Precinct Structure Plan, a construction management plan must be submitted to and approved by the responsible authority. The plan must:

- Prohibit the use of rippers or horizontal directional drills unless otherwise agreed by the owner/operator of the high pressure gas pipeline; and
- Be endorsed by the owner/operator of the high pressure gas transmission pipeline prior to being submitted to 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.

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 and carry out works on land identified as ‘Plumpton Major Town Centre’ or the ‘Business and Industrial Precinct (part) UDF extent’ on Plan 5 in the incorporated Plumpton 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 ‘Plumpton Major Town Centre’ or the ‘Business and Industrial Precinct (part) UDF extent’ on Plan 5 in the incorporated Plumpton 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 Plumpton 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.
Application requirements

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Subdivision - Residential development

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land, and the staging of the development for all land in contiguous ownership with the land under application.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the incorporated *Plumpton Precinct Structure Plan*.
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority, in accordance with the incorporated *Plumpton Precinct Structure Plan*.
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority.
- 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 on the development and the impact of the development on groundwater.
- A preliminary site assessment of the potential for contaminated land as a result of previous land uses, carried out by a suitably qualified person.

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 Local Town Centre Concept Plan in the *Plumpton Precinct Structure Plan*;
  - address any relevant design guidelines prepared by the Victorian Government or the Melton 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 such as the Transport for Victoria;
  - 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 town square/public space.

**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/concept road safety audit, must be to the satisfaction of VicRoads or the responsible authority, as required.

**Subdivide, use or develop land for a sensitive purpose – Environmental Site Assessment**

An application to subdivide land or to use or develop land identified in Table 3 of this Schedule, for a sensitive use (residential use, child care centre, pre-school centre or primary school) must be accompanied by an Environmental Site Assessment prepared by a suitably qualified environmental professional to the satisfaction of the responsible authority which takes account of the report titled *Plumpton and Kororoit Precincts, Land Capability Assessment, (GHD, October 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 (including soil and groundwater sampling) 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.
Table 3: Environmental Site Assessment

<table>
<thead>
<tr>
<th>Address</th>
<th>Legal Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1048 Taylors Road, Fraser Rise</td>
<td>Lot 1 on PS709426</td>
</tr>
<tr>
<td>1052 Taylors Road, Fraser Rise</td>
<td>Lot 1 on PS604066</td>
</tr>
</tbody>
</table>

Conditions and requirements for permits

Conditions - 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 incorporated pursuant to Clause 81 of the Melton Planning Scheme; and
- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the responsible authority.

Conditions - Subdivision or buildings and works permits where land is required for community facilities, public open space and 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 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.

Conditions - Kangaroo management

A permit for subdivision of land must include the following conditions:

- Before the certification of the Plan of Subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning.
- Once approved the plan will be endorsed by the responsible authority and form part of the permit.

Requirement - Salvage and translocation

Salvage and translocation of threatened flora and fauna species and ecological communities must be undertaken in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

Requirements - Protection of conservation areas and native vegetation during construction

A permit granted to subdivide land where construction or works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, on land including or abutting a conservation area or patch of native vegetation or scattered tree identified for retention in the incorporated Plumpton Precinct Structure Plan must ensure that:

- Before the start of construction or carrying out of works in or around a conservation area, scattered native tree or patch of native vegetation the developer of the land must erect a conservation area/vegetation protection fence that is:
- highly visible
- at least 2 metres in height
- sturdy and strong enough to withstand knocks from construction vehicles
- in place for the whole period of construction
- located the following minimum distance from the element to be protected:

<table>
<thead>
<tr>
<th>Element</th>
<th>Minimum distance from element</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation area</td>
<td>2 metres</td>
</tr>
<tr>
<td>Scattered tree</td>
<td>Twice the distance between the tree trunk and the edge of the tree canopy</td>
</tr>
<tr>
<td>Patch of native vegetation</td>
<td>2 metres</td>
</tr>
</tbody>
</table>

- Construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:
  - be located not less than 15 metres from a waterway;
  - be located outside the vegetation protection fence;
  - be constructed and designed to ensure that the conservation area, scattered tree or patches of native vegetation are protected from adverse impacts during construction;
  - not be undertaken if it presents a risk to any vegetation within a conservation area; and
  - be carried out under the supervision of a suitable qualified ecologist or arborist.

**Requirement - Management of bushfire risk during subdivisional works**

A permit for subdivision that contains a condition requiring a construction management or site 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.

**Conditions - 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.

**Conditions - Environmental Site Assessment**

Any permit for the use and development of land, as listed in Table 3 of this schedule, for a sensitive use (residential use, child care centre, pre-school centre or primary school) must contain the following conditions:

- Before the commencement of the development of the land, the recommendations of the Environmental Site Assessment submitted with the application must be carried out to the satisfaction of the responsible authority.
Upon receipt of the further testing report the owner must comply with any further requirements made by the responsible authority after having regard to the guidance set out in the General Practice Note on Potentially Contaminated Land June 2005 (DSE). The plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

Any permit for the subdivision of land listed in Table 3 of this schedule must contain the following conditions:

- Before a plan subdivision is certified under the Subdivision Act 1988, the recommendations of the Environmental Site Assessment submitted with the application must be carried out to the satisfaction of the responsible authority.

Exemption from notice and review not to apply to certain applications

An application to use land for a use listed in Section 2 of the Residential Growth Zone and General Residential Zone on land where the applied zone listed at Table 1 of this schedule is Residential Growth Zone or General Residential Zone is not exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision Guidelines

Before deciding on an application to create floorspace in excess of any cap 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 City of Melton.

Advertising Signs

Land is in the category specified in the applied zone.

Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The 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.

If the sign does not meet all of the requirements listed above, it must comply with the provisions of Clause 52.05.
Education / community promotion signs

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display an advertising sign greater than two square metres in area that promotes a community facility or education centre on the land identified as community facilities, potential government school, potential non-government school and credited open space on Plan 1 to this schedule.
SCHEDULE 12 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ12.

KOROROIT PRECINCT STRUCTURE PLAN

1.0

The plan

Plan 1 below shows the future urban structure proposed in the Kororoit Precinct Structure Plan. It is a reproduction of Plan 3 in the Kororoit Precinct Structure Plan.

Plan 1 to Schedule 12 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 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.

2.2

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 Kororoit Precinct Structure Plan, the use, subdivision, construction of a building and construction and carrying out of works provisions of the corresponding zone in the right column apply.

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.
Note: e.g. The Commercial 2 Zone specifies 'Shop' as a Section 1 Use with the condition, 'The site must adjoin, or have access to, a road in a Road Zone.' In this instance the condition should be read as, 'The site must adjoin, or have access to, a road in a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land.'

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Arterial Road</th>
<th>Clause 36.04 – Road Zone Category 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business</td>
<td>Clause 34.02 – Commercial 2 Zone</td>
</tr>
<tr>
<td>Local Town Centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Local Convenience Centre</td>
<td></td>
</tr>
<tr>
<td>Residential on a lot wholly within walkable residential catchment boundary (once subdivided)</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 – Use of land

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food and drink premises</td>
<td>On land where the applied zone is Commercial 2 Zone directly north of the Deanside Local Town Centre or directly east of the Kororoit Local Town Centre in the Kororoit Precinct Structure Plan. The leasable floor area must not exceed 100m².</td>
</tr>
<tr>
<td>Primary school</td>
<td>On land shown as Potential Non-Government Primary School on Plan 3 of the Kororoit Precinct Structure Plan.</td>
</tr>
<tr>
<td>Restricted retail</td>
<td>On land where the applied zone is Commercial 2 Zone for land shown as Business in the Kororoit Precinct Structure Plan directly north of the Western Freeway. The leasable floor area must not exceed 3,000m².</td>
</tr>
<tr>
<td>Retail premises (other than food and drink premises, gambling premises, motor vehicle, boat, or caravan sales, and shop except restricted retail premises)</td>
<td>On land where the applied zone is Commercial 2 Zone directly north of the Deanside Local Town Centre or directly east of the Kororoit Local Town Centre in the Kororoit Precinct Structure Plan. The leasable floor area of each use must not exceed 900m².</td>
</tr>
<tr>
<td>Shop</td>
<td>On land where the applied zone is Commercial 1 Zone. The combined leasable floor area of all shops must not exceed:</td>
</tr>
<tr>
<td></td>
<td>• 8,000 square metres for land shown as Kororoit Local Town Centre in the Kororoit Precinct Structure Plan.</td>
</tr>
<tr>
<td></td>
<td>• 6,000 square metres for land shown as Deanside Local Town Centre in the Kororoit Precinct Structure Plan.</td>
</tr>
<tr>
<td></td>
<td>• 1,000 square metres for land shown as a Local Convenience Centre in the Kororoit Precinct Structure Plan.</td>
</tr>
</tbody>
</table>

Any use listed in Clause 62.01 Must meet the requirements of Clause 62.01.
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Any use listed in Section 1 in the Table of uses of the applicable applied zone</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Section 2 - Permit required</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Use</strong></td>
<td><strong>Condition</strong></td>
</tr>
<tr>
<td>Accommodation (other than dwelling, dependant persons unit)</td>
<td>On land in the ‘high pressure gas transmission pipeline measurement length’ depicted on Plan 11 of the Kororoit Precinct Structure Plan and the applied zone is Commercial 1 Zone or the General Residential Zone.</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td>On land in the ‘high pressure gas transmission pipeline measurement length’ depicted on Plan 11 of the Kororoit Precinct Structure Plan and the applied zone is Commercial 1 Zone or the Commercial 2 Zone.</td>
</tr>
<tr>
<td>Child care centre</td>
<td>On land in the ‘high pressure gas transmission pipeline measurement length’ depicted on Plan 11 of the Kororoit Precinct Structure Plan.</td>
</tr>
<tr>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Place of worship</td>
<td></td>
</tr>
<tr>
<td><strong>Any other use not in Section 1 or 3 in the Table of uses in the applicable applied zone</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Section 3 – Prohibited</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Use</strong></td>
<td><strong>Condition</strong></td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>On land where the applied zone is Commercial 2 Zone directly north of the Deanside Local Town Centre or directly east of the Kororoit Local Town Centre in the Kororoit Precinct Structure Plan, if the Section 1 condition is not met.</td>
</tr>
<tr>
<td>Gambling premises</td>
<td>On land where the applied zone is Commercial 2 Zone directly north of the Deanside Local Town Centre or directly east of the Kororoit Local Town Centre in the Kororoit Precinct Structure Plan.</td>
</tr>
<tr>
<td>Motor vehicle, boat, or caravan sales</td>
<td></td>
</tr>
<tr>
<td>Shop (other than restricted retail premises)</td>
<td></td>
</tr>
<tr>
<td><strong>Retail premises (other than food and drink premises, gambling premises, motor vehicle, boat, or caravan sales, and shop except restricted retail premises)</strong></td>
<td>On land where the applied zone is Commercial 2 Zone directly north of the Deanside Local Town Centre or directly east of the Kororoit Local Town Centre in the Kororoit Precinct Structure Plan, if the Section 1 condition is not met.</td>
</tr>
<tr>
<td><strong>Any use listed in Section 3 in the Table of uses of the applicable applied zone</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Subdivision</strong></td>
<td>None specified</td>
</tr>
</tbody>
</table>
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 incorporated pursuant to Clause 81 of the Melton Planning Scheme.

Buildings and works for a school

A permit is required to construct a building or construct or carry out works associated with a Primary school or Secondary school on land shown as a Potential Non-Government School unless exempt under Clauses 62.02-1 and 62.02-2.

Gas pipeline construction management plan required whether or not a permit is required

Prior to the commencement of any works, including demolition, on land within, or within 50m of the boundary of the gas easement shown on Plan 2 – Precinct Features and Plan 11 – Utilities in the incorporated Kororoit Precinct Structure Plan, a construction management plan must be submitted to and approved by the responsible authority. The plan must:

- Prohibit the use of rippers or horizontal directional drills unless otherwise agreed by the owner/operator of the high pressure gas pipeline; and
- Be endorsed by the owner/operator of the high pressure gas transmission pipeline prior to being submitted to 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.

Application requirements

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Subdivision - Residential development

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land, and the staging of the development for all land in contiguous ownership with the land under application.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the incorporated Kororoit Precinct Structure Plan.
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority, in accordance with the incorporated Kororoit Precinct Structure Plan.
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority.
- 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 on the development and the impact of the development on groundwater.
- A preliminary site assessment of the potential for contaminated land as a result of previous land uses, carried out by a suitably qualified person.
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 Kororoit Precinct Structure Plan;
  - address any relevant design guidelines prepared by the Victorian Government or the Melton 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 such as the Transport for Victoria;
  - 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 town square/public space.

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/concept road safety audit, must be to the satisfaction of VicRoads or the responsible authority, as required.
Subdivide, use or develop land for a sensitive purpose - Environmental Site Assessment

An application to subdivide land or to use or develop land identified in Table 3 of this schedule, for a sensitive use (residential use, child care centre, pre-school centre or primary school) must be accompanied by an Environmental Site Assessment prepared by a suitably qualified environmental professional to the satisfaction of the responsible authority which takes account of the report titled Plumpton and Kororoit Precincts, Land Capability Assessment, (GHD, October 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 (including soil and groundwater sampling) 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.

Table 3: Environmental Site Assessment

<table>
<thead>
<tr>
<th>Address</th>
<th>Legal Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>196 – 246 Sinclairs Road, Deanside</td>
<td>Lot 1/LP48418</td>
</tr>
<tr>
<td>362 – 364 Sinclairs Road, Deanside</td>
<td>Lot1/TP423084</td>
</tr>
<tr>
<td>1027 – 1051 Taylors Road, Deanside</td>
<td>Lot2/LP208937</td>
</tr>
</tbody>
</table>

Conditions and requirements for permits

Conditions - 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 incorporated pursuant to Clause 81 of the Melton Planning Scheme; and
- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot, to the satisfaction of the responsible authority.

Conditions - Subdivision or buildings and works permits where land is required for community facilities, public open space and 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 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.
Conditions - Kangaroo management

A permit for subdivision of land must include the following conditions:

- Before the certification of the Plan of Subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning.
- Once approved the plan will be endorsed by the responsible authority and form part of the permit.

Requirement - Salvage and translocation

Salvage and translocation of threatened flora and fauna species and ecological communities must be undertaken in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

Condition - Environmental Management Plan

A planning permit for subdivision, buildings or works on land shown as a conservation area in the incorporated Kororoit Precinct Structure Plan must include the following condition:

- The subdivision, buildings or works must not commence until an Environmental Management Plan for the relevant works has been approved to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning unless otherwise agreed by the Secretary to the Department of Environment, Land, Water and Planning.

Requirements - Protection of conservation areas and native vegetation during construction

A permit granted to subdivide land where construction or works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, on land including or abutting a conservation area or patch of native vegetation or scattered tree identified for retention in the incorporated Kororoit Precinct Structure Plan must ensure that:

- Before the start of construction or carrying out of works in or around a conservation area, scattered native tree or patch of native vegetation the developer of the land must erect a conservation area/vegetation protection fence that is:
  - highly visible
  - at least 2 metres in height
  - sturdy and strong enough to withstand knocks from construction vehicles
  - in place for the whole period of construction
  - located the following minimum distance from the element to be protected:

<table>
<thead>
<tr>
<th>Element</th>
<th>Minimum distance from element</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation area</td>
<td>2 metres</td>
</tr>
<tr>
<td>Scattered tree</td>
<td>Twice the distance between the tree trunk and the edge of the tree canopy</td>
</tr>
<tr>
<td>Patch of native vegetation</td>
<td>2 metres</td>
</tr>
</tbody>
</table>

- Construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:
  - be located not less than 15 metres from a waterway;
  - be located outside the vegetation protection fence;
  - be constructed and designed to ensure that the conservation area, scattered tree or patches of native vegetation are protected from adverse impacts during construction;
- not be undertaken if it presents a risk to any vegetation within a conservation area; and
- be carried out under the supervision of a suitable qualified ecologist or arborist.

**Requirement - Land Management Co-operative Agreement**

A permit to subdivide land shown in the incorporated *Kororoit Precinct Structure Plan* as including a conservation area depicted in Appendix F must ensure that the owner of the land:

- Enters into a Land Management Cooperative 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 *Kororoit Precinct Structure Plan* (‘a conservation area’); 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; and
- 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 Cooperative Agreement in this condition does not apply to land or any lot or part of a lot within a conservation area that is:

- identified in the *Kororoit 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 *Kororoit 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
- within a conservation area identified in the *Kororoit Precinct Structure Plan* for nature conservation and is vested, or is subject of an agreement with the Secretary to the Department of Environment, Land, Water and Planning to be vested in the Secretary to the Department of Environment, Land, Water and Planning for conservation purposes; 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 administering the Conservation, Forests and Lands Act 1987; or
  - another statutory authority.

All to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

The Land Management Cooperative Agreement must be entered into:

- in relation to land containing a Nature Conservation conservation area, prior to the commencement of works; or
- in relation to land containing a Growling Grass Frog conservation area, before the issue of a statement of compliance for the last stage of the subdivision.

**Requirement - management of bushfire risk during subdivisional works**

A permit for subdivision that contains a condition requiring a construction management or site 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.
Conditions - 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.

Conditions - Environmental Site Assessment

Any permit for the use and development of land, listed in Table 3 of this schedule, for a sensitive use (residential use, child care centre, pre-school centre or primary school) must contain the following conditions:

- Before the commencement of the development of the land, the recommendations of the Environmental Site Assessment submitted with the application must be carried out to the satisfaction of the responsible authority.
- Upon receipt of the further testing report the owner must comply with any further requirements made by the responsible authority after having regard to the guidance set out in the General Practice Note on Potentially Contaminated Land June 2005 (DSE). The plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

Any permit for the subdivision of land listed in Table 3 of this schedule must contain the following conditions:

- Before a plan subdivision is certified under the Subdivision Act 1988, the recommendations of the Environmental Site Assessment submitted with the application must be carried out to the satisfaction of the responsible authority.
- Upon receipt of the further testing report the owner must comply with any further requirements made by the responsible authority after having regard to the guidance set out in the General Practice Note on Potentially Contaminated Land June 2005 (DSE). The plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

Exemption from notice and review not to apply to certain applications

An application to use land for a use listed in Section 2 of the General Residential Zone and Residential Growth Zone on land where the applied zone listed at Table 1 of this schedule is General Residential Zone or Residential Growth Zone is not exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision Guidelines

Before deciding on an application to create floorspace in excess of any cap 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 City of Melton.
Advertising Signs

Land is in the category specified in the applied zone.

Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The 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. If the sign does not meet all of the requirements listed above, it must comply with the provisions of Clause 52.05.

Education / community promotion signs

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display an advertising sign greater than two square metres in area that promotes a community facility or education centre on the land identified as community facilities, potential government school, potential non-government school and credited open space on Plan 1 to this schedule.
OVERLAYS

This section sets out the overlays which apply in this scheme.
ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify areas where the development of land may be affected by environmental constraints.
To ensure that development is compatible with identified environmental values.

Environmental significance and objectives

A schedule to this overlay must contain:
- A statement of environmental significance.
- The environmental objectives to be achieved.

Permit requirement

A permit is required to:
- Construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Construct a fence if specified in a schedule to this overlay.
- Construct bicycle pathways and trails.
- Subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Remove, destroy or lop any vegetation, including dead vegetation. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - If the table to Clause 42.01-3 specifically states that a permit is not required.
  - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
</tbody>
</table>
An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

Subdivide land into 2 lots if:

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

Construct a fence.

Remove, destroy or lop one tree.

Construct a building or construct or carry out works for:

- A carport, garage, pergola, verandah, deck, shed or similar structure.
- A rainwater tank.

The buildings and works must be associated with a dwelling.

### Table of exemptions

<table>
<thead>
<tr>
<th>The requirement to obtain a permit does not apply to:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Emergency works</strong></td>
</tr>
<tr>
<td>Vegetation that is to be removed, destroyed or lopped:</td>
</tr>
<tr>
<td>- in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or</td>
</tr>
<tr>
<td>- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Fire protection</strong></th>
</tr>
</thead>
<tbody>
<tr>
<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>- fire fighting;</td>
</tr>
<tr>
<td>- planned burning;</td>
</tr>
<tr>
<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>- 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>- is ground fuel within 30 metres of a building and is vegetation other than native vegetation;</td>
</tr>
<tr>
<td>- in accordance with a fire prevention notice issued under either:</td>
</tr>
<tr>
<td>- Section 65 of the Forests Act 1958; or</td>
</tr>
<tr>
<td>- Section 41 of the Country Fire Authority Act 1958.</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*;
- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*.

*Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*

<table>
<thead>
<tr>
<th>Geothermal energy exploration and extraction</th>
<th>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <em>Geothermal Energy Resources Act 2005</em>.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenhouse gas sequestration and exploration</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <em>Greenhouse Gas Geological Sequestration Act 2008</em>.</td>
</tr>
<tr>
<td>Land management or directions notice</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <em>Catchment and Land Protection Act 1994</em>.</td>
</tr>
<tr>
<td>Land use conditions</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <em>Catchment and Land Protection Act 1994</em>.</td>
</tr>
</tbody>
</table>
| Mineral exploration and extraction         | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the *Mineral Resources (Sustainable Development) Act 1990*:  
  - that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or  
  - in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*.  
  *Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.* |
| Noxious weeds                              | Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the *Catchment and Land Protection Act 1994*. This exemption does not apply to Australian Dodder (*Cuscuta australis*). |
| Pest animal burrows                        | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.  
  In the case of native vegetation the written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988* is required before the vegetation can be removed, destroyed or lopped. |
| Planted vegetation                         | Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production. |
| Railways                                   | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| Regrowth                                   | Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:  
  - bracken (*Pteridium esculentum*); or  
  - within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. |
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Clause</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>42.01-4</td>
<td>An application must be accompanied by any information specified in a schedule to this overlay.</td>
</tr>
<tr>
<td>42.01-5</td>
<td>Decision guidelines</td>
</tr>
<tr>
<td>42.01-5</td>
<td>Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:</td>
</tr>
<tr>
<td>42.01-5</td>
<td>- The Municipal Planning Strategy and Planning Policy Framework.</td>
</tr>
<tr>
<td>42.01-5</td>
<td>- The statement of environmental significance and the environmental objective contained in a schedule to this overlay.</td>
</tr>
<tr>
<td>42.01-5</td>
<td>- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.</td>
</tr>
<tr>
<td>42.01-5</td>
<td>- Any other matters specified in a schedule to this overlay.</td>
</tr>
</tbody>
</table>
SCHEDULE 1 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO1.

REMNANT WOODLANDS, OPEN FORESTS AND GRASSLANDS

1.0

Statement of environmental significance

The following woodlands, forests and grasslands contribute to the environmental diversity of the City and are to be preserved and protected:

Mt Cottrell Woodland, Eyenesbury Estate, Telephone Road Woodland, Exford Weir Road Woodland, Exford Woodland, Harkness Road Woodland, Long Forest Mallee, Pyrete Ranges, Ryans Lane, Black Hills and assorted Road Reserves, North - western Rail Reserve Grasslands, Sydenham North Grasslands, Diggers Rest Rail Reserve, Former Department of Defence Property, Western Highway, Rockbank.

2.0

Environmental objective to be achieved

To protect and conserve remnant native woodlands, open forests, grasslands and associated under storey and discourage inappropriate use and development.

3.0

Exemptions

The provisions of this overlay do not apply to areas marked PAO1 on Map 14PAO.

4.0

Decision guidelines

In considering an application, the responsible authority will have regard to the following documents, where appropriate:

"Sites of Botanical Significance in the Western Region of Melbourne".

"Remnant Native Grasslands and Grassy Woodlands of the Melbourne Area" DCNR 1991


SCHEDULE 2 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO2

WETLANDS, WATERWAYS AND RIPARIAN STRIPS

1.0

Statement of environmental significance

The following wetlands, waterways and riparian strips are environmentally significant:

- Melton Reservoir Wetlands, Deans Marsh Wetlands and Paynes Road South Wetlands;
- Kororoit Creek, Skeleton Creek, Dry Creek, Djerriwarrh Creek, Toolern Creek, Riparian Strips and associated escarpments;
- Werribee River;
- Former Department of Defence Property, Western Highway, Rockbank.

2.0

Environmental objective to be achieved

To protect and conserve wetlands and to discourage inappropriate use and development.

The role and function of wetlands will be taken into account in respect to any proposed use or development on or adjacent to a wetland area.

To protect and conserve the riparian habitat and associated escarpment and to discourage inappropriate development.

To identify, conserve and enhance the character of significant landscapes.

To recognise areas of high fire hazard, and to ensure all development acknowledges any potential risk.

3.0

Decision guidelines

In considering an application, Council will have regard to the following documents, where appropriate:

- “Sites of Botanical Significance in the Western Region of Melbourne”, McDougall 1987.
- “Skeleton Creek Waterways and Environs Strategy”, Melbourne Water 1996.
WESTERN GRASSLAND RESERVES

Statement of environmental significance

These areas have been identified for protection through the creation of grassland reserves. The establishment of the reserves will create large consolidated areas of permanently protected native grassland outside the Urban Growth Boundary in Melbourne’s west. These areas are to be managed to improve their quality and offset losses from clearing associated with urban development and transport infrastructure associated with changes to the Urban Growth Boundary and the implementation of the Building Melbourne's Newest Sustainable Communities Program.

The Western Grassland Reserves will contain the largest consolidated area of Natural Temperate Grassland remaining on the Victorian Volcanic Plain, and support several nationally threatened plant and animal species and provide potential habitat for a range of other nationally threatened species. They also include a range of other habitat types including wetlands, riparian habitats and scattered open grassy woodlands. Parts of these reserves will be made available as offsets for clearing of grasslands within the Urban Growth Boundary.

Conservation reserves account for only 2 per cent of the current extent of natural temperate grassland and the addition of this proposed 15,000 hectares reserve will increase the level of reservation of natural temperate grassland to 20 per cent. Approximately 19 per cent of the native grasslands within the proposed reserves are High quality (habitat score greater than 0.6) and a further 80 per cent are Medium quality (habitat score between 0.31–0.6). The grassland reserves will secure at least 5290 habitat hectares of existing grasslands.

The proposed grassland reserves support several nationally threatened species: Golden Sun Moth (critically endangered), Striped Legless lizard (vulnerable), Spiny Rice-flower (critically endangered), Large-headed Fireweed (vulnerable), Clover Glycine (vulnerable). They also contain Werribee Blue Box which is likely to be listed under the Environment Protection and Biodiversity Conservation Act 1999 in the near future. They include the most likely suitable habitat on the Volcanic Plains for Plains Wanderer (vulnerable) and potential habitat for a range of other specialist grassland species such as Button Wrinklewort (endangered) and the Grassland Earless-dragon (endangered).

The reserves take in a range of other habitats, including Buloke Grassy Woodlands, and a variety of wetland types including Plains Grassy Wetland of the Victorian Volcanic Plain. These wetlands provide habitat for existing populations of Growling Grass frog (vulnerable) and several migratory bird species.

The proposed grassland reserves have been designed to maximise the area of habitat available to resident plant and animal species, in particular threatened species, and to enable management activities critical to the long term survival of species and vegetation to be undertaken. As a result, not all areas within the reserves support high quality native vegetation and some areas are degraded. Management works will be targeted to these areas.

Environmental objective to be achieved

- To facilitate the establishment of a reservation for at least 15,000 hectares of grassland (nature conservation reserve or National Park) outside the Urban Growth Boundary in Melbourne’s west.
- To provide interim management of the western grassland reserves before they are acquired, achieved by assisting landholders to manage threats and strengthening regulation to prevent degradation.
- To introduce a management regime to ensure that the grassland areas are not degraded in the period prior to acquisition of the land for the grassland reserves.
To manage the areas as a conservation reserve or National Park for a range of particular vegetation and species requirements.

To protect and enhance significant landscape and habitat areas of threatened species.

To ensure that any development does not impact on the environmental significance of the land or the ability of the land to be managed as a contiguous conservation reserve or National Park in the future.

To ensure that any use, development or management of land within and adjacent to areas of environmental significance are compatible with their long-term maintenance, conservation and management (e.g. ecological burning) and will not have detrimental impacts on biodiversity values.

To prevent degradation of sites of environmental significance.

To protect and improve the viability of habitats, ecological communities, flora and fauna and genetic diversity in areas of environmental significance in the long term.

To maintain and enhance the integrity of sites of environmental significance.

To maintain and enhance habitat connectivity for National and State listed threatened species.

To encourage ecological restoration, regeneration and revegetation of areas of degraded habitat and areas which currently have no habitat value due to historical or current land management practices.

To manage buffer areas to reduce the impact of land uses adjoining the Western Grassland Reserves and to ensure appropriate management of the reserve does not adversely impact on surrounding land uses.

To provide for the long term preservation of the flora and fauna 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.

### 4.0 Application requirements

An application must 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.
  - The total extent of vegetation on the property and the extent of native vegetation proposed to be removed, lopped or destroyed.
  - A description of any proposed disturbance or surface soil or rocks, associated with the proposed development.
- 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.

- The effect of the proposed removal of native vegetation on the habitat value and long term viability of remnant grasslands in the vicinity.

- A land and environmental management plan prepared by a suitably qualified person identifying:
  - 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.

**Referral of applications**

In accordance with Section 55 of the Act, an application must be referred to the relevant referral authority specified in the schedule to Clause 66.04.

**Decision guidelines**

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

- The conservation significance of any vegetation to be removed and its habitat value for native fauna.

- The effect of any proposed building or works on the environmental values of the land and the integrity of the future reserve.

- The reason for removing any vegetation and the practicality of any alternative options.

- The importance of the natural environment including any important landscape or conservation characteristics of the area and the suitability of the proposed development.

- The control of noxious and environmental weeds and pest animals, including the need to minimise the spread of weeds and soil pathogens.

- 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 Growth Area Framework Plans, Biodiversity Conservation Strategies, Sub-Regional Species Strategies, 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

- Any relevant park management plan or interim management plan.

- Any action statement prepared under the *Flora and Fauna Guarantee Act 1988* and any significant impact guidelines or prescriptions prepared under the *Environmental Protection and Biodiversity Conservation Act 1999* (Cth) for species or habitat listed under either of these Acts that occur or are likely to occur on the land.

**Reference**

- Delivering Melbourne’s Newest Sustainable Communities: Report for Public Consultation, Urban Growth Boundary Review (Department of Planning and Community Development June 2009)

- Delivering Melbourne’s Newest Sustainable Communities: Strategic Impact Assessment Report for the Environment Protection and Biodiversity Conservation Act 1999 (Department of Sustainability and Environment June 2009)

- Delivering Melbourne’s Newest Sustainable Communities: Background Technical Report 2a: Biodiversity Assessment of Melbourne's Western Investigation Area (Biosis Research June 2009)
GRASSLANDS WITHIN THE WERRIBEE PLAINS HINTERLAND

Statement of environmental significance

The areas included within this overlay form part of the Victorian Volcanic Plain Bioregion. The native vegetation of the Victorian Volcanic Plain bioregion is one of the most depleted in the State. Only 4.5 per cent of the State still has a cover of native vegetation, and less than 1.2 per cent is in formal reserves.

The Werribee Plains hinterland consists of undulating volcanic plains, a scoria cone and steep gorges formed by the Little and Werribee Rivers. Many elements of the flora reflect the low rainfall of this area, which formerly supported extensive areas of Plains Grassland. Although the native vegetation has been extensively cleared and altered for agricultural, urban and industrial use, there are some large areas of predominantly native vegetation as well as some high quality wetlands, which are important for many threatened fauna species. There are a number of communities and species in this area that do not occur elsewhere in the bioregion. Important species in this area include, for flora, the Button Wrinklewort, Large-fruit Fireweed, Small Golden Moths, Small Milkwort, Small Scurf-pea, Spiny Rice-flower, and the only remaining wild population of Sunshine Diuris; and, for fauna, the Grassland Earless Dragon, Orange-bellied Parrot, Plains-wanderer, Red-cheested Button-quail, Striped Legless Lizard and Swift Parrot.

The landscape consists of undulating volcanic plains with red duplex soils. The Werribee and Little Rivers have incised steep and sometimes spectacular gorges into the basalt plain. The scoria cone of Mount Anakie is a significant landscape feature. A band of Tertiary sediments is located along the western edge of this area.

It has a unique and relatively early history of European settlement due partly to the ease of access of the open grassland plains. Because of this the landscape has been radically altered.

The dry plains of the Werribee plains hinterland formerly supported extensive areas of Plains Grassland. These grasslands integrated with Riverina Plains Grassy Woodland (dominated by Grey Box, Buloke and Drooping Sheoak) to the west and south of Melton, and Plains Grassy Woodland in and around the You Yangs and east of the Brisbane Ranges. Riparian areas supported Floodplain Riparian Woodland and Creekline Grassy Woodland with Escarpment Shrubland on steeper escarpments. A variety of wetland communities formerly occurred throughout including Plains Grassy Wetland, Plains Sedgy Wetland, Canegrass Wetland, Lignum Wetland and Aquatic Herbfield. Scoria Cone Woodland was associated with Mount Anakie and other volcanoes. Areas of Coastal Saltmarsh were found along the shores of Port Phillip Bay. Many elements of the flora reflect the low rainfall including White Cypress-pine and Fragrant Saltbush found along the steep escarpments of the Werribee River, and Woolly Buttons at Little River. The native vegetation has been extensively cleared and altered for agriculture and (increasingly) for urban and industrial use. However, there are large areas of predominantly native vegetation including woodlands, wetlands and grasslands.

The major issue for biodiversity conservation in the Werribee plains hinterland is loss of native vegetation and habitat through clearing for urban development, cropping and infrastructure. The compounding effects of such clearing are the loss of floristic and habitat diversity and increasing fragmentation of habitats and isolation of remnants. Similarly, changes to management of remnant vegetation and increased urbanisation contribute to the proliferation of weeds and feral animals. Degradation of drainage lines and riparian vegetation through erosion, pollution and uncontrolled grazing, depletion of wetlands and changes to the hydrology of wetlands and streams are also serious threats to biodiversity in the region. However, a range of conservation assets are present and significant opportunities do exist to establish relatively large areas and networks of areas that
are managed sympathetically for conservation. Such networks could include a range of vegetation types and land tenures and relatively large and intact areas of open grassland, grassy woodland and wetland communities.

2.0

Environmental objective to be achieved

- To prevent a decline in the extent and quality of native vegetation and native fauna habitat of the Victorian Volcanic Plain.
- To enhance the environmental and landscape values of the area.
- To avoid the fragmentation of contiguous areas of native vegetation or native fauna habitat.
- To ensure that any use, development or management of the land is compatible with the long-term conservation, maintenance and enhancement of the grasslands.
- To avoid the destruction of habitat for native fauna resulting from the modification of land form and disturbance of surface soils and rocks.
- To enable areas of environmental significance, due to their native vegetation or habitat values, to be identified.

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.
- Construct a building or construct or carry out works for an extension or alteration of an existing dwelling (other than the erection of an outbuilding normal to a dwelling) provided that the gross floor area of that extension or alteration does not exceed 50 square metres and the extension or alteration is more than 5 metres from any existing native vegetation.
- Remove, destroy or lop any vegetation, including dead vegetation:
  - Where the vegetation is non-native.
  - Where the vegetation is a plant proclaimed as a weed under the Catchment and Land Protection Act 1994.
  - In order to enable the use and maintenance of a building constructed or approved by a planning permit granted under this planning scheme or by a building permit granted under the Building Act 1993, before 6 August 2010. This exemption does not apply to vegetation located more than 10 metres from a building.
  - Where the vegetation has been planted or grown for aesthetic or amenity purposes, including agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), shelter belts, woodlots, street trees, gardens or the like. This exemption does not apply if public funding was provided to assist in planting or managing the vegetation for conservation purposes and the terms of the funding did not anticipate removal or harvesting of the vegetation.
  - For the purpose of maintenance, where no more than one third of the foliage is removed from any individual plant. This exemption does not apply to the pruning or lopping of the trunk of a tree or shrub or to native vegetation within a road or railway reservation.
  - To mow or slash grass in a lawn, garden or other planted area for maintenance only.
To maintain an existing fence where the removal of vegetation is within a combined
maximum width of 4 metres either side of the fence.

4.0

Application requirements

An application must be accompanied by:

- A description of any proposed disturbance of surface soil or rocks associated with the proposal.
- The total extent of vegetation on the property and the extent of native vegetation proposed to
  be removed, lopped or destroyed.
- 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 conservation reserves, streams
    and waterways.
- A land and environmental management plan prepared by a suitably qualified person identifying,
  as appropriate:
  - Any proposals for revegetation, including proposed species, and ground stabilisation.
  - How any vegetation removal will be offset (an offset plan), in accordance with Victoria’s
    Native Vegetation Management: A Framework For Action (Department of Natural Resources
    and Environment 2002).
  - Weed management, including species to be targeted and proposed management techniques.
  - Pest animal management, including species to be targeted and proposed management
    techniques.

If in the opinion of the responsible authority a flora and fauna assessment of the land or a land
and environmental management plan is not relevant to the assessment of an application, the responsible
authority may waive or reduce the requirement.

5.0

Referral of applications

In accordance with Section 55 of the Act, an application must be referred to the relevant referral
authority specified in the schedule to Clause 66.04.

6.0

Decision guidelines

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

- The conservation significance of any vegetation to be removed and its habitat value for native
  fauna.
- Measures to protect and enhance native vegetation and native fauna habitat of the Victorian
  Volcanic Plain, including the retention of land form, surface soils and rocks.
- Measures to maintain contiguous areas of native vegetation or native fauna habitat.
• Any relevant strategic grasslands management plan, particularly the potential impact of management activities, such as burning, on any proposed new use or development.

• The impact of any use, development or management of land on the grasslands including the potential impacts of nutrient and water run-off, increased weed and pest invasion or recreational impacts.

• Measures to encourage ecological restoration, regeneration and revegetation with indigenous species.

• The need to adopt a precautionary approach in the absence of scientific certainty.

• The reason for removing any vegetation and the practicality of any alternative options.

• The impact on the integrity of the site from the proposed development, disturbance and removal of rock, indiscriminate weed control, habitat fragmentation and isolation and disturbance and destruction of habitat of threatened species.

• The proposed management practices for the land including:
  - The linking and enlarging of areas of significant flora and fauna habitats.
  - Effective and targeted weed control.
  - Programs to control or eliminate introduced predatory and pest animal species, in particular foxes, rabbits and hares.
  - Rehabilitation of degraded areas through fencing, revegetation with appropriate native species and ongoing management.
  - Collection of seed and other plant propagules for rehabilitation projects on and off site.

• The results of any flora and fauna survey and assessment of the land.

• Any Native Vegetation Precinct Plan, Conservation Management Plan, Precinct Structure Plan or other management plan approved for the area by the Minister for Planning or Minister for Environment and Climate Change.

• Any action statement, significant impact guidelines or prescriptions for listed species or habitat of listed species occurring or likely to occur on the land.

Reference

• Delivering Melbourne’s Newest Sustainable Communities: Strategic Impact Assessment Report for the Environment Protection and Biodiversity Conservation Act 1999 (Department of Sustainability and Environment 2009)

• Delivering Melbourne’s Newest Sustainable Communities: Report for Public Consultation, Urban Growth Boundary Review (Department of Planning and Community Development 2009)

• Delivering Melbourne’s Newest Sustainable Communities: Background Technical Report 2a: Biodiversity Assessment of Melbourne's Western Investigation Area (Biosis Research 2009)
SCHEDULE 5 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO5.

RURAL CONSERVATION AREA

1.0 Statement of environmental significance

The development of Melbourne has caused significant impacts to the environment. Melbourne’s footprint has resulted in the removal of most native vegetation, and retained habitat areas only support flora and fauna that can survive in a highly fragmented and urbanised landscape. The overall biodiversity of Melbourne is a fraction of what it was prior to European settlement.

As part of the delivery of Melbourne’s Newest Sustainable Communities Program, the Victorian Government established a process to identify, permanently protect and manage biodiversity assets that are important within the greater Melbourne region.

This process has determined the location of significant biodiversity assets and identified areas where these can be retained and where urban development is not appropriate and to which this overlay has been applied.

The areas covered by this overlay include some existing conservation reserves, areas of significant remnant native vegetation and a number of areas that provide habitat for threatened flora and fauna.

The areas include but are not limited to:

- Important grasslands.
- Grassy eucalypt woodlands.
- Waterways and riparian areas.
- Other important habitat for threatened flora and fauna.

It is important that these areas are retained and managed to ensure that their biodiversity values and any habitat links are protected and enhanced.

2.0 Environmental objective to be achieved

- To protect and improve the viability of habitats, ecological communities, flora and fauna and genetic diversity.
- To enhance the environmental and landscape values of the area.
- To ensure that any use, development or management of land within and adjacent to areas of biological significance are compatible with their long-term maintenance and conservation and will not have detrimental impacts on biodiversity values.
- To encourage ecological restoration, regeneration and revegetation with indigenous species within the site.
- To maintain and enhance habitat connectivity for listed threatened species.
- To prevent a decline in the extent and quality of native vegetation and native fauna habitat.
- To ensure that the siting and design of any buildings and works maintains the environmental integrity of the land.
- To maintain and enhance the integrity of sites of environmental significance.
- To provide for the long term preservation of the flora and fauna and associated habitat of environmentally significant areas.

3.0 Permit requirement

A permit is not required to:
• Construct a building or construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) in accordance with an agreement under Section 69 of the Conservation, Forests and Lands Act 1987.

• Construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) by or on behalf of a public authority or public land manager involving revegetation, or preparatory works associated with revegetation.

• Extend or alter an existing dwelling provided that the gross floor area of that extension or alteration does not exceed 50 square metres and the extension or alteration is more than 5 metres from any existing native vegetation.

• Remove, destroy or lop any vegetation, including dead vegetation:
  - Where the vegetation is non-native.
  - Where the vegetation is a plant proclaimed as a weed under the Catchment and Land Protection Act 1994.
  - In order to enable the use and maintenance of a building constructed or approved by a planning permit granted under this planning scheme or by a building permit granted under the Building Act 1993, before 6 August 2010. This exemption does not apply to vegetation located more than 10 metres from a building.
  - Where the vegetation has been planted or grown for aesthetic or amenity purposes, including agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), shelter belts, woodlots, street trees, gardens or the like. This exemption does not apply if public funding was provided to assist in planting or managing the vegetation for conservation purposes and the terms of the funding did not anticipate removal or harvesting of the vegetation.
  - For the purpose of maintenance, where no more than one third of the foliage is removed from any individual plant. This exemption does not apply to the pruning or lopping of the trunk of a tree or shrub or to native vegetation within a road or railway reservation.
  - To mow or slash grass in a lawn, garden or other planted area for maintenance only.
  - To maintain an existing fence where the removal of vegetation is within a combined maximum width of 4 metres either side of the fence.

Application requirements

An application must be accompanied by:

• A description of any proposed disturbance of surface soil or rocks associated with the proposal.

• The total extent of vegetation on the property and the extent of native vegetation proposed to be cleared.

• A description of the steps that have been taken to avoid and minimise the removal of native vegetation including the practicality of alternative options which do not require removal of the native vegetation.

An application must also be accompanied by, as appropriate:

• A flora and fauna assessment of the land prepared by a suitably qualified and experienced person to the satisfaction of the responsible authority. The assessment must include:
  - A flora and fauna survey.
  - A habitat hectare assessment.
  - Identification of the vegetation and habitat significance of the property.
- A description of the effect of the proposed development in relation to other areas of native vegetation or native fauna habitat, including any proposed reserves, strategic reserves, conservation reserves, streams and waterways.

- A land and environmental management plan prepared by a suitably qualified person identifying, as appropriate:
  - Any proposals for revegetation, including proposed species, and ground stabilisation.
  - How any vegetation removal will be offset (an offset plan), in accordance with Victoria’s Native Vegetation Management: A Framework For Action (Department of Natural Resources and Environment 2002).
  - Weed management, including species to be targeted and proposed management techniques.
  - Pest animal management, including species to be targeted and proposed management techniques.

If in the opinion of the responsible authority a flora and fauna assessment of the land or a land and environmental management plan is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

**5.0**

06/08/2010

VC66

**Referral of applications**

In accordance with Section 55 of the Act, an application must be referred to the relevant referral authority specified in the schedule to Clause 66.04.

**6.0**

06/08/2010

VC66

**Decision guidelines**

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

- The conservation significance of any vegetation to be removed and its habitat value for native fauna.
- The reason for removing any vegetation and the practicality of any alternative options.
- Measures to protect and enhance native vegetation and native fauna habitat including the retention of land form, surface soils and rocks.
- Measures to maintain contiguous areas of native vegetation or native fauna habitat.
- Measures to encourage ecological restoration, regeneration and revegetation with indigenous species.
- Any park management plan, including the potential impact of management activities, such as burning, on any proposed development.
- The impact of the development on any proposed or existing conservation reserves, streams and waterways, including the potential impacts of nutrient and water run-off, increased weed and pest invasion or recreational impacts.
- The impact on the integrity of the site from the proposed development, disturbance and removal of rock, indiscriminate weed control, habitat fragmentation and isolation and disturbance and destruction of habitat of threatened species.
- The proposed management practices for the land including:
  - The linking and enlarging of areas of significant flora and fauna habitats.
  - Effective and targeted weed control.
  - Programs to control or eliminate introduced predatory and pest animal species, in particular foxes, rabbits and hares.
- Rehabilitation of degraded areas through fencing, revegetation with appropriate native species and ongoing management.
- Collection of seed and other plant propagules for rehabilitation projects on and off site.

- The results of any flora and fauna survey and assessment of the land.
- Any Native Vegetation Precinct Plan, Conservation Management Plan, Precinct Structure Plan or other management plan approved for the area by the Minister for Planning or Minister for Environment and Climate Change.

**Reference**

- Delivering Melbourne’s Newest Sustainable Communities: Strategic Impact Assessment Report for the *Environment Protection and Biodiversity Conservation Act 1999* (Department of Sustainability and Environment 2009)
- Delivering Melbourne’s Newest Sustainable Communities: Report for Public Consultation, Urban Growth Boundary Review (Department of Planning and Community Development 2009)
- Delivering Melbourne's Newest Sustainable Communities: Background Technical Report 2a: Biodiversity Assessment of Melbourne’s Western Investigation Area (Biosis Research 2009)
SCHEDULE 6 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO6.

RURAL CONSERVATION AREA

1.0

Statement of environmental significance

The development of Melbourne has caused significant impacts to the environment. Melbourne’s footprint has resulted in the removal of most native vegetation, and retained habitat areas only support flora and fauna that can survive in a highly fragmented and urbanised landscape. The overall biodiversity of Melbourne is a fraction of what it was prior to European settlement. As part of the delivery of Melbourne’s Newest Sustainable Communities Program, the Victorian Government established a process to identify, permanently protect and manage biodiversity assets that are important within the greater Melbourne region. This process has determined the location of significant biodiversity assets and identified areas where these can be retained and where urban development is not appropriate and to which this overlay has been applied. The areas covered by this overlay include some existing conservation reserves, areas of significant remnant native vegetation and a number of areas that provide habitat for threatened flora and fauna. The areas include but are not limited to:

- Important grasslands.
- Grassy eucalypt woodlands.
- Waterways and riparian areas.
- Other important habitat for threatened flora and fauna.

It is important that these areas are retained and managed to ensure that their biodiversity values and any habitat links are protected and enhanced.

2.0

Environmental objective to be achieved

- To protect and improve the viability of habitats, ecological communities, flora and fauna and genetic diversity.
- To enhance the environmental and landscape values of the area.
- To ensure that any use, development or management of land within and adjacent to areas of biological significance is compatible with their long-term maintenance and conservation and will not have detrimental impacts on biodiversity values.
- To encourage ecological restoration, regeneration and revegetation with indigenous species within the site.
- To maintain and enhance habitat connectivity for listed threatened species.
- To prevent a decline in the extent and quality of native vegetation and native fauna habitat.
- To ensure that the siting and design of any buildings and works maintains the environmental integrity of the land.
- To maintain and enhance the integrity of sites of environmental significance.
- To provide for the long term preservation of the flora and fauna and associated habitat of environmentally significant areas.

3.0

Permit requirement

A permit is not required to:
- Construct a building or construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) in accordance with an agreement under Section 69 of the Conservation, Forests and Lands Act 1987.

- Construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) by or on behalf of a public authority or public land manager involving revegetation, or preparatory works associated with revegetation.

- Extend or alter an existing dwelling provided that the gross floor area of that extension or alteration does not exceed 50 square metres and the extension or alteration is more than 5 metres from any existing native vegetation.

- Remove, destroy or lop any vegetation, including dead vegetation:
  - Where the vegetation is a plant proclaimed as a weed under the Catchment and Land Protection Act 1994.
  - In order to enable the use and maintenance of a building constructed or approved by a planning permit granted under this planning scheme or by a building permit granted under the Building Act 1993, before 6 August 2010. This exemption does not apply to vegetation located more than 10 metres from a building.
  - Where the vegetation has been planted or grown for aesthetic or amenity purposes, including agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), shelter belts, woodlots, street trees, gardens or the like. This exemption does not apply if public funding was provided to assist in planting or managing the vegetation for conservation purposes and the terms of the funding did not anticipate removal or harvesting of the vegetation.
  - For the purpose of maintenance, where no more than one third of the foliage is removed from any individual plant. This exemption does not apply to the pruning or lopping of the trunk of a tree or shrub or to native vegetation within a road or railway reservation.
  - To mow or slash grass in a lawn, garden or other planted area for maintenance only.
  - To maintain an existing fence where the removal of vegetation is within a combined maximum width of 4 metres either side of the fence.

Application requirements

An application must be accompanied by:

- A description of any proposed disturbance of surface soil or rocks associated with the proposal.

- The total extent of vegetation on the property and the extent of native vegetation proposed to be cleared.

- A description of the steps that have been taken to avoid and minimise the removal of native vegetation including the practicality of alternative options which do not require removal of the native vegetation.

An application must also be accompanied by, as appropriate:

- A flora and fauna assessment of the land prepared by a suitably qualified and experienced person to the satisfaction of the responsible authority. The assessment must include:
  - A flora and fauna survey.
  - A habitat hectare assessment.
  - Identification of the vegetation and habitat significance of the property.
  - A description of the effect of the proposed development in relation to other areas of native vegetation or native fauna habitat, including any proposed reserves, strategic reserves, conservation reserves, streams and waterways.
- A land and environmental management plan prepared by a suitably qualified person identifying, as appropriate:
  - Any proposals for revegetation, including proposed species, and ground stabilisation.
  - How any vegetation removal will be offset (an offset plan), in accordance with Victoria’s Native Vegetation Management: A Framework For Action (Department of Natural Resources and Environment 2002).
  - Weed management, including species to be targeted and proposed management techniques.
  - Pest animal management, including species to be targeted and proposed management techniques.

If in the opinion of the responsible authority a flora and fauna assessment of the land or a land and environmental management plan is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The conservation significance of any vegetation to be removed and its habitat value for native fauna.
- The reason for removing any vegetation and the practicality of any alternative options.
- Measures to protect and enhance native vegetation and native fauna habitat including the retention of land form, surface soils and rocks.
- Measures to maintain contiguous areas of native vegetation or native fauna habitat.
- Measures to encourage ecological restoration, regeneration and revegetation with indigenous species.
- Any park management plan, including the potential impact of management activities, such as burning, on any proposed development.
- The impact of the development on any proposed or existing conservation reserves, streams and waterways, including the potential impacts of nutrient and water run-off, increased weed and pest invasion or recreational impacts.
- The impact on the integrity of the site from the proposed development, disturbance and removal of rock, indiscriminate weed control, habitat fragmentation and isolation and disturbance and destruction of habitat of threatened species.
- The proposed management practices for the land including:
  - The linking and enlarging of areas of significant flora and fauna habitats.
  - Effective and targeted weed control.
  - Programs to control or eliminate introduced predatory and pest animal species, in particular foxes, rabbits and hares.
  - Rehabilitation of degraded areas through fencing, revegetation with appropriate native species and ongoing management.
  - Collection of seed and other plant propagules for rehabilitation projects on and off site.
- The results of any flora and fauna survey and assessment of the land.
- Any Native Vegetation Precinct Plan, Conservation Management Plan, Precinct Structure Plan or other management plan approved for the area by the Minister for Planning or Minister for Environment and Climate Change.

Reference

- Delivering Melbourne’s Newest Sustainable Communities: Strategic Impact Assessment Report for the Environment Protection and Biodiversity Conservation Act 1999 (Department of Sustainability and Environment 2009)

- Delivering Melbourne’s Newest Sustainable Communities: Report for Public Consultation, Urban Growth Boundary Review (Department of Planning and Community Development 2009)

- Delivering Melbourne's Newest Sustainable Communities: Background Technical Report 2a: Biodiversity Assessment of Melbourne’s Western Investigation Area (Biosis Research 2009)
**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>The requirement to obtain a permit does not apply to:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Emergency works</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped:</td>
</tr>
<tr>
<td></td>
<td>- in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or</td>
</tr>
<tr>
<td></td>
<td>- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
<tr>
<td><strong>Fire protection</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:</td>
</tr>
<tr>
<td></td>
<td>- fire fighting;</td>
</tr>
<tr>
<td></td>
<td>- planned burning;</td>
</tr>
<tr>
<td></td>
<td>- making or maintaining of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;</td>
</tr>
<tr>
<td></td>
<td>- making of strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);</td>
</tr>
<tr>
<td></td>
<td>- is ground fuel within 30 metres of a building and is vegetation other than native vegetation;</td>
</tr>
<tr>
<td></td>
<td>- in accordance with a fire prevention notice issued under either:</td>
</tr>
<tr>
<td></td>
<td>- Section 65 of the Forests Act 1958; or</td>
</tr>
<tr>
<td></td>
<td>- Section 41 of the Country Fire Authority Act 1958.</td>
</tr>
<tr>
<td></td>
<td>- keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998;</td>
</tr>
<tr>
<td></td>
<td>- minimising the risk to life and property from bushfire 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.</td>
</tr>
<tr>
<td>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</td>
<td></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 operation plan approved under the Geothermal Energy Resources Act 2005.</td>
</tr>
<tr>
<td><strong>Greenhouse gas sequestration and exploration</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008.</td>
</tr>
<tr>
<td><strong>Land management or directions notice</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td><strong>Land use conditions</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td><strong>Mineral exploration and extraction</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the Mineral Resources (Sustainable Development) Act 1990:</td>
</tr>
<tr>
<td></td>
<td>- that is low impact exploration within the meaning of Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990; or</td>
</tr>
<tr>
<td></td>
<td>- in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990.</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.

<table>
<thead>
<tr>
<th><strong>Noxious weeds</strong></th>
<th>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).</th>
</tr>
</thead>
</table>
| **Pest animal burrows** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.  
In the case of native vegetation the written agreement of an officer of the department responsible for administering the Flora and Fauna Guarantee Act 1988 is required before the vegetation can be removed, destroyed or lopped. |
| **Planted vegetation** | Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production. |
| **Railways** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). |
| **Regrowth** | Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:  
- bracken (Pteridium esculentum); or  
- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.  
This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster. |
| **Road safety** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with written agreement of the Secretary of the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). |
| **Stone exploration** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.  
The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:  
- 1 hectare of vegetation which does not include a tree.  
- 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.  
- 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.  
This exemption does not apply to costeasing and bulk sampling activities. |
| **Stone extraction** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 and authorised by a work authority granted under that Act. |
| **Surveying** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a 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** | Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with: |
The requirement to obtain a permit does not apply to:

- a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or
- an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act 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 THE SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO1

VOLCANIC HILLS AND CONES

1.0

Statement of nature and key elements of landscape

The Mt Cottrell, Mt Atkinson and Mt Kororoit Volcanic Hills and Cones provide visual relief in an otherwise flat landscape. In order to protect these volcanic cones from development, buildings and works will be discouraged above the following contour lines:

- Mount Cottrell, 160 metres
- Mt Kororoit, 180 metres
- Mount Atkinson, 120 metres

2.0

Landscape character objective to be achieved

To protect and conserve volcanic hills and cones from inappropriate development and to help to conserve the existing visual amenity and rural landscapes.

3.0

Application requirement

An application to construct a building or construct or carry out works on visible slopes generally above the 100 metre contour but below the above specified figures will be required to demonstrate how appropriate siting and landscaping treatment can be achieved.

4.0

Decision guidelines

In addition to the matters listed at Clause 42.03-3, Council will have regard to the following, where appropriate:


HERITAGE AND BUILT FORM OVERLAYS
HERITAGE OVERLAY

Shown on the planning scheme map as **HO** with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To conserve and enhance heritage places of natural or cultural significance.

To conserve and enhance those elements which contribute to the significance of heritage places.

To ensure that development does not adversely affect the significance of heritage places.

To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

**Scope**

The requirements of this overlay apply to heritage places specified in the schedule to this overlay. A heritage place includes both the listed heritage item and its associated land. Heritage places may also be shown on the planning scheme map.

**Permit requirement**

A permit is required to:

- Subdivide land.
- Demolish or remove a building.
- Construct a building or construct or carry out works, including:
  - Domestic services normal to a dwelling if the services are visible from a street (other than a lane) or public park.
  - A solar energy facility attached to a building that primarily services the land on which it is situated if the services are visible from a street (other than a lane) or public park.
  - A rainwater tank if the rainwater tank is visible from a street (other than a lane) or public park.
  - A fence, if the fence is visible from a street (other than a lane) or public park.
  - Roadworks which change the appearance of a heritage place or which are not generally undertaken to the same details, specifications and materials.
  - Street furniture other than:
    - traffic signals, traffic signs, fire hydrants, parking meters, post boxes and seating.
    - speed humps, pedestrian refuges and splitter islands.
  - A domestic swimming pool or spa and associated mechanical and safety equipment, if the swimming pool or spa and associated equipment are visible from a street (other than a lane) or public park.
  - A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
  - A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level, if the deck is visible from a street (other than a lane) or public park
  - Non-domestic disabled access, excluding a non-domestic disabled access ramp if the ramp is not visible from a street (other than a lane) or public park.
- An electric vehicle charging station if the charging station is visible from a street (other than a lane) or public park.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar, if the works are visible from a street (other than a lane) or public park.
- Externally alter a building by structural work, rendering, sandblasting or in any other way.
- Construct or display a sign.
- Externally paint a building if the schedule to this overlay specifies the heritage place as one where external paint controls apply.
- Externally paint an unpainted surface.
- Externally paint a building if the painting constitutes an advertisement.
- Internally alter a building if the schedule to this overlay specifies the heritage place as one where internal alteration controls apply.
- Carry out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials.
- Remove, destroy or lop a tree if the schedule to this overlay specifies the heritage place as one where tree controls apply. This does not apply:
  - To any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Section 86 of the *Electricity Safety Act 1998*.
  - If the tree presents an immediate risk of personal injury or damage to property.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where the area of either lot is reduced by less than 15 percent and the general direction of the common boundary does not change.</td>
<td>Clause 59.07</td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td></td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td></td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land is approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
</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.

### 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 facility 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*.

**Heritage design guidelines**

The schedule to this overlay may specify heritage design guidelines for any heritage place included in the schedule. A heritage design guideline must not contain any mandatory requirements.

**Application requirements**

An application must be accompanied by any information specified in the schedule to this overlay.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:


- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.

- Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.

- Any applicable heritage design guideline specified in the schedule to this overlay.

- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.

- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.

- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.

- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.

- Whether the proposed subdivision will adversely affect the significance of the heritage place.

- Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.

- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.

- Whether the lopping or development will adversely affect the health, appearance or significance of the tree.

- Whether the location, style, size, colour and materials of the proposed solar energy facility will adversely affect the significance, character or appearance of the heritage place.
Use of a heritage place

A permit may be granted to use a heritage place (including a heritage place which is included in the Victorian Heritage Register) for a use which would otherwise be prohibited if all of the following apply:

- The schedule to this overlay specifies the heritage place as one where prohibited uses may be permitted.
- The use will not adversely affect the significance of the heritage place.
- The benefits obtained from the use can be demonstrably applied towards the conservation of the heritage place.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the effect of the use on the amenity of the area.

Aboriginal heritage places

A heritage place specified in the schedule to this overlay as an Aboriginal heritage place is also subject to the requirements of the *Aboriginal Heritage Act 2006*. 
### 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>Name of Incorporated Plan under Clause 43.01-2</th>
<th>Aboriginal heritage place?</th>
</tr>
</thead>
</table>
| H091       | **CJ Melrose Memorial Cairn** 398-446 Clarkes Road  
The heritage place is a stone cairn and the land around the cairn for a distance of five metres, on the east bank of Arnolds Creek, opposite CJ Melrose Memorial Reserve. | No                             | No                                 | No                   | No                                                          | -                                                                     | No                          | -                                             | No                                             |
| HO109      | **Old Rockbank Middle Road (Cobblestone Road)**  
In Reserve, The Bridges  
The heritage place is a cobblestone road and the land around the road for a distance of five metres. | No                             | No                                 | No                   | No                                                          | -                                                                     | No                          | -                                             | No                                             |
| HO41       | **Aitken's Gap Pine Avenue**  
Calder Freeway | No                             | No                                 | Yes                  | 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>Name of Incorporated Plan under Clause 43.01-2</th>
<th>Aboriginal heritage place?</th>
</tr>
</thead>
<tbody>
<tr>
<td>HO42</td>
<td>Diggers Rest Railway Station &amp; Platforms</td>
<td>Yes</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>Diggers Rest Railway Station &amp; Platforms</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>The heritage place is the avenue of Monterey Pine</td>
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<td></td>
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<tr>
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<td>trees along the Freeway and a distance of five</td>
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<tr>
<td></td>
<td>metres beyond their canopy.</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HO45</td>
<td>Sanger Grave</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>land around the grave for a distance of five</td>
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<td>Former Diggers Rest School</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>No</td>
<td>Yes</td>
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<td>House</td>
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<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>1376 - 1432 Calder Highway</td>
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<td>HO43</td>
<td>The Diggers Rest Hotel</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<td>garage, remnant paving, oak tree and potential</td>
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<td>House</td>
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<td>The heritage place is the house, front timber picket fence, front and side cypress, and other exotics and outbuildings to the west of driveway.</td>
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<td>The heritage place is the Dam and dry stone wall.</td>
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<td>Cornwall Park Stud</td>
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<td>The heritage place is the main Federation house, former coach house/stables and the Inter-war Bungalow cottage.</td>
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<td>House</td>
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<td>Yes</td>
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<td>Yes</td>
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<td>932-1036 Holden Road</td>
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<td>The heritage place is the house, scrolled metal gate and timber post and wire fence.</td>
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<td>Rocklands</td>
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<td>Yes</td>
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<td>The heritage place is the brick house and the dry stone wall in the former garden.</td>
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<td>HO60</td>
<td>Mt. Aiken Site &amp; Ruin</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<td>740-794 Mt Aitken Road</td>
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<td>Name of Incorporated Plan under Clause 43.01-2</td>
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<td>The heritage place is the semi-ruinous stone building and the archaeological remains of former structures, including walls, tracks and gardens and the conifer shelter plantings and any remnant garden plantings.</td>
<td>No</td>
<td>No</td>
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<td>The heritage place is the dam, dry stone dam wall and dry stone walls around the gully.</td>
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<td>No</td>
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<td>Yes</td>
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<td>Plumpton Dam</td>
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<td>412-518 Plumpton Road</td>
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<td>The heritage place is the dam, dry stone dam wall and embankment.</td>
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<td>No</td>
<td>No</td>
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<td>HO64</td>
<td>‘Plumpton Park’</td>
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<td>412-518 Plumpton Road</td>
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<td>The heritage place is the house and setting and cypress trees.</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>Rocklands Dam</td>
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<td>The heritage place is the dam and dry stone dam wall.</td>
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</table>
| HO103     | Former Dairy & Trees 30 & 35 Hickey Road  
The heritage place is the former dairy and the peppercorn trees. | No                             | No                                 | Yes                  | Yes                                                  | No                                                  | Yes                       | -                                   | No                              |
| HO129     | House 344-384 Exford Road, Weir Views (SPI: 3/PS422772)  
**Statement of significance:**  
House at 344-384 Exford Road, Weir Views (SPI: 3/PS422772) Statement of Significance | Yes                            | No                                 | No                   | No                                                   | No                                                  | No                       | -                                   | No                              |
| HO130     | Staughton Infant Grave 430-458 Exford Road, Weir Views 35A Astley Drive, Strathlouh (SPI: RES2/PS422772)  
**Statement of significance:**  
Staughton Infant Grave Statement of Significance | No                             | No                                 | No                   | No                                                   | No                                                  | No                       | -                                   | No                              |
|            **Eynesbury**               |                                |                               |                                |                        |                                                      |                                                      |                          |                                |
| HO100     | Former Dairy 1180 Exford Road  
The heritage place is the former dairy. | Yes                            | No                                 | No                   | No                                                   | No                                                  | Yes                       | -                                   | No                              |
| HO99      | Former Exford Shearing Shed 1182-1250 Exford Road  
The heritage place includes three concrete silos. | -                              | -                                 | -                    | -                                                   | Yes Ref No H2276                                                   | Yes                       | -                                   | No                              |
<table>
<thead>
<tr>
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<th>Tree Controls Apply?</th>
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<td>Eynesbury</td>
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<td>Yes Ref No H362</td>
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<td>Eynesbury Road and Springhill Road</td>
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<td>Melton Cemetery</td>
<td>No</td>
<td>No</td>
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<td>The heritage place is the Melton Cemetery, the Sheoaks and Monterey pines.</td>
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<td>Darlingsford Barn</td>
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<td>13 - 15 Darlingsford Boulevard</td>
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<td>War Memorial</td>
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<td>The heritage place is the two memorials and the land around the memorials for a distance of five metres.</td>
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<td>Staughton Memorial</td>
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<tr>
<td></td>
<td>The heritage place is the memorial lamppost and the land around the memorial for a distance of five metres.</td>
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<tr>
<td>HO79</td>
<td>Former Mechanics Institute</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>-</td>
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<tr>
<td></td>
<td>232-238 High Street</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>The heritage place is Melton Cemetery, the Sheoaks and Monterey pines.</td>
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<td>HO83</td>
<td>‘Raglan’s Cottage’ 237 High Street</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>-</td>
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<tr>
<td>HO76</td>
<td>Former Melton Courthouse 323-329 High Street</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>-</td>
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<td>HO80</td>
<td>Walnut Tree In front of Civic Centre, High Street</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>-</td>
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<tr>
<td>HO75</td>
<td>Former Melton Reservoir In Hannah Watts Park, High Street</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>-</td>
<td>No</td>
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<tr>
<td>HO81</td>
<td>Coronation Tree In Hannah Watts Park, High Street</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO7</td>
<td>‘The Willows’ In the Willows Historical Park, 76–82 Reserve Road</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
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<td>HO85</td>
<td>‘Dunvagen’</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>-</td>
<td>-</td>
<td>No</td>
</tr>
</tbody>
</table>
|            | In the Willows Historical Park, 68-74 Reserve Road  
The heritage place is the house. |                               |                                   |                     |                                                  |                                                                      |                             |                                               |                           |
| HO86       | ‘Macs Cottage’                     | No                            | No                                | No                  | No                                               | Yes                                                                 | -                           | -                                             | No                        |
|            | In the Willows Historical Park, 68-74 Reserve Road  
The heritage place is the house. |                               |                                   |                     |                                                  |                                                                      |                             |                                               |                           |
<p>| HO89       | House ‘Balmoral Farm’              | No                            | No                                | No                  | Yes                                              | No                                                                  | Yes                         | -                                             | No                        |
|            | 2120 - 2224 Melton Highway         |                               |                                   |                     |                                                  |                                                                      |                             |                                               |                           |
|            | The heritage place is the house and underground tank. |                               |                                   |                     |                                                  |                                                                      |                             |                                               |                           |
| HO84       | Melton Weir, over Toolern Creek    | No                            | No                                | No                  | No                                               | No                                                                  | No                          | -                                             | No                        |
|            | Nixon Street                       |                               |                                   |                     |                                                  |                                                                      |                             |                                               |                           |
|            | The heritage place is the weir and road causeway. |                               |                                   |                     |                                                  |                                                                      |                             |                                               |                           |
| HO87       | House                              | No                            | No                                | No                  | No                                               | Yes                                                                 | -                           | -                                             | No                        |
|            | 32 O’Neils Road                    |                               |                                   |                     |                                                  |                                                                      |                             |                                               |                           |
|            | The heritage place is the house.   |                               |                                   |                     |                                                  |                                                                      |                             |                                               |                           |
| HO88       | Former Wesleyan Methodist Church   | Yes                           | No                                | No                  | No                                               | Yes                                                                 | -                           | -                                             | No                        |
|            | 66-76 Palmerston Street            |                               |                                   |                     |                                                  |                                                                      |                             |                                               |                           |</p>
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<tr>
<td>HO90</td>
<td>St. Dominics Roman Catholic Church</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>-</td>
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<tr>
<td></td>
<td>Smith Street</td>
<td>The heritage place is the former church.</td>
<td></td>
<td></td>
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<tr>
<td>HO92</td>
<td>House</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>-</td>
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<tr>
<td></td>
<td>160 Station Road</td>
<td>The heritage place is the house and front fence.</td>
<td></td>
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<tr>
<td>HO5</td>
<td>Christ (Anglican) Church</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td></td>
<td>2-4 Unitt Street, Melton</td>
<td>The heritage place is the former Christ Church Sunday school hall, metal bell tower and stained glass windows of former church.</td>
<td></td>
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<tr>
<td>HO96</td>
<td>Melton State School No. 430</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>-</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Unitt Street</td>
<td>The heritage place is the bluestone school house and rows of Peppercorn trees along school boundaries.</td>
<td></td>
<td></td>
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<tr>
<td>HO6</td>
<td>Presbyterian Church</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>-</td>
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<tr>
<td></td>
<td>Yuille Street, Melton</td>
<td>The heritage place is the bluestone chapel and brick church hall.</td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>HO82</td>
<td>Melton Valley Golf Course</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>-</td>
<td>No</td>
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<tr>
<td></td>
<td>Yuille Street &amp; Melton Valley Drive</td>
<td>The heritage place is the former church and immediate setting.</td>
<td></td>
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<td>PS Map Ref</td>
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<td>Melton South</td>
<td>Parklea 148-200 Abey Road</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>HO66</td>
<td>Bridge over Toolern Creek Bridge Road</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>-</td>
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<tr>
<td>HO93</td>
<td>Melton South Railway Station Brooklyn Road</td>
<td>No</td>
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<td>HO72</td>
<td>House 2 Exford Road</td>
<td>No</td>
<td>No</td>
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<td>HO71</td>
<td>Melton South State School No. 3717 34-46 Exford Road</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>Yes</td>
<td>-</td>
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<tr>
<td>HO73</td>
<td>House</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<tr>
<td></td>
<td>54-56 Exford Road The heritage place is the house.</td>
<td></td>
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<tr>
<td>HO2</td>
<td>Exford Homestead Exford Road</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref No H316</td>
<td>Yes</td>
<td></td>
<td></td>
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<td>HO3</td>
<td>Straththulloh 1402-1600 Greigs Road</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref No H317</td>
<td>Yes</td>
<td></td>
<td></td>
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<td>HO8</td>
<td>Railway Viaduct over Melton Reservoir (Also in Brookfield and Exford)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref No H2327</td>
<td>No</td>
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<td></td>
<td><strong>Melton West</strong></td>
<td></td>
<td></td>
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<tr>
<td>HO68</td>
<td>Kippenross 429-455 Bulmans Road The heritage place is the house, laundry, underground tank, avenue of Sugar Gums and driveway.</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
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<td>HO94</td>
<td>John Campbell Miles farmhouse Shamrock Place The heritage place is the site of the former farmhouse, the peppercorn trees and potential archaeological remains in the vicinity.</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>No</td>
<td>Yes</td>
<td>-</td>
<td>No</td>
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<td>HO95</td>
<td>Former Robinsons House Tank 122-142 The Bullock Track The heritage place is the underground tank and the land around the tank for a distance of five metres.</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO9</td>
<td>Bridge over Djerriwarrh Creek</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref No</td>
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<td></td>
<td>Disused section of the Western Highway.</td>
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<td>HO97</td>
<td>Early crossing Place associated with the Djerriwarrh Bridge</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>Yes</td>
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<tr>
<td></td>
<td>Disused section of the Western Highway The heritage place is the disused bridge, early crossing places, ford, quarry, tracks and potential archaeological sites near bridge.</td>
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<td>HO127</td>
<td>House</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>161 Bulmans Road The heritage place is the house and the peppercorn tree at the rear of the property.</td>
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<td>Mt Cottrell</td>
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<td>HO111</td>
<td>Mount Cottrell Homestead</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>Yes</td>
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<td>167 Faulkners Road The heritage place is the house, stables and machinery shed.</td>
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<td>HO102</td>
<td>Glengallon</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>77-207 Greigs Road West The heritage place is the house.</td>
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<td></td>
<td></td>
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<td></td>
<td></td>
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<tr>
<td>HO108</td>
<td>Former Australian Beam Wireless Receiving Station</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>Yes Ref No H2278</td>
<td>Yes</td>
<td>Yes</td>
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<td>653-701 Greigs Road and 703-735 Greigs Road</td>
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<td>No</td>
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<tr>
<td>HO105</td>
<td>Mt Cottrell Road Stock Yard, Ruins &amp; Dry Stone Walls</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>1476 – 1570 Mt Cottrell Road</td>
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H1658

HO97

HO127

HO111

HO102

HO108

HO105
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<td>HO104</td>
<td>Moloney’s Farm Site &amp; Water Reserve</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
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<td>1884-1908 Mt Cottrell Road and land adjacent to Werribee River</td>
<td>The heritage place is the underground tank remains, dry stone walls and two peppercom trees adjacent to the tank.</td>
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<td>HO110</td>
<td>Kerr Farm Site</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Kerr Farm Site, Incorporated Plan</td>
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<td>1780-1882 Boundary Road</td>
<td>The heritage place is the remains of a stone house, cistern, internal and boundary dry stone walls, stockyards, a gatepost and a cobbled area near the house.</td>
<td></td>
<td></td>
<td></td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parwan</td>
<td>House ‘Nerowie’</td>
<td>Yes</td>
<td>Yes - ‘chapel’</td>
<td>No</td>
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<td>HO98</td>
<td>155 Nerowie Road</td>
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<td>285 Nerowie Road</td>
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<td>Plumpton</td>
<td>Arrunga</td>
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<td>HO51</td>
<td>77-347 Holden Road</td>
<td>The heritage place is the complex of dry stone walls, dam and stockyards, house ruins, underground tank, mature Peppercom and Sugar Gums.</td>
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The heritage place is the complex of dry stone walls, dam and stockyards, house ruins, underground tank, mature Peppercom and Sugar Gums.
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<thead>
<tr>
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<th>Name of Incorporated Plan under Clause 43.01-2</th>
<th>Aboriginal heritage place?</th>
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</thead>
<tbody>
<tr>
<td>HO53</td>
<td><strong>Holden Road Dam</strong></td>
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<td>765-789 Holden Road</td>
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<td>The heritage place is the dry stone dam wall and dam.</td>
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<td>HO62</td>
<td><strong>Mt Kororoit Homestead</strong></td>
<td>No</td>
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<td>2-88 Leakes Rd</td>
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<td>The heritage place is the house, timber outbuildings, shearing shed, dry stone walls and peppercorn and palm trees.</td>
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<td>HO54</td>
<td><strong>Bridge over Kororoit Creek</strong></td>
<td>Yes</td>
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<td>The heritage place is the early masonry bridge.</td>
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<td>The heritage place is the house and boundary plantings of Monterey cypresses.</td>
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<td>The heritage place is the house and dry stone wall and cypresses around house.</td>
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<td><strong>Gollars Court</strong></td>
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<td>Norton Ruin</td>
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<td>The heritage place is the stone ruin and dry stone walls to the north and west.</td>
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<td>HO61</td>
<td>Bluestone Cottage &amp; Ruinous Timber dwelling</td>
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<td>2-88 Mt Cottrell Road</td>
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<td>The heritage place is the ruinous timber building, stone cottage, dry stone walls and Peppercorn tree and gum tree adjacent to buildings.</td>
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<td>Deanside Homestead Complex</td>
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<td>HO117</td>
<td>Bonnie Doone</td>
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<td>The heritage place is the house, underground tank, stables, and dry stone walls.</td>
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<td>HO10</td>
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<td>Beattys Road and 1992-2106 Western Highway</td>
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## MELTON PLANNING SCHEME

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<th>Aboriginal heritage place?</th>
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<tbody>
<tr>
<td>HO113</td>
<td>Payne's Cottage</td>
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<td>638-688 Greigs Rd East</td>
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<td>The heritage place is the stone cottage.</td>
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<td>HO115</td>
<td>Rockbank Community Hall</td>
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<tr>
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<td>The heritage place is the hall and immediate setting of peppercorns and sugar gums.</td>
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<td>The heritage place is the Edwardian house and the Victorian cottage.</td>
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<td>HO120</td>
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<td>The heritage place is the house.</td>
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<tr>
<td>HO121</td>
<td>Former Rose &amp; Crown Hotel</td>
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<td>The heritage place is the former hotel building.</td>
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<td>The heritage place is the house.</td>
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<td>HO128</td>
<td>Stoneleigh</td>
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<td>196 Sinclairs Road</td>
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<td>The heritage place is the homestead, palm and sugar gum trees surrounding the homestead, and the dry stone walls.</td>
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## Taylors Hill

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<tr>
<td>HO123</td>
<td>‘Dalgook’ Farm Complex</td>
<td>No</td>
<td>No</td>
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<td>Yes</td>
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The heritage place is the house, dry stone walls of the house paddock and dairy to the west, and shelter planting associated with the dry stone wall of the home paddock.

## Toolern Vale

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<td>HO13</td>
<td>‘Lynuilg’ Homestead</td>
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477-569 Bensons Road
The heritage place is the house, hipped outbuilding, draughthorse stabling, underground tank, milking/shearing shed and Canary Island Palms nearby the main house.

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<tr>
<td>HO38</td>
<td>Stone Cottage</td>
<td>Yes - random rubble walls</td>
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189-193 Blackhill Road
The heritage place is the stone cottage.

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<td>HO15</td>
<td>House ‘Angus Downs’</td>
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546-570 Blackhill Road
The heritage place is the house.

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<tbody>
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<td>HO37</td>
<td>‘Pinewood’ Homestead</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<td>-</td>
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</tbody>
</table>

783-829 Blackhill Road
The heritage place is the stone house, dry stone walls, the old pine garden and driveway plantings, the Aleppo pine at the

Yes - the bluestone portions of the homestead
### MELTON PLANNING SCHEME

<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>
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<td></td>
<td>front gate, the Hawthorn plantings, and the old pear and pine trees near the original homestead site.</td>
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<tr>
<td>HO39</td>
<td>House &amp; Bullock Track</td>
<td>No</td>
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<td>No</td>
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<td>The heritage place is the house and former Bullock track remains.</td>
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<td>HO40</td>
<td>Plumpton Hare Enclosure</td>
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<td>The heritage place is the remains of an enclosure made of dry stone walls and the land around the enclosure for a distance of five metres including the old eucalyptus in the enclosure.</td>
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<td>HO17</td>
<td>‘Melton Park’</td>
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<td>No</td>
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<td>691-801 Bulmans Road</td>
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<td>The heritage place is the house, garden setting of cypress, peppercorn and other exotics and stables.</td>
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<td>HO14</td>
<td>‘Glencoe’</td>
<td>Yes – homestead and stable/dairy</td>
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<td>The heritage place is the stone house, dry stone walls, stables, dairy, fowl house, pig pen and Norfolk Island pines at the entrance to the homestead.</td>
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<td>HO18</td>
<td>Paine’s Cottage</td>
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<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>
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<td>‘Greenhills’</td>
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<td>1260-1398 Diggers Rest-Coimdai Road</td>
<td>The heritage place is the house, outbuildings, garden setting of palm, eucalypt, and peppercorn trees in front of house, isolated oak tree near creek, and remnant conifers near house, dry stone walls and dams.</td>
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<td>HO20</td>
<td>Former Condons Dairy</td>
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<td>1397 Diggers Rest-Coimdai Road</td>
<td>The heritage place is the former dairy and rubble walls.</td>
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<td>1558-1672 Diggers Rest-Coimdai Road</td>
<td>The heritage place is the house, dry stone walls and mature conifers.</td>
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<td>HO33</td>
<td>‘Norwood’</td>
<td>No</td>
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<td>78-132 Hoggs Road</td>
<td>The heritage place is the house and bird-watchers cabin.</td>
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<td>HO22</td>
<td>House ‘Kuloomba’</td>
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<td>2203 Diggers Rest-Coimdai Road</td>
<td>The heritage place is the house, and two outbuildings.</td>
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<td>War Memorial</td>
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<td>HO27</td>
<td>House &amp; Outbuilding</td>
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<td>310 - 360 Gisborne Melton Road</td>
<td>In Reserve off Diggers Rest Coimadai Road</td>
<td>The heritage place is the memorial and the land around the memorial for a distance of five metres.</td>
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<td>Former ‘Yangardook’ Cottage</td>
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<td>575-685 Gisborne Melton Road</td>
<td>The heritage place is the house and rendered brick outbuilding and the immediate setting of cypress trees.</td>
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<td>HO28</td>
<td>Ruin ‘McIntosh Cottage’</td>
<td>Yes</td>
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<td>Yes</td>
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<td>687-777 Gisborne - Melton Road</td>
<td>The heritage place is the stone ruin and peppercorn tree.</td>
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<td>HO31</td>
<td>‘Glen Elgin’</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<td>766-858 Gisborne Melton Road</td>
<td>The heritage place is the house, stables, timber shed, underground tank, shearing shed, two stone cottages, cattle yards and the immediate setting of Monterey cypresses along the drive, conifers and palm in main house garden, the Algerian Oaks, Bunya Bunya Pine, Osage Orange and English Elms.</td>
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<td>HO30</td>
<td>Ruin ‘The Elms’</td>
<td>Yes</td>
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<td>Yes</td>
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<td>779-859 Gisborne Melton Road</td>
<td>The heritage place is the stone ruin.</td>
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<td>HO24</td>
<td><strong>Farm Complex</strong>&lt;br&gt;1229-1279 Gisborne Melton Road&lt;br&gt;The heritage place is the house, cottage, stone ruin, underground tank, brick garage and potential archaeological remains.</td>
<td>Yes - brick garage (former dairy) and stone ruins</td>
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<td>HO25</td>
<td><strong>House</strong>&lt;br&gt;1374 - 1404 Gisborne Melton Road&lt;br&gt;The heritage place is the house.</td>
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<td>HO26</td>
<td><strong>House ‘Creighton’</strong>&lt;br&gt;1618 Gisborne Melton Road&lt;br&gt;The heritage place is the house and immediate garden setting and the two Canary Island Palm trees at the front of the house.</td>
<td>Yes</td>
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<td>HO32</td>
<td><strong>Hjorth’s Farm</strong>&lt;br&gt;163 Hjorths Road&lt;br&gt;The heritage place is the dry stone wall dam, terraces, remains of the irrigation system and orchard trees.</td>
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<td>HO35</td>
<td><strong>‘Wattle Grove’ House &amp; Shed</strong>&lt;br&gt;117-125 McPhersons Road&lt;br&gt;The heritage place is the house, shearing shed and stable.</td>
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<td>HO124</td>
<td><strong>Grave, Ruin &amp; Archaeological site Former ‘Greenhills’ Pastoral Station</strong>&lt;br&gt;36-49 O’Connell Avenue</td>
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<td>House</td>
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<td>The heritage place is the house.</td>
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<td>HO112</td>
<td>House &amp; Outbuilding</td>
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<td>65-543 Greigs Road East, Incorporated Plan</td>
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<td>The heritage place is the house and gambrel roofed outbuilding in the yard and mature eucalypts and peppercorn trees flanking the long drive, and peppercorn trees with the house yard (rear of dwelling).</td>
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<td>HO114</td>
<td>‘Rocklands’ Homestead &amp; Farm</td>
<td>Yes - main house</td>
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<td>619-653 Hopkins Road</td>
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<td>The heritage place is the house, dry stone walls, dam, stockyards, rear cottage farm setting, cypress tree on east side of house, Eucalypts along garden walls and saltbush to front of homestead.</td>
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<td>Mount Cottrell Dry Stone Wall Precinct</td>
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<td>She-Oak Hill Dry Stone Wall Precinct</td>
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<td>HO203</td>
<td>Mount Atkinson Dry Stone Wall Precinct</td>
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<td>HO204</td>
<td>Greigs Road Dry Stone Wall Precinct</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>-</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>Name of Incorporated Plan under Clause 43.01-2</td>
<td>Aboriginal heritage place?</td>
</tr>
<tr>
<td>------------</td>
<td>---------------------------</td>
<td>-------------------------------</td>
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<td>--------------------------------------------------------</td>
<td>------------------------------------------------------------------</td>
<td>-----------------------------</td>
<td>-----------------------------------------------</td>
<td>------------------------------</td>
</tr>
<tr>
<td>HO205</td>
<td>Selection Wall</td>
<td>No</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>HO206</td>
<td>Plumpton Road Wall</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>
DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which are affected by specific requirements relating to the design and built form of new development.

**Design objectives**

A schedule to this overlay must contain a statement of the design objectives to be achieved for the area affected by the schedule.

**Buildings and works**

**Permit requirement**

A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - To the construction of an outdoor swimming pool associated with a dwelling unless a specific requirement for this matter is specified in a schedule to this overlay.

- Construct a fence if specified in a schedule to this overlay.

Buildings and works must be constructed in accordance with any requirements in a schedule to this overlay. A schedule may include requirements relating to:

- Building setbacks.
- Building height.
- Plot ratio.
- Landscaping.
- Any other requirements relating to the design or built form of new development.

A permit may be granted to construct a building or construct or carry out works which are not in accordance with any requirement in a schedule to this overlay, unless the schedule specifies otherwise.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a fence.</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>Construct a building or construct or carry out works for:</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>- A carport, garage, pergola, verandah, deck, shed or similar structure.</td>
<td></td>
</tr>
<tr>
<td>- An outdoor swimming pool.</td>
<td></td>
</tr>
<tr>
<td>The buildings and works must be associated with a dwelling.</td>
<td></td>
</tr>
</tbody>
</table>
**Class of application**

<table>
<thead>
<tr>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is in an industrial zone.</td>
</tr>
<tr>
<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>
</tr>
<tr>
<td>Clause 59.05</td>
</tr>
</tbody>
</table>

**Exemption from notice and review**

A schedule to this overlay may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Subdivision**

**Permit requirement**

A permit is required to subdivide land.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

Subdivision must occur in accordance with any lot size or other requirement specified in a schedule to this overlay.

A permit may be granted to subdivide land which is not in accordance with any lot size or other requirement in a schedule to this overlay, unless the schedule specifies otherwise.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
</tbody>
</table>

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43.02-3

31/07/2018

VC148
Class of application

- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
- Has started lawfully.

- The subdivision does not create a vacant lot.

Exemption from notice and review

A schedule to this overlay may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Signs

Sign requirements are at Clause 52.05 unless otherwise specified in a schedule to this overlay.

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The design objectives of the relevant schedule to this overlay.
- The provisions of any relevant policies and urban design guidelines.
- Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.
- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Any other matters specified in a schedule to this overlay.
SCHEDULE 1 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO1

CONNECTION OF WESTERN FREEWAY TO WESTERN RING ROAD

1.0 Design objectives

To ensure that the development of land near the future alignment of the connection of the Western Freeway to Western Ring Road is undertaken with appropriate noise attenuation measures to minimise the impact of traffic noise on noise sensitive activities.

2.0 Buildings and works

Any development within the area defined on Map 14DDO which is associated with a use listed below must include noise attenuation measures to the satisfaction of the Roads Corporation. In considering whether any measures proposed are to its satisfaction, the Roads Corporation will consider any appropriate Australian Standard in relation to road traffic noise intrusion.

- Accommodation
- Child care centre
- Education centre
- Indoor recreation facility
- Office
- Place of assembly
- Retail premises
- Warehouse
- Art and craft centre
- Brothel
- Display home
- Funeral parlour
- Hospital
- Research centre
- Veterinary centre
- Winery
SCHEDULE 2 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the Planning Scheme Map as DDO2

EYNESBURY STATION RURAL AREA

1.0

Design Objectives

To ensure that the rural areas of Eynesbury Station are managed and developed to maintain and enhance agricultural productivity.
To ensure any subdivision or dwelling approval only occurs where a demonstrated need is established in relation to an agricultural purpose and activity.

2.0

Buildings and Works

Permission is not required to construct a building or construct or carry out works except for a dwelling.
Buildings and works for a dwelling may only be approved where a need is demonstrated that it is required to facilitate the agricultural use and development of the land.
A dwelling must be sited and designed and include appropriate landscape treatments to minimise its impact on the visual amenity of the area.
Buildings and works for a dwelling is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 60(1), (2) and (3) and the appeal rights of Section 82(1) of the Act.

3.0

Subdivision

Any proposed subdivision must be in association with an agricultural or related rural purpose.

4.0

Advertising Signs

None specified.

5.0

Decision Guidelines

In consideration of proposals for a dwelling or subdivision the Responsible Authority must consider as appropriate:

- The objectives and relevant details of the Eynesbury Station Incorporated Plan, September 2001.
- The desire to enhance and diversify agricultural productivity in the area.
- The need to protect areas of environmental significance and undertake appropriate weed, pest and related management programs.
- Minimising the visual impact of development within the rural landscape.
SCHEDULE 3 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO3.

REGIONAL RAIL LINK SECTION 2 RAIL NOISE ATTENUATION

1.0 Design objectives

To reasonably protect bedrooms from the impacts of noise generated by the operation of trains on land designated as the project area for Regional Rail Link Section 2 under Part 4 of the Major Transport Projects Facilitation Act 2009.

2.0 Buildings and works

Permits

A permit is not required to construct a building or construct or carry out works other than for:

- Accommodation, a child care centre, a display home, a hospital, a hotel or a tavern.
- An acoustic wall or other acoustic structure that is not part of a building.

A permit is not required to construct a building or construct or carry out works for accommodation, a child care centre, a display home, a hospital, a hotel or a tavern if there is a restriction on the title to the land requiring compliance with the requirement described below.

Requirement

If a building includes a bedroom, the building (and associated works) must be constructed in such a way as to ensure internal bedroom noise levels will not exceed 65 dB LAmx and 40 dB LAeq,8h for the night period from 10pm to 6am.

A permit may not be granted to construct a building or construct or carry out works which are not in accordance with this requirement.

Exemption from notice and review

An application to construct a building or construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if the noise attenuation measures are proposed as part of the affected building.

3.0 Subdivision

Requirement

A permit to subdivide land must require a restriction on titles requiring buildings (and associated works) for accommodation, a child care centre, a display home, a hospital, a hotel or a tavern to be constructed in such a way as to ensure internal bedroom noise levels will not exceed 65 dB LAmx and 40 dB LAeq,8h for the night period from 10pm to 6am. The restriction may include specific construction requirements to the satisfaction of the responsible authority.

A permit may not be granted to subdivide land which is not in accordance with this requirement.

Exemption from notice and review

An application to subdivide land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.
4.0 Application requirements

An application to subdivide land or to construct a building or construct or carry out works must be accompanied by an acoustic assessment prepared by a qualified acoustic engineer or other suitably skilled person to the satisfaction of the responsible authority. The acoustic assessment must:

- Provide an assessment of noise levels on the land taking into account the likely noise levels associated with the ongoing operation of the Regional Rail Link.
- Include recommendations for noise attenuation measures designed to achieve the internal bedroom noise limits specified in the requirements in this schedule.

An application to subdivide land must also be accompanied by a design response that addresses the recommendations of the acoustic assessment and minimises the number of buildings requiring architectural noise attenuation treatments.

An application to construct, or carry out works for, an acoustic wall or other acoustic structure that is not part of a building must also be accompanied by a plan, elevations and other suitable material prepared to the satisfaction of the responsible authority showing:

- A visually engaging design avoiding the use of a sheer wall on either side of the structure.
- Landscaping along the interface area of the structure to soften its visual impact.

5.0 Decision guidelines

Before deciding on an application to subdivide land or to construct a building or construct or carry out works, the responsible authority must consider, as appropriate:

- Any protection from noise offered by existing and planned built form.
- The degree of noise sensitivity of the proposed use in the building.
- Whether the proposed noise attenuation measures are likely to be effectively maintained over the lifetime of the building or structure.
- The impact of any non-building acoustic structure on the amenity of the area.
- The impact of the subdivision on the amenity and functionality of the area.

Notes: The extent of the Design and Development Overlay represents land likely to be affected by rail noise of at least 80 dB L_Amax.

Reference in this schedule to:

- A bedroom means a room likely to accommodate a sleeping person on a regular basis including a children’s rest area in a child care centre, a hotel room and a hospital ward.
- dB means decibels.
- \( L_{Amax} \) means the maximum A-weighted sound pressure level and is the 95 percentile of the highest value of the A-weighted sound pressure level reached within the day or night.
- \( L_{Aeq} \) means the equivalent continuous A-weighted sound pressure level and is the value of the A-weighted sound pressure level of a continuous steady sound that has the same acoustic energy as a given time-varying A-weighted sound pressure level when determined over the same measurement time interval.

Reference: Passenger Rail Infrastructure Noise Policy (Department of Transport, Planning and Local Infrastructure, April 2013)
SCHEDULE 4 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO4**.

LANDFILL GAS FURTHER INVESTIGATION AREA

1.0 Design objectives

To ensure that buildings and works are designed and constructed to avoid potential adverse impacts caused by landfill gas migration from putrescible landfiling at the Melbourne Regional Landfill.

To ensure development and construction methods do not result in unacceptable risk to human health caused by any possible landfill gas migration from putrescible landfiling at the Melbourne Regional Landfill.

2.0 Buildings and works

Permit requirements

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

- A permit for buildings and/or works must implement any measures identified as required in the Detailed Interpretive Report accompanying the application to ensure no landfill gas migration impacts; and
- A permit for buildings and/or works must include any conditions necessary to ensure the proposed building and/or works will avoid adverse impacts caused by landfill gas migration from the Melbourne Regional Landfill.

A permit must not be granted to construct a building or construct or carry out works that is not in accordance with the requirements of this schedule.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A geological and hydrogeological assessment of the land by a suitably qualified professional that considers the ability of the identified strata to transmit landfill gas which has migrated from, or may migrate from any existing or approved putrescible landfill cell within 500 metres of the land to be developed, into buildings and structures at the surface. The assessment must be endorsed by the Environment Protection Authority Victoria.

- A Detailed Interpretive Report prepared by a suitably qualified professional to the satisfaction of the Environment Protection Authority Victoria that responds to the endorsed geological and hydrogeological assessment and addresses the following matters:
  - How the proposed building or works will avoid being adversely impacted by the offsite migration of landfill gas from any existing or approved putrescible landfill cell within 500 metres of the building or works, and any measures required to achieve this; and
  - How the proposed design of any building will affect the movement of landfill gas from the ground into the building, in particular venturi and stack effects.

- The design of any proposed measures to limit the movement of landfill gas relevant to the proposed use of the building or structure.

- Site and layout plans drawn to scale which show:
  - The boundaries and dimensions of the site.
  - The location of the site in relation to any nearby existing or permitted putrescible landfill cells.
Adjoining roads and infrastructure.

- Relevant ground levels and surface levels to AHD.

- The layout and dimensions of existing and proposed buildings and works, including foundation details and proposed levels of bulk excavation or filling.

- The location and use of all existing and proposed buildings.

- Sections and elevations drawn to scale which show:
  - The depth of any basements and/or excavation works.
  - The proposed foundations, including their form and founding levels.
  - The details of any proposed drainage system, including any discharge outlet.

- Details of any consultation undertaken with the Environment Protection Authority about the application, including any written comments provided by the Environment Protection Authority.

- Any other information required by the responsible authority or the Environment Protection Authority Victoria that is relevant to the actual or potential offsite migration of landfill gas from an existing or approved putrescible landfill cell.

Referral of applications

An application to construct a building or construct or carry out works must be referred to the Environment Protection Authority Victoria under section 55 of the Act.

Exemption from notice and review

An application to construct a building or to construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

3.0

Application requirements

An application for subdivision must be accompanied by the following information, as appropriate:

- A geological and hydrogeological assessment of the land by a suitably qualified professional that considers the ability of the identified strata to transmit landfill gas which has migrated from, or may migrate from any existing or approved putrescible landfill cell within 500 metres of the land to be developed, into buildings and structures at the surface. The assessment must be endorsed by the Environment Protection Authority Victoria.

Referral of applications

An application for subdivision must be referred to the Environment Protection Authority Victoria under section 55 of the Act.

Exemption from notice and review

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.

4.0

Advertising signs

None specified.
Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Any technical reports or guidelines prepared by the Environment Protection Authority Victoria.
- Whether the application responds appropriately to the geological and hydrological assessment required under this schedule.
INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO with a number.

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify areas which require:
- The form and conditions of future use and development to be shown on an incorporated plan before a permit can be granted to use or develop the land.
- A planning scheme amendment before the incorporated plan can be changed.
To exempt an application from notice and review if it is generally in accordance with an incorporated plan.

Requirement before a permit is granted
A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until an incorporated plan has been incorporated into this scheme.
This does not apply if a schedule to this overlay specifically states that a permit may be granted before an incorporated plan has been incorporated into this scheme.
A permit granted must:
- Be generally in accordance with the incorporated plan, unless a schedule to this overlay specifies otherwise.
- Include any conditions or requirements specified in a schedule to this overlay.

Exemption from notice and review
An application under any provision of this planning scheme which is generally in accordance with the incorporated plan is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines
Before deciding on an application under any provision of this scheme which is not generally in accordance with the incorporated plan, in addition to the decision guidelines in Clause 65, the responsible authority must consider:
- The incorporated plan.
- Any other matters specified in a schedule to this overlay.

Preparation of the incorporated plan
The incorporated plan may consist of plans or other documents and may, with the agreement of the planning authority, be prepared and implemented in stages.
An incorporated plan that provides for residential subdivision in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone, Township Zone, Comprehensive Development Zone and Priority Development Zone must meet the requirements of Clause 56 as specified in the zone.
The incorporated plan must describe:
- The land to which the plan applies.
- The proposed use and development of each part of the land.
- Any other requirements specified for the plan in a schedule to this overlay.
SCHEDULE 1 TO THE INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO1

EYNESBURY STATION

1.0 Requirement before a permit is granted

Prior to the commencement of development in accordance with the Eynesbury Station Incorporated Plan:

- Consolidation of Eynesbury Station into three key holdings:
  - the Eynesbury Station Township Precinct;
  - the Eynesbury Station Grey Box Forest Area; and
  - all other land within Eynesbury Station except for the Eynesbury Station Township Precinct and the Eynesbury Station Grey Box Forest Area.

- Creation of an unlimited body corporate established under the Subdivision Act 1988 to include land covered by the relevant Incorporated Plan Overlay in both the Wyndham and Melton Planning Schemes.

- Preparation of Environmental Management Strategies as required by the Eynesbury Station Incorporated Plan, September 2001 to the satisfaction of the Responsible Authority. The Environmental Management Strategies for Flora and fauna protection and enhancement; and Control of pest plants and animals must also be to the satisfaction of the Department of Natural Resources and Environment.

- Preparation of legal strategies as required by the Eynesbury Station Incorporated Plan, September 2001 to the satisfaction of the Responsible Authority.

2.0 Permits not generally in accordance with the Incorporated Plan

A permit may be granted for the following uses and developments that are not generally in accordance with the Incorporated Plan:

- Agriculture and any buildings or works in association with the use of the land for agricultural purposes.

- A fence.

- Extensions, additions or modifications to any existing use or development.

3.0 Conditions and requirements for permits

None specified

4.0 Decision Guidelines

Before deciding on an application, the Responsible Authority must consider, as appropriate the implementation of strategies to achieve;

- Linkages between urban/recreation development and farming/agricultural pursuits and improvements.

- On-going environmental management of Eynesbury Station.

- Any subdivision of land in the Rural Zone must demonstrate agricultural and environmental benefits.
5.0
19/01/2006
VC37

Requirements for Incorporated Plan

Any Incorporated Plan for the whole or part of Eynesbury Station shall address the following:

- The integrated environmental management of Eynesbury Station.
- The continued use of the bulk of Eynesbury Station for productive agriculture.
- The use and reuse of water from Surbiton Park Treatment Plant.
- The maintenance and improvement of water quality of Werribee River.
- The protection and enhancement of the environmental and heritage assets of Eynesbury Station.
SCHEDULE 2 TO THE INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO2.

ROCKBANK NORTH PRECINCT STRUCTURE PLAN

Purpose

The purpose of this Incorporated Plan Overlay is to give effect to the objectives, requirements, guidelines and conditions of the Rockbank North Precinct Structure Plan.

1.0 Requirement before a permit is granted

Development on land in the Conservation Management Plan Area shown on Map 1 of this Schedule and Plan 5- Biodiversity and Threatened Species Action Plan in the Rockbank North Precinct Structure Plan must be undertaken in accordance with the relevant management actions as outlined in the approved Conservation Management Plan.

The Rockbank North Conservation Management Plan may be amended to the satisfaction of the Department of Sustainability and Environment.

The subdivision of land within or adjoining the Conservation Management Plan area must accord with the Conservation Management Plan boundary as shown on Map 1 to this Schedule and Plan 5 - Biodiversity and Threatened Species Action Plan in the Rockbank North Precinct Structure Plan.

An application for development of land in the Conservation Management Plan area as shown on Map 1 to this Schedule and Plan 5 – Biodiversity and Threatened Species Action Plan in the Rockbank North Precinct Structure Plan, must demonstrate that it is in accordance with the approved Rockbank North Conservation Management Plan.

2.0 Conditions and requirements for permits

Conditions - all permits

Growling Grass Frog

Works on land in the Conservation Management Plan area shown on Map 1 of this Schedule and Plan 5 – Biodiversity and Threatened Species Action Plan in the Rockbank North Precinct Structure Plan must be undertaken in accordance with the approved Rockbank North Conservation Management Plan (CMP).

Unless the land included within the CMP area as shown on Plan 5 - Biodiversity and Threatened Species Action Plan of the Rockbank North Precinct Structure Plan has been voluntarily transferred into the Crown Reserve System, the Owner must:

- Enter into a legally, binding on-title agreement with the Secretary of the Department of Sustainability and Environment under Section 69 of the Conservation Forest and Lands Act 1987 prior to the commencement of works on the land. The agreement must provide for the following:
  - Protection of the conservation area
  - The landowner to undertake all pre-construction maintenance and monitoring (Phase One) actions in accordance with the approved CMP
  - The landowner granting Department of Sustainability and Environment (or its nominee) rights of access to undertake habitat works (Phase Two) and any additional actions as required.
  - The landowner to undertake ongoing maintenance and monitoring activities (Phase Three) in perpetuity as outlined in the approved CMP.
The land owner must pay the reasonable costs of preparation, execution and registration of the agreement.

**Striped Legless Lizard**

Before, during and after the carrying out of any construction of any buildings or carrying out of works or removal of native vegetation, the requirements of the *Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Strategic Approach (DSE 2011)*; and *Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Operational Plan (DSE 2011)* must be implemented and complied with to the satisfaction of the Secretary of the Department of Sustainability and Environment.

**Conditions - permits relating to property 6 on Map 1 to Schedule 2 to Clause 43.03**

Prior to the commencement of any works, a fully costed *Matted Flax Lily translocation and/or propagation and ex situ conservation plan* must be prepared to the satisfaction of the Department of Sustainability and Environment. The plan must then be submitted to and endorsed by the Responsible Authority. When approved, the Plan will be endorsed and will then form part of the permit.

**Design Requirements**

A bicycle lane must be provided along the Beattys Road reservation and across Kororoit Creek to enable connection to the east of the OMR. This can be accommodated as part of the road reservation or off-road.

Design of paths, bridges, and boardwalks in the drainage corridor (both Kororoit Creek and drainage corridor) must be above the 1:10 year flood level (if running parallel to the corridor). Pedestrian bridges across the Kororoit Creek and drainage corridor must be above the 1:100 year flood level. Where a 1:100 year flood level crossing is not achievable, measures on the approach of the creek or drainage corridor must be installed to the satisfaction of Melbourne Water.

Any public infrastructure or trails located within the Kororoit Creek corridor must be designed to minimise disturbance to habitat zones, and generally in the locations outlined in the Growling Grass Frog Conservation Management Plan prepared for the Precinct unless the Conservation Management Plan is amended to the satisfaction of DSE.

Any passive open space areas within the Kororoit Creek corridor must be designed to minimise disturbance to any habitat zones or existing/created Growling Grass Frog habitat.

Development must not encroach upon the 1:100 year flood level. This does not apply to the pathways, fences, playground equipment and active recreation reserves and bbq/picnic areas.

**Decision guidelines**

How the application complies with an approved Conservation Management Plan applying to the land pursuant to an approval to take a controlled action in accordance with the Delivering Melbourne’s Newest Sustainable Communities Program Report, December 2009 under Part 10 of the *Environment Protection and Biodiversity Act 1999 (Commonwealth)*.
Map 1 to Schedule 2 to Clause 43.03
SCHEDULE 3 TO THE INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO3.

TOOLERN PARK PRECINCT STRUCTURE PLAN

Purpose
To conserve the Toolern Park Creek for functioning, sustainable populations of Growling Grass Frog.
To facilitate development of recreation and infrastructure associated with adjoining urban land uses.

1.0 CONDITIONS AND REQUIREMENTS FOR PERMITS

Biodiversity

Kangaroo Management Plan
A permit granted for subdivision of land must include the following conditions:

- Before the certification of the Plan of Subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment and Primary Industries. Once approved the plan will be endorsed by the responsible authority and form part of the permit.
- The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority.

Salvage and translocation
The Salvage and Translocation Protocol for Melbourne’s Growth Corridors, 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 and Primary Industries.

Land management co-operative agreement (for land containing a conservation area)
A permit to subdivide land shown in the incorporated Toolern Park 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 and Primary Industries 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 Toolern Park 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.; and
- Pays the reasonable costs of the Secretary to the Department of Environment and Primary Industries 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 a Conservation Area identified in the Precinct Structure Plan that:

- Is identified in a Precinct Structure Plan as public open space and is vested, or will be vested, in the council as a reserve for the purposes of public open space; or
- Is identified in a Precinct Structure Plan as a drainage reserve and is vested, or will be vested, in Melbourne Water Corporation or the council as a drainage reserve; or
- Is within a Conservation Area identified in a Precinct Structure Plan for nature conservation and is vested, or will be vested, in the Secretary to the Department of Environment and Primary Industries for conservation purposes; or
- Is the subject of an agreement with the Secretary to the Department of Environment and Primary Industries to transfer or gift that land to:
  - the Secretary to the Department of Environment and Primary Industries;
  - the Minister for Environment and Climate Change; or
  - another statutory authority.

to the satisfaction of the Secretary to the Department of Environment and Primary Industries.

**Protection of conservation areas and native vegetation during construction**

A permit granted to subdivide land where construction or works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, on land including or abutting a conservation area or patch of native vegetation or scattered tree identified for retention in the incorporated Toolern Park Precinct Structure Plan must ensure that:

- Before the start of construction or carrying out of works, the developer of the land must erect a vegetation protection fence that is:
  - Highly visible;
  - At least 2 metres in height;
  - Sturdy and strong enough to withstand knocks from construction vehicles.
  - In place for the whole period of construction; and
  - Located the following minimum distance from the element to be protected:

<table>
<thead>
<tr>
<th>Element</th>
<th>Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation area</td>
<td>2 metres</td>
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<td>Scattered tree</td>
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<td>Patch of native vegetation</td>
<td>2 metres</td>
</tr>
</tbody>
</table>

- Construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:
  - Be located more than 15 metres from a waterway;
  - Be located outside the vegetation protection fence;
  - Be constructed and designed to ensure that the conservation area or scattered trees or patches of native vegetation identified for retention in the Precinct Structure Plan, and any located trees identified in the Planning Scheme Provisions to be retained are protected from adverse impacts during construction;
  - Not be undertaken if it presents a risk to any vegetation within a conservation area; and
  - Be carried out under the supervision of a suitable qualified ecologist or arborist.
Environmental Management Plans

A planning permit for subdivision, buildings or works on land shown as a conservation area in the incorporated Toolern Park Precinct Structure Plan must include the following condition:

- The subdivision, buildings or works must not commence until an Environmental Management Plan for the relevant works has been approved to the satisfaction of the Department of Environment and Primary Industries, unless otherwise agreed by the Department of Environment and Primary Industries.

Conservation interface areas

Any permit granted for subdivision, to construct a building and to construct or carry out works, within 50 metres of a Conservation Area identified in the Precinct Structure Plan must comply with the conservation interface requirements specified in the Precinct Structure Plan to the satisfaction of the Secretary to the Department of Environment and Primary Industries, unless the permit granted contains the following conditions:

- Before the development starts, a Conservation Interface Plan must be submitted to and approved by the Secretary to the Department of Environment and Primary Industries which addresses how any development within 20 metres of any Conservation Area shown on a Precinct Structure Plan will be managed; and

- The endorsed Conservation Interface Plan must be implemented to the satisfaction of the responsible authority.

Note:

Operation of Commonwealth Environmental Laws

- On 5 September 2013 an approval under the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) was issued by the Commonwealth Minister for Environment, Heritage and Water. The approval applies to all actions associated with urban development in growth corridors in the expanded Melbourne 2010 Urban Growth Boundary as described in page 4 in the Biodiversity Conservation Strategy for Melbourne’s Growth Corridors (Department of Environment and Primary Industries, 2013). The Commonwealth approval has effect until 31 December 2060. The approval is subject to conditions specified at Annexure 1 of the approval.

- Provided the conditions of the EPBC Act approval are satisfied individual assessment and approval under the EPBC Act is not required.

Decision Guidelines

Any endorsed program report applying to the land under Part 10 of the Environment Protection and Biodiversity Conservation Act, 1999 (Cth).
SCHEDULE 4 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO4.

KOROROIT PRECINCT STRUCTURE PLAN

1.0 Requirement before a permit is granted

None specified.

2.0 Permits not generally in accordance with incorporated plan

A permit granted must be generally in accordance with the incorporated plans as they apply to the land unless otherwise agreed in writing by the Secretary to the Department of Environment, Land, Water and Planning.

3.0 Conditions and requirements for permits

The requirements of the incorporated Kororoit Precinct Structure Plan must be included in a permit.

Salvage and Translocation

Salvage and translocation of threatened flora and fauna species and ecological communities must be undertaken in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

Environmental Management Plans

A planning permit for subdivision, buildings or works on land shown as a conservation area in the incorporated Kororoit Precinct Structure Plan must include the following condition:

- The subdivision, buildings or works must not commence until an Environmental Management Plan for the relevant works has been approved to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning unless otherwise agreed by the Secretary to the Department of Environment, Land, Water and Planning.

Protection of conservation areas and native vegetation during construction

A permit granted to subdivide land where construction or works are required to carry out the subdivision, or a permit granted to construct a building or carry out works on land including or abutting a conservation area or patch of native vegetation or scattered tree identified for retention in the incorporated Kororoit Precinct Structure Plan must ensure that:

- Before the start of construction or carrying out of works in or around a conservation area, scattered native tree or patch of native vegetation the developer of the land must erect a conservation area/vegetation protection fence that is:
  - highly visible
  - at least 2 metres in height
  - sturdy and strong enough to withstand knocks from construction vehicles
  - in place for the whole period of construction
  - located the following minimum distance from the element to be protected:
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- Construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:
  - be located not less than 15 metres from a waterway;
  - be located outside the vegetation protection fence;
  - be constructed and designed to ensure that the conservation area, scattered tree or patches of native vegetation are protected from adverse impacts during construction;
  - not be undertaken if it presents a risk to any vegetation within a conservation area; and
  - be carried out under the supervision of a suitable qualified ecologist or arborist.

**Land Management Co-operative Agreement**

A permit to subdivide land shown in the incorporated *Kororoit Precinct Structure Plan* as including a conservation area depicted in Appendix F must ensure that the owner of the land:

- Enters into a Land Management Cooperative 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 *Kororoit Precinct Structure Plan* (‘a conservation area’); 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; and

- 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 Cooperative Agreement in this condition does not apply to land or any lot or part of a lot within a conservation area that:

- identified in the *Kororoit 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 *Kororoit 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

- within a conservation area identified in the *Kororoit Precinct Structure Plan* for nature conservation and is vested, or is subject of an agreement with the Secretary to the Department of Environment, Land, Water and Planning to be vested in the Secretary to the Department of Environment, Land, Water and Planning for conservation purposes; 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 administering the *Conservation, Forests and Lands Act 1987*; or
  - another statutory authority.
All to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

The Land Management Cooperative Agreement must be entered into:

- in relation to land containing a Nature Conservation conservation area, prior to the commencement of works; or
- in relation to land containing a Growling Grass Frog conservation area, before the issue of a statement of compliance for the last stage of the subdivision.

### 4.0

01/02/2018
C147

**Decision guidelines**

Before deciding on an application to remove, destroy or lop vegetation the responsible authority must consider:

- The conservation and enhancement of the area including visual amenity.
- Preservation of and impact on the natural environment and the need to prevent erosion.
- The preservation and protection of significant vegetation and habitat.
- The management of vegetation to minimise fire hazard.

### 5.0

01/02/2018
C147

**Preparation of the incorporated plan**

None specified.
SCHEDULE 5 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO5.

MT ATKINSON & TARNEIT PLAINS PRECINCT STRUCTURE PLAN

1.0

Requirement before a permit is granted

None specified.

2.0

Permits not generally in accordance with incorporated plan

A permit granted must be generally in accordance with the incorporated plans as they apply to the land unless otherwise agreed in writing by the Secretary to the Department of Environment, Land Water and Planning.

3.0

Conditions and requirements for permits

The requirements of the incorporated Mt Atkinson & Tarneit Plains Precinct Structure Plan must be included in a permit.

Condition - Salvage and Translocation

A planning permit for subdivision, buildings or works must include the following condition:

- Salvage and translocation of threatened flora and fauna species and ecological communities must be undertaken in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.

Condition - Environmental Management Plans

A planning permit for subdivision, buildings or works on land shown as a conservation area in the Mt Atkinson & Tarneit Plains Precinct Structure Plan must include the following condition:

- The subdivision, buildings or works must not commence until an Environmental Management Plan for the relevant works has been approved to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning unless otherwise agreed by the Secretary to the Department of Environment, Land, Water and Planning.

Condition - Protection of conservation areas and native vegetation during construction

A permit granted to subdivide land where construction or works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, on land including or abutting a conservation area or patch of native vegetation or scattered tree identified for retention in the Mt Atkinson & Tarneit Plains Precinct Structure Plan must ensure that:

- Before the start of construction or carrying out of works in or around a conservation area, scattered native tree or patch of native vegetation the developer of the land must erect a conservation area/vegetation protection fence that is:
  - highly visible;
  - at least 2 metres in height;
  - sturdy and strong enough to withstand knocks from construction vehicles;
  - in place for the whole period of construction;
  - located the following minimum distance from the element to be protected:
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- Construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:
  - be located not less than 15 metres from a waterway;
  - be located outside the vegetation protection fence;
  - be constructed and designed to ensure that the conservation area, scattered tree or patches of native vegetation are protected from adverse impacts during construction;
  - not be undertaken if it presents a risk to any vegetation within a conservation area; and
  - be carried out under the supervision of a suitable qualified ecologist or arborist.

**Condition - Land Management Co-operative Agreement**

A permit to subdivide land shown in the *Mt Atkinson and Tarneit Plains Precinct Structure Plan* as including a conservation area must ensure that, before commencement of works 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 *Mt Atkinson and Tarneit Plains 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 *Mt Atkinson and Tarneit Plains Precinct Structure Plan* that:
  - is identified in the *Mt Atkinson and Tarneit Plains 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 the *Mt Atkinson and Tarneit Plains 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.

All to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning.
4.0 Decision guidelines
Before deciding on an application to remove, destroy or lop vegetation the responsible authority must consider:

- The conservation and enhancement of the area including visual amenity.
- Preservation of and impact on the natural environment and the need to prevent erosion.
- The preservation and protection of significant vegetation and habitat.
- The management of vegetation to minimise fire hazard.

5.0 Preparation of the incorporated plan
None specified.
DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.
To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.

Objectives

A schedule to this overlay may specify objectives to be achieved for the area affected by the overlay.

Requirement before a permit is granted

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.
This does not apply if a schedule to this overlay specifically states that a permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority.
A permit granted must:

- Be generally in accordance with the development plan.
- Include any conditions or requirements specified in a schedule to this overlay.

Exemption from notice and review

If a development plan has been prepared to the satisfaction of the responsible authority, an application under any provision of this planning scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Preparation of the development plan

The development plan may consist of plans or other documents and may, with the agreement of the responsible authority, be prepared and implemented in stages.
A development plan that provides for residential subdivision in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone, Township Zone, Comprehensive Development Zone and Priority Development Zone must meet the requirements of Clause 56 as specified in the zone.
The development plan must describe:

- The land to which the plan applies.
- The proposed use and development of each part of the land.
- Any other requirements specified for the plan in a schedule to this overlay.
The development plan may be amended to the satisfaction of the responsible authority.
SCHEDULE 1 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO1

MELTON EAST GROWTH AREA

1.0

Requirement before a permit is granted

Prior to the issue of a planning permit for any use or development, a Development Plan must be prepared to the satisfaction of the Responsible Authority.

A Development Plan must show:

- Detailed plans of sub areas within the plan as well as supporting documentation which assists to clarify the nature of development proposed.
- The relationship of the land to existing or proposed land uses on adjoining land.
- The proposed subdivision lot layout, the road network, pedestrian and bicycle network and open space and drainage reserves.
- The layout of any proposed Activity Centre.
- The proposed land uses for sub areas within the locality.
- The location of all vehicle and pedestrian access ways within, to and from the development.
- The location and layout of all car parking areas, loading bays and access to and from these areas.
- Details of all landscaping development proposed, including the types and species of plants and any arrangements for the maintenance of the landscaping after it has been established.
- The management of vegetation to minimise fire hazard and to ensure the safety or people and property.
- The stages (if any) by which the development of the land is proposed to proceed.

2.0

Requirements for development plan

Before deciding to approve a Development Plan, the responsible authority must consider:

- The existing and possible future development and use of the land and of contiguous or adjacent land.
- The need for appropriate setbacks from residential areas.
- The provision of water, sewerage, drainage and electricity services.
- The orderly planning of the zone, including the management of traffic, the provision of pedestrian ways and open space.
- The need for financial or other contributions towards the provision of reticulated service infrastructure, community and social facilities and services, transport infrastructure and services.
- The provisions of the Melton East Strategy Plan and municipal planning policy.
SCHEDULE 3 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO3

HARKNESS ROAD RURAL LIVING AREA

1.0

Requirement before a permit is granted

Prior to the issue of a planning permit for any use or development, a Development Plan must be prepared to the satisfaction of the Responsible Authority.

The development plan must show:

- Location of existing vegetation, drainage lines and contours.
- Building envelopes.
- Effluent disposal fields.
- Internal road networks.
- Staging.
- The orderly extension of the sealed road network and reticulated water and other services.
- Measures to manage fire hazard.

2.0

Requirements for development plan

Each lot:

- Must be connected to a reticulated water supply.
- Must have frontage to a sealed road that forms part of the municipal sealed road network.
- Should have a frontage of at least 60 metres to a road.

Any application for subdivision and development must:

- Be generally in accordance with the “Melton Design and Siting Guidelines for Conservation and Rural Living Zones” 1996.
- Have an Environmental Management Plan prepared in accordance with the “Guidelines for the Preparation of and Environmental Management Plan” 1996.
SCHEDULE 4 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO4

TOURIST PRECINCT

1.0

Requirement before a permit is granted

Prior to the issue of a planning permit for any use or development, a Development Plan must be prepared to the satisfaction of the Responsible Authority.

The development plan must show how it accords with the Local Area Development Plan – Melton Tourist Precinct, 1997.

The Development Plan should include the following information (where appropriate):

- A site analysis plan.
- A development concept plan.
- An environmental management plan.
- A business plan.

Site analysis plan

A site analysis plan must show:

- Contours and existing vegetation
- Buildings
- Views to and from the site
- Access and connection points
- Drainage and services
- Orientation, microclimate and noise sources
- Where relevant, any contaminated soils and filled areas
- Fences, boundaries and easements
- Any other notable features
- Details of surrounding use and development and their inter-relationship with the land
- Any other matter the Responsible Authority may reasonably require

Development concept plan

A development concept plan must show:

- The overall site plan.
- Staging of construction.
- Potential uses.
- Means and location of effluent disposal.
- Water supply and stormwater drainage.
- Vehicle access and internal circulation.
- Car parking areas.
- Landscaping.
- Building envelopes demonstrating building size and location.
- Any other matter the Responsible Authority may reasonably require.
The development concept plan should be accompanied by a brief assessment of how the development concept plan responds to the site analysis plan.

Environmental Management Plan

An environmental management plan must address the following:

- Key environmental characteristics of the site including environmental constraints.
- Potential impacts of any new development, including works, on surrounding land and the catchment generally.
- Monitoring and control of any off-site impacts on surrounding land uses.
- Land form and visual characteristics of the site.
- Viewsheds.
- Irrigation management (as required).
- Fertiliser management (as required).
- Erosion management (as required).
- Solid waste management (as required).
- Effluent disposal.
- Drainage and stormwater.
- Floodway management.
- Weed control.
- Any other matter the Responsible Authority may reasonably require.

Business Plan

The business plan must establish:

- The target market of the proposed facility.
- Projected demand for the proposed use.
- Relationship to local and regional tourism networks.
- Relevant market research.
- Any other matter the Responsible Authority may reasonably require.

Conditions and requirements for permits

Before deciding on an application to use and develop land, the Responsible Authority must consider:

- Whether the proposed use or development promotes the purpose of the zone.
- Whether the proposed use or development conforms with the Development Plan and the Local Area Development Plan.
- Whether the proposal would prejudice the future use and development of the zone in accordance with the zone purposes.
- The impact of the use or development on the Melton Highway.
- Whether any lot created contains a building envelope which is capable of development (including reference to any recommended buffer distance from an adjacent use or development published by the EPA), to the satisfaction of the Responsible Authority. The building envelope must be shown on any approved plan of subdivision.
- Whether any building is sited in conformity with a plan of the overall development of the land which has been prepared to the satisfaction of the Responsible Authority.
Requirements for development plan

Before deciding to approve a Development Plan, the Responsible Authority must consider the Local Area Development Plan – Melton Tourist Precinct 1997.
SCHEDULE 5 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO5

BANCHORY GROVE AND BELLEVUE HILL

1.0

Requirement before a permit is granted

A permit may be granted for subdivision before a development plan has been prepared to the satisfaction of the responsible authority if the proposed subdivision is generally in accordance with either of the following:

- Plan Ref 4829/T64A prepared by Taylors Surveyors and Planners, dated 15 December 1998 (for Banchory Grove).

2.0

Requirements for development plan

Before deciding to approve a Development Plan, the Responsible Authority must consider:

- The existing and possible future development and use of the land and of contiguous or adjacent land.
- The provision of water, sewerage, drainage and electricity services.
- The orderly planning of the zone, including the management of traffic, the provision of pedestrian ways and open space.
- The impact of aircraft noise in the area.
- The need to minimise the number of residential lots.
- The views of Australian Pacific Airports (Melbourne).

A Development Plan must show:

- Detailed plans of sub areas within the plan as well as supporting documentation which assists to clarify the nature of development proposed.
- The relationship of the land to existing or proposed land uses on adjoining land.
- The proposed subdivision lot layout, the road network, pedestrian and bicycle network and open space and drainage reserves.
- The layout of any proposed Activity Centre.
- The proposed land uses for sub areas within the locality.
- The location of all vehicle and pedestrian access ways within, to and from the development.
- The location and layout of all car parking areas, loading bays and access to and from these areas.
- Details of all landscaping development proposed, including the types and species of plants and any arrangements for the maintenance of the landscaping after it has been established.
- The management of vegetation to minimise fire hazard and to ensure the safety or people and property.
- The stages (if any) by which the development of the land is proposed to proceed.
- Management arrangements for the area designated as significant native vegetation, and the development adjoining that area.
SCHEDULE 6 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO6**

EYNESBURY STATION

1.0

**Requirement before a permit is granted**

A development plan for the whole development plan overlay area as identified in the *Eynesbury Station Incorporated Plan, September 2001* is required. This plan may be prepared in part or as a whole.

Any development plan prepared under the provisions of this overlay must be prepared to the satisfaction of the Responsible Authority.

2.0

**Conditions and requirements for permits**

A permit may be granted before a development plan has been prepared to the satisfaction of the Responsible Authority, for the following:

- Agriculture and any buildings or works in association with the use of the land for agricultural purposes.
- A fence.
- Minor extensions, additions or modifications to any existing use or development.

3.0

**Requirements for Development Plan**

- A development plan must show:
  - All proposed land uses within the plan area.
  - Proposed treatments of significant environmental, heritage and landscape features.
  - Key access routes and linkages to surrounding region.
  - Convenient and safe pedestrian, cycle and horse trail networks.
  - The proposed staging of the development.
  - The location and staging of community education, commercial, open space, and recreational facilities.
  - Identification of relevant items of public infrastructure to be funded in the development by developer contributions.
  - Application of the design philosophy, principles, objectives and particular provisions of the *Eynesbury Station Incorporated Plan, September 2001*.
  - Implementation of relevant aspects of the environmental management strategies, management plans and legal strategies required by the *Eynesbury Station Incorporated Plan, September 2001*. 
SCHEDULE 7 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO7

TENTERFIELD

1.0 Requirement before a permit is granted

Prior to the issue of a planning permit for any development or use:

- a development plan must be prepared to the satisfaction of the responsible authority;
- a landscape masterplan must be prepared to the satisfaction of the responsible authority;
- a drainage strategy must be prepared to the satisfaction of the responsible authority.

2.0 Requirements for Development Plan

A Development Plan must include:

- an overall map of the proposed development in the Development Plan area as well as supporting documentation that assists to clarify the nature of the development proposed;
- a development catering for between 1000 and 1200 lots (of various sizes, types and sub-area densities) or as otherwise proposed by the developer to the satisfaction of the responsible authority.
- the proposed land uses (including generally the areas proposed for conventional and medium density housing);
- the relationship of the land to existing or proposed land uses on adjoining land;
- the proposed arterial and collector road network including proposed actual or indicative linking points to surrounding land;
- the proposed main walking and cycling links;
- the proposed open space areas and their recreation function (natural, passive or active);
- the proposed drainage network;
- the location and general content of any proposed Activity Centre;
- a landscape assessment of the land;
- any existing cultural heritage features and areas and an indication of those proposed to be retained;
- any proposals relating to the findings of a flora and fauna assessment of the land;
- any proposed indicative staging of development of the land;
- any proposed design and siting guidelines and standards (in particular if they differ from the requirements of clause 54 and clause 55).

3.0 Decision guidelines

Before deciding to approve a Development Plan, the responsible authority must consider:

- the existing and possible future development and use of the land and of contiguous or adjacent land;
- the availability of water, sewerage, drainage and electricity services;
- the orderly planning of the zone, including the management of traffic, the provision of pedestrian ways and open space;
- the need for financial or other contributions towards the provision of reticulated service infrastructure, community and social facilities and services, transport infrastructure and services;
- the provisions of the Melton East Strategy Plan and Municipal planning policy.
SCHEDULE 8 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO8

511-531 TAYLORS ROAD, BURNSIDE

This schedule applies to the undeveloped residential zoned land identified for potential residential development of approximately 100 – 140 lots. The aim of the schedule is to ensure development occurs generally in accordance with the Melton East Strategy Plan and to require a range of detailed planning issues to be resolved prior to commencement of development in the area.

Requirements for Development Plan

A Development Plan must:

- Include an overall design that illustrates the location and areas set aside for lots, housing types, roads and integration with the adjoining residential areas in a layout that responds to the features of the land.

- Describe the relationship of uses proposed on the land to existing and proposed uses on adjoining land.

- Indicate provision for a vehicle and pedestrian network that ensures a high level of access within the development for all vehicular and non-vehicular traffic including actual or indicative linking points to the surrounding land.

- Describe any existing cultural heritage features and the means by which they will be managed.

- Describe the existing flora and fauna environment and the means by which they will be managed.

- Provide a Landscape Masterplan showing the location of existing vegetation to be retained and proposed vegetation.

- Illustrate the stages and anticipated timing of development.

- Demonstrate that there will be adequate provision of services infrastructure including water, sewerage, drainage and electricity services to cater for the proposed development.
SCHEDULE 9 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the Planning Scheme map as DP09

WOODGROVE SHOPPING CENTRE

1.0 Requirement before a permit is granted

Prior to the issue of a planning permit for any use or development, a Development Plan must be prepared to the satisfaction of the Responsible Authority.

2.0 Requirements for development plan

The Development Plan must show:

- Details of the location, height, dimensions, floor area, design, elevations and external materials and finishes of all buildings and works.
- Detailed plans of sub-areas within the plan as well as supporting documentation which assists to clarify the nature and use of development proposed.
- The layout of the proposed Activity Centre.
- The relationship of the land to existing or proposed land uses on adjoining land.
- The location of all vehicle and pedestrian access ways within, to and from the development, including essential traffic management and control works on the land and external roads.
- The location of public transport facilities including access, bus interchange, passenger facilities, taxi stands, and bicycle racks.
- The location and layout of all car parking areas, and access to and from these areas, with car parking provisions in accord with Clause 52.06 of the Planning Scheme.
- The location and layout of loading bays and collection areas, including waste storage areas and removal facilities.
- Appropriate buffer zones to minimise the impact of the proposed development on surrounding land uses.
- Details of all landscaping development proposed, including the types and species of plants and any arrangements for the maintenance of the landscaping after it has been established.
- The management of vegetation to minimise fire hazard and to ensure the safety of people and property.
- Details of development fronting onto open space.
- The stages (if any) by which the development of the land is proposed to proceed.

3.0 Decision Guidelines

Before deciding to approve a Development Plan, the Responsible Authority must consider:

- The existing and possible future development and use of the land and of contiguous or adjacent land.
- The provision of water, sewerage, drainage and electricity services.
- The orderly planning of the area, including the management of traffic, the provision of pedestrian ways and open space.
- Measures to manage on-site safety and security issues, and off-site impacts of the development with respect to amenity, visual presentation, noise, privacy issues, and character of the surrounding area.
- The provisions of the Woodgrove Structure Plan, July 2006 and municipal planning policy.
SCHEDULE 11 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO11

CLARKES ROAD, BROOKFIELD

1.0

Requirement before a permit is granted

The Responsible Authority may grant a permit for subdivision, use or development prior to the approval of a development plan provided that the Responsible Authority is satisfied that the subdivision, use or development will not prejudice the future use or development of the land or the purpose of the zone or any other aspect of the Municipal Strategic Statement and relevant policies.

2.0

Requirements and Conditions 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.

The Development Plan must show and include:

- A site analysis plan.
- The proposed subdivision lot layout, the road network, traffic management treatments, pedestrian and bicycle network and open space and drainage reserves.
- The relationship of the land to existing or proposed land uses on adjoining land.
- The location of any on-street car parking.
- Proposed landscaping, including the types and species of plants and details of the treatment of the proposed interface between the development and land abutting public land and drainage reserve.
- An indication of the lots to be created within the subdivision, details of lot size, orientation and the location of areas proposed for medium density development. Lots should front onto Clarkes Road and areas designated for open space.
- Details of any proposed public open space. The siting and layout of the public open space should be planned, where possible, in response to the location of any significant remnant vegetation on site.
- The creation of any public open space links with the adjacent residential developments and existing and proposed open space areas.
- Details of the proposed noise attenuation measures that must be undertaken at the Melton Pistol Club in accordance with the recommendations of the Acoustic Assessment Report dated 16 April, 2007 prepared by Audiometric Acoustic Services prior to any development being undertaken on the site.
- The stages (if any) by which the development of the land is proposed to proceed.
- Neighbourhood Principles contained in Melbourne 2030 (Planning for Sustainable Growth) to achieve residential subdivision design that provides safe, liveable and sustainable neighbourhoods.

Native Vegetation and Fauna

A Flora and Fauna Assessment of the subject site and the public reserve to the east at least 50 metres into the Arnolds Creek reserve or to the top of the escarpment, and into any area where outfall works associated with the development may be proposed to be extended, including a tree survey and report, shall be submitted to the Responsible Authority, assessing the quality and significance of the flora and fauna on the site and retention values of any remnant vegetation. The report should include details on how the development will apply the objectives of achieving a net...
gain in native vegetation, as expressed in the SPPF, and should be consistent with the requirements of Victoria’s Native Vegetation Management A Framework for Action, including the preparation of a Habitat Hectare Assessment.

Environmental Report
The preparation of a preliminary site contamination report must be undertaken for the subject site and submitted to the Responsible Authority for approval.

Traffic Management Report
A Traffic Management Report including an assessment of the proposed layout and the expected traffic impacts associated with the development is to be provided to the satisfaction of the Responsible Authority.

Additional Acoustic Report
An additional acoustic report to be submitted to the satisfaction of Council to verify that the recommended noise attenuation measures have been implemented and comply with the EPA’s Interim Gunshot Noise Guidelines.

Decision Guidelines
Before deciding to approve a Development Plan, the Responsible Authority must consider:

- The existing and future development and use of the land and of contiguous and adjacent land.
- The orderly planning of the site, including the management of traffic, the provision of pedestrian ways and open space.
- The Neighbourhood Principles contained in Melbourne 2030 (Planning for Sustainable Growth) to achieve residential subdivision design that provides safe, livable and sustainable neighbourhoods
- The need for financial or other contributions towards the provision of reticulated service infrastructure, proposed community and social facilities and services, transport infrastructure and services.
- The landscape treatment or other methods of addressing land abutting public land and drainage reserve.
- The appropriate acoustic attenuation measures at the Melton Pistol Club in accordance with the recommendations of the Acoustic Assessment Report dated 16 April, 2007 prepared by Audiometric & Acoustic Services.
- The views of any relevant service authorities.
- The provisions of the EPA’s Interim Gunshot Noise Guidelines.
SCHEDULE 12 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO12

TRUGANINA INDUSTRIAL AREA

1.0

Requirement before a permit is granted

The responsible authority can consider an application for minor works before the development plan has been approved.

2.0

Conditions and requirements for permits

All proposals for minor works (before a development plan has been prepared) must be accompanied by a report demonstrating that they will not prejudice the preparation of a development plan, and the future development of the land for industrial purposes.

3.0

Requirements for development plan

The development plan must describe the land to which the plan applies and show or make provision for:

- The proposed use of each part of the land, having regard to the purpose of the Industrial 1 zone.
- The relationship with the existing or proposed uses on adjoining land.
- A road layout pattern and design which is ecologically sustainable, enhances the character of the area and establishes a movement network which:
  - Provides good internal and external access.
  - Encourages use of public transport.
  - Provides connection between the proposed urban area and adjoining areas.
- A traffic assessment which addresses the impact of the development on the arterial and local road network and identifies mitigating works on those networks including funding responsibilities.
- A proposed lot layout that has regard to the types of uses which are proposed or likely to be developed.
- Water, sewerage, drainage, electricity and gas services.
- Major drainage lines, water features, proposed retarding basins and floodways and the means by which they will be managed and the water quality maintained.
- An overall scheme for landscape planting and the preservation of stands of indigenous vegetation and individual trees, together with any areas for regeneration.
- Sites of conservation, heritage and archaeological significance and the means by which they will be managed or any impacts minimised, including drystone walls.
- The arrangements for providing and funding physical infrastructure.
- The preparation of a stormwater management plan to the satisfaction of Melbourne Water and the responsible authority.
- Access to the road network to the satisfaction of, and at no cost to, the responsible authority and Vic Roads.
- Addressing the impact of storm water drainage on downstream grasslands.
- Bus routes and associated infrastructure such as bus shelters.
- The staging and anticipated timing of development.
Any development plan may be amended with the approval of the responsible authority.

**Archaeological Survey**

An archaeological survey of the site must be carried out prior to submitting the development plan to the responsible authority for approval. The development plan must take into account the recommendations of the archaeological survey to the satisfaction of the responsible authority.

**Flora and Fauna Survey**

A flora and fauna survey must be carried out prior to the approval of the development plan. The development plan must take into account the recommendations of the flora and fauna survey to the satisfaction of the responsible authority.

**Building Design Guidelines**

The development plan must include guidelines that provide for, amongst other matters, the scale, form, height and colour of buildings and fences, landscaping of sites and impacts on views from arterial roads and surrounding areas.

**Agreement**

The responsible authority may require land owners to enter into an Agreement pursuant to section 173 of the Act.

The Agreement may make provision for:

- Contributions to be made by the owners towards the provision of on-site and off-site road, traffic and bridge infrastructure, drainage and stormwater retention works (including the provision of land and/or payment of financial levies) required as a consequence of the intended use and development of the land.

- Contributions to be made by the owners toward the provision and maintenance of a linear park in association with Dunes Drain Open space reserve, including facilities for pedestrians and cyclists.
SCHEDULE 13 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO13

RAVENHALL FREEWAY BUSINESS PARK

1.0

Requirement before a permit is granted

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority for:

- Any building and works associated with the use of the land for agriculture.
- Extensions or alterations to an existing building or works constituting an area not greater than 10% of the area of an existing building or works.

2.0

Conditions and requirements for permits

If appropriate, a permit must include conditions that address the following matters:

- Any requirements of the development plan.
- Provision of public open space.
- Connection to reticulated sewerage, electricity and water supply systems.
- Water Sensitive Urban Design.
- The provision of a drainage reserve to accommodate stormwater arising to the north. to the satisfaction of Melbourne Water.
- Provision of all-weather access to each lot and building envelope.
- Construction of vehicular, pedestrian and cycling roads and paths and connection of those to the broader network particularly the shared cycle and pedestrian path along the Deer Park By-Pass.
- No direct access from a lot onto Robinsons Road. Access is to be obtained via either a service road or from the internal road network.
- Protection of existing environmental features including vegetation.
- Protection of significant flora and fauna (ie communities listed under the Flora and Fauna Guarantee Act 1988 and species listed as threatened by the Department of Sustainable and Environment)
- Application of Victoria’s Native Vegetation Management – A Framework for Action

3.0

Requirements for development plan

Before the responsible authority considers the plan for approval the comments of the following authorities must be taken into account:

- The Country Fire Authority.
- The Roads Corporation.
- The Director of Public Transport.
- The Victorian Rail Track Corporation.
- Relevant telecommunications, electricity, gas and water providers.
- Department of Sustainability and Environment

The development plan must address the following matters:
Access
The development plan must, as appropriate:

- Provide for a controlled intersection from the internal road and Robinsons Road to the satisfaction of Council and the Roads Corporation.
- Provide for walking and cycle trails and rights of way.
- Provide an integrated transport hierarchy. Integrated transport means a unified system or strategy accounting for and providing synergy between all methods and modes of transporting people, goods and services, including but not limited to walking, automobiles, bicycles and fixed rail links.
- Address transport management measures to accompany any development and must include an Integrated Transport Plan to address what infrastructure changes are required to be developed including additions to the arterial road network, prohibition of direct access to Robinsons Rd and Deer Park By-Pass, and the pedestrian and bicycle network connecting to adjacent bicycle and pedestrian paths particularly that is proposed to run along the Deer Park By-Pass.
- Allow for the possible widening of Robinsons Rd by VicRoads.

Services
The development plan must:

- Show the location of major physical infrastructure.
- Indicate the proposed arrangements for the funding and provision of works, physical and social facilities and services from public and private sources.
- Detail the treatment of drainage assets as landscape features in addition to their functional requirements and which do not compromise significant vegetation or landscape.
- Provide for management of urban stormwater.
- Protect, enhance and integrate overland drainage lines will with drainage paths from abutting subdivisions.
- Show how essential services will be provided.

Environment
The development plan must:

- Incorporate, where possible, links along waterways and natural drainage corridors, connecting places of natural and cultural interest, as well as maintaining public accessibility on public land immediately adjoining waterways.
- A detailed flora and fauna assessment (to the satisfaction of DSE) must be conducted prior to the development of any Development Plan, including a habitat hectare assessment and targeted surveys for Striped Legless Lizard and threatened flora. The Development Plan must respond to the findings of the assessment and incorporate retention of significant biodiversity values, to the satisfaction of the Department of Sustainability and Environment.
- An Environmental Management Plan must be prepared for the site and include, but not be limited to, the following: i) a Native Vegetation Offset Plan, ii) management of any native vegetation to be retained, iii) management of any threatened species, iv) management of the site during construction, including actions to mitigate any potential impacts to biodiversity values.
- Address Aboriginal heritage issues identified in a provided Aboriginal heritage report.
- Show how land degradation will be controlled and undeveloped land managed.
Design
The development plan must:
- Encourage energy efficient building design.
- Indicate the potential for site works (fill and excavation).
- Provide a landscape concept plan for road and public open space areas to the responsible authority’s satisfaction.
- Ensure that the use and development of the site ensures there is no loss of amenity for the residential properties on the east side of Robinsons Road.

Amenity
The development plan must:
- Show how development on the site will respond to adjacent residential properties.

General
The development plan must:
- Address any element of the Local Planning Policy in the Melton Planning Scheme which is appropriate to the development of the area.
- Provide for approximate form and positioning of a convenience shopping facility in the estate.
- Indicate an indicative staging of development.
- Encompass the area shown in the following plan.
SCHEDULE 14 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO14

TRUGANINA INDUSTRIAL AREA - BALANCE

1.0

Requirement before a permit is granted

A permit for minor works may be granted before a development plan has been approved.

2.0

Conditions and requirements for permits

All proposals for minor works (before a development plan has been prepared) must be accompanied by a report demonstrating that the minor works will not prejudice the preparation of a development plan.

A planning permit in respect of any land must contain conditions which give effect to the requirements of the development plan relevant to that land.

All planning permit applications for land within 500 metres east of Christies Road (between Middle Road and Boundary Road) must be referred to the Director of Public Transport pursuant to Section 55 of the Planning and Environment Act 1987.

3.0

Requirements for development plan

A development plan may be prepared for the whole or part of the land.

The development plan must describe the land to which the plan applies and show or make provision for the following to the extent that these matters fit with proposed and likely major infrastructure.

- The relationship with the existing or proposed uses on adjoining land.

- A road layout pattern and design which is efficient, enhances the amenity of the area and establishes a movement network which provides connection between the proposed industrial area and adjoining areas.

- An access plan which addresses the impact of the development on the arterial and local road network and identifies mitigating works on those networks including funding arrangements, public transport, cycling and pedestrian access.
A proposed lot layout that has regard to the types of uses which are proposed or likely to be developed and, which responds appropriately to the external road network.

Demonstration that the proposed land use(s) and or development(s) will not prejudice the planning and development of major infrastructure including the Outer Metropolitan Ring Road, the Regional Rail Link, or the Western Intermodal Terminal Corridor

Road and pedestrian infrastructure to allow for the future delivery of public transport services along Robinsons Road as part of the existing and proposed PPTN.

Direct and efficient bus routes that serve the Metropolitan Remand Centre, Middle Road.

The efficient delivery of water, sewerage, drainage, electricity and gas services.

Major drainage lines, water features, proposed retarding basins and floodways and the means by which they will be managed and the water quality maintained.

An overall landscape concept

The identification of sites of conservation, heritage and archaeological significance including dry stone walls and the means by which they will be managed or any impacts minimised.

The arrangements for providing and funding physical infrastructure to be provided on and off the land, including signalised and unsignalised intersections with the adjoining road network, bus stops and shelters, and contributions to the upgrade Boundary Road and Robinsons Road.

The preparation of a stormwater management plan to the satisfaction of Melbourne Water and the responsible authority. The stormwater management plan must address the impact of stormwater drainage on downstream grasslands.

The timing of development particularly having regard to the provision of infrastructure.

**Archaeological Survey**

An archaeological survey of the site must be carried out prior to submitting the development plan to the responsible authority for approval. The development plan must take into account the recommendations of the archaeological survey to the satisfaction of the responsible authority.

**Flora and Fauna Survey**

A Native Vegetation Management Plan must be prepared for the land affected by the development plan. The Native Vegetation Management Plan must contain all the arrangements, as appropriate, proposed for the avoidance, retention, removal or offset of native vegetation.

**Building Design Guidelines**

The development plan must include urban design guidelines that provide for, among other matters, the scale, form, height and colour of buildings and fences, landscaping of sites, setbacks to the adjoining road network and impacts on views from arterial roads and surrounding areas.

**Other Requirements for Development Plan**

Prior to the approval of a Development Plan, or approval of an amendment to a Development Plan, the responsible authority must consult with, as appropriate:

- Wyndham City Council
- Brimbank City Council
- Department of Sustainability and Environment
- Director of Public Transport
Agreement

Prior to the approval of a development plan, the owners of the land to which the development plan applies must enter into an agreement with the responsible authority. The agreement must make provision for infrastructure works or infrastructure contributions required in respect of:

- Where required, road works on the adjoining road network to the frontage of the land.
- Signalisation of intersections identified as signalised by VicRoads and Council.
- Bus stops and shelters on the road network on the land as directed by the Director of Public Transport
- The provision of land for road widening to Boundary Road and Robinsons Road to the satisfaction of VicRoads.
- The securing and subsequent maintenance (for 10 years) of offsite offsets for the removal of any native vegetation on the site

Decision guidelines

Before deciding on a request to approve a development plan or a request to amend a development plan the responsible authority must consider:

- The views of VicRoads in relation to the ultimate width of Boundary Road and Robinsons Road.
- The views of the Director of Public Transport in relation to whether the development plan prejudices the planning and development of major infrastructure including the Outer Metropolitan Ring Road, the Regional Rail Link or the Western Intermodal Terminal Corridor.
SCHEDULE 15 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO15

WESTERN HIGHWAY RESTRICTED RETAIL SITE

1.0

Requirement before a permit is granted

Prior to the issue of a planning permit for any use or development, a Development Plan must be prepared to the satisfaction of the Responsible Authority and VicRoads.

The Development Plan must show:

- Detailed plans of sub areas within the plan as well as supporting documentation, which assists to clarify the nature of the uses and development, proposed.
- The proposed subdivision lot layout, the road network, pedestrian and bicycle network and open space and drainage reserves.
- The location of all vehicle, pedestrian and cycle access ways within, to and from the development including pedestrian permeability and connectivity to other sites within the Neighbourhood Activity Centre and the adjoining pedestrian areas.
- The location and layout of all car parking areas, loading bays and access to and from these areas.
- Details of all landscaping development proposed, including the types and species of plants and any arrangements for the maintenance of the landscaping after it has been established.
- The stages (if any) by which the development of the land is proposed to proceed.
- Appropriate interface treatments and relationship to residential uses to north and west.
- Appropriate interface treatments and relationship to Mixed Use Zone land to east.

2.0

Requirements for development plan

Before deciding to approve a Development Plan, the responsible authority must consider:

- The existing and possible future development and use of the land, and of contiguous or adjacent land.
- The need for appropriate setbacks from residential areas.
- The provision of water, sewerage, drainage and electricity services.
- The orderly planning of the zone, including the management of traffic, the provision of pedestrian ways and open space.
- The need for financial or other contributions towards the provision of reticulated service infrastructure, community and social facilities and services, transport infrastructure and services.
- The provisions of the Melton East Strategy Plan and municipal planning policy.
- The views of VicRoads
SCHEDULE 16 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO16

2-40 OLD CALDER HIGHWAY, DIGGERS REST

1.0 Requirement before a permit is granted

The responsible authority can consider an application for minor works before the development plan has been approved.

2.0 Conditions and requirements for permits

All buildings and works should be in accordance with the following requirements:

Building siting and design

- All aspects of development including external security lighting, the location of rubbish storage and collection areas, loading and unloading facilities etc should be designed and located to minimise potential impact on the amenity of the adjacent residential areas.

Access

- Vehicular crossovers should be located so as to ensure the continued safe and efficient use of the road.

Landscaping

- A landscaping plan, to the satisfaction of the responsible authority, must be submitted with applications for buildings and works.

3.0 Requirements for development plan

Before deciding to approve a Development Plan, the responsible authority must consider:

- The need for future development to have regard for the established streetscape character and development pattern of the neighbourhood, in terms of building height, scale and siting.

- The level of impact the form of development and access (including vehicle crossings and the location of car parking) will have on the amenity of nearby residents,

- The transition between commercial and residential precincts, in terms of built form, landscaping, traffic management and associated features.

- To requirements for on-site parking in order to limit potential congestion on streets providing access to nearby residential properties.

The Development Plan must show:

- Standard density residential lot layout

- Medium density housing

- Internal road layout including ingress and egress

- The location and access of car parking

- Public spaces

- Indicative land uses for each part of the site, including any community facilities

- Preferred loading and unloading areas associated with commercial and/or retail land uses

- The location of noise attenuation measures at the interface between the proposed residential area and the Calder Freeway and the residential area and the Bendigo Rail Line.
The development plan may illustrate indicative stages and anticipated timing of development to the satisfaction of the responsible authority.
SCHEDULE 17 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO17

BURNSIDE ACTIVITY CENTRE

1.0

Requirement before a permit is granted

Before deciding on any application the responsible authority must consider:

- The purposes of the zone
- The approved Development Plan

Where no Development Plan has been approved, the responsible authority may grant a permit to use the land, construct a building or construct or carry out works, provided it is satisfied that the buildings or works will not prejudice the preparation of the Development Plan.

2.0

Requirements for development plan

The Development Plan must show:

- A site analysis that identifies the key attributes of the land, its context, the surrounding area and its relationship with existing and/or proposed uses on adjoining land.
- A high amenity, pedestrian friendly, north facing street attached to the public square.
- A public square which achieves sunlight access from 10.00 am to 2.00 pm during the Winter Solstice (21 June).
- A mix of appropriate uses on the site.
- The use, location and approximate floorspace of existing and proposed buildings and car parking areas on the site.
- Details on the buffer treatment between the site and the residential village to the north.
- Active frontages to key pedestrian interfaces.
- Safe, direct and attractive pedestrian linkages through the site from key access points including connections to car parking, public transport, and residential land (where practicable and appropriate).
- Linkages from car parks to the shops and offices by pedestrian routes which are appropriately landscaped and have active frontages to maximise pedestrian safety (where practicable and appropriate).
- Activation of Westwood Drive and the Western Highway streetscapes through the siting of built form and landscaping (where practicable and appropriate).
- The location of buildings, streets, access points, carparks, vehicle, bus, pedestrian and cycle connections.
- The location and layout of loading bays and collection areas, including waste storage areas and removal facilities.
- The staging and anticipated timing of development.

Urban Design

Urban Design Guidelines must be submitted with the Development Plan and approved by the responsible authority. The guidelines must indicate:

- The preferred built form, including architectural themes.
- Design and interface treatments between the site and adjoining sites.
- Active street frontages along key internal linkages.
Road cross sections.

The proposed connections within the site and external access points.

The provision of built form to Western Highway and Westwood Drive.

**Traffic Management**

A Traffic Management Plan must be submitted with the Development Plan and approved by the responsible authority. The plan must address:

- Public transport integration, connections and stops including potential provision for a bus interchange within the site.
- Ingress and egress points and the estimated levels of usage.
- The impact of traffic generated by the development upon the surrounding road network.
- The level, allocation and location of car parking on the land.
- Internal pedestrian and cycling network and its connectivity outside the site.
- Provision for the loading and unloading of vehicles.

**Environmental Management**

An Environmental Management Plan must be submitted with the Development Plan and approved by the responsible authority. The plan must address:

- Building energy management.
- Water sensitive urban design/integrated water management.
- Construction materials selection.
- Waste management and reduction.
- Transport.

**Noise Attenuation**

A Noise Impact Assessment must be submitted with the Development Plan and approved by the responsible authority. The assessment must consider the impact that the proposed development would have on adjoining land uses and provide details on any required mitigation measures.

**Native Vegetation and Biodiversity Values**

A Flora and Fauna assessment prepared in consultation with the Department of Environment, Land, Water and Planning, must be submitted with the Development Plan and approved by the responsible authority. The assessment must identify the biodiversity values of the site and outline appropriate management measures to avoid or minimise the impacts on those values. The Development Plan must clearly identify any areas of biodiversity value.

**Services and Social Infrastructure**

A Services and Social Infrastructure Assessment must be submitted with the Development Plan and approved by the responsible authority. The assessment must detail how the site will be serviced and the need for any community facilities on site.

**Landscape**

A Landscape Master Plan must be submitted with the Development Plan and approved by the responsible authority. The plan must detail key landscape design principles to be applied in streetscapes, external interfaces, and within proposed public spaces and car parking areas to create attractive interfaces and to encourage a pedestrian scale.
SCHEDULE 18 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO18.

BOTANICA SPRINGS NEIGHBOURHOOD ACTIVITY CENTRE

1.0 Requirement before a permit is granted

Before deciding on any application the responsible authority must consider:

- The purposes of the zone; and
- Any approved development plan.

The responsible authority may grant a permit for use or development prior to the approval of a development plan provided that the responsible authority is satisfied that the use or development will not prejudice the preparation of a development plan or the purpose of the Municipal Strategic Statement and relevant policies.

2.0 Requirements for development plan

A development plan, which may consist of plans and/or other documents, may be prepared for the whole of or part of the land. If a development plan is prepared for part of the land it must be demonstrated to the satisfaction of the responsible authority that the absence of a development plan for the whole of the land does not prejudice the orderly and proper development of the land.

Any development plan must show or include, as appropriate, the following matters to the satisfaction of the responsible authority:

- A site analysis that identifies the key attributes of the land, its context, the surrounding area and its relationship with existing and/or proposed uses on adjoining land.
- A high amenity, pedestrian friendly, north facing street attached to the public square.
- The use, location and approximate floorspace of existing and proposed buildings and car parking areas on the site.
- Appropriately landscaped active frontages to key pedestrian routes and interfaces.
- Safe, direct and attractive pedestrian linkages through the site from key access points, including connections to car parking, public transport, residential land, shops and offices (where practicable and appropriate).
- The location of buildings, streets, access points, carparks, vehicle, bus, pedestrian and cycle connections.
- The location and layout of loading bays and collection areas, including waste storage and removal facilities.
- The staging and anticipated timing of development.

Urban Design

Urban Design Guidelines must be submitted with the development plan and approved by the responsible authority. The guidelines must indicate:

- The preferred built form, including architectural themes.
- Design and interface treatments between the site and adjoining sites.
- Active street frontages along key internal linkages.
- Road cross sections.
- The proposed connections within the site and external access points.
- The provision of built form to Brooklyn Road.
Traffic Management
A traffic management plan must be submitted with the development plan and approved by the responsible authority. The plan must address:

- Public transport integration, connections and stops including potential provision for bus stops and shelters in locations, within and adjoining the neighbourhood activity centre, approved by Public Transport Victoria, at no cost and to the satisfaction of Public Transport Victoria.
- Ingress and egress points and the estimated levels of usage.
- The impact of traffic generated by the development upon the surrounding road network.
- The level, allocation and location of car parking on the land.
- Internal pedestrian and cycling network and its connectivity outside the site.
- Provision for the loading and unloading of vehicles.

Environmental Management
An environmental management plan must be submitted with the development plan and approved by the responsible authority. The plan must address:

- Building energy management.
- Water sensitive urban design/integrated water management.
- Construction materials selection.
- Waste management and reduction.

Services Infrastructure
A services and social infrastructure assessment must be submitted with the development plan and approved by the responsible authority. The assessment must detail how the site will be serviced.

Landscape
A landscape master plan must be submitted with the development plan and approved by the responsible authority. The plan must detail key landscape design principles to be applied in streetscapes, external interfaces, and within proposed public spaces and car parking areas to create attractive interfaces and to encourage a pedestrian scale.
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 floodplain 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 1 TO THE LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as **LSIO1**.

1.0 Permit requirement

Notwithstanding the requirements of the LSIO no permit is required for roadworks in areas marked PAO1 on Map 14PAO.
SCHEDULE 2 TO THE LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as LSIO2.

1.0 Permit Requirements

A permit is not required to construct or carry out:

- An extension to an existing dwelling, provided the proposed floor level is not less than the existing floor level and the gross floor area of the extension does not exceed 20m²
- Works ancillary to an existing dwelling including landscaping, a pergola, driveway, verandah, barbeques, water tank.
- An open building with no walls.
- Replacement fencing constructed of the same type and materials as the existing fence.
- A tennis court at natural surface level with curtain fencing.
- A below-ground swimming pool and security fencing
- A non-habitable building or extension to a non-habitable building, with concrete floors, where floor levels are at least 300 mm above the flood level
- A non-habitable building or extension to a non-habitable building, with dirt floors, where floor levels are at least 150 mm above the flood level
- Footpath, bicycle path or elevated boardwalk, at 300 mm above the applicable flood level
- Radio mast
- Advertising signs on posts or attached to buildings
- Upper storey extensions or alterations to existing buildings
- Replacement fences of the same materials as the existing fence
- Aviaries and other enclosures for domestic animals
- Agricultural and farm buildings with permanent openings such as hay sheds, cattleyards, 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
- Picnic shelters

2.0 Application requirements

An application to construct a building or construct or carry out works must be accompanied by four sets of plans drawn to scale which show:

- The boundaries and dimensions of the site
- Relevant ground levels, to Australian Height Datum, taken by 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 or under the direction or supervision of a licensed land surveyor

3.0 Referral of Applications

An application to construct a building or construct or carry out works or an application to amend a permit does not have to be referred to the floodplain management authority if the application:
- is accompanied by the relevant floodplain management authority's written approval. The written approval must:
  - Be granted not more than three months prior to lodging with the responsible authority
  - Quote the reference number of the approved plans
  - State applicable flood level and any required floor levels

- is in accordance with an adopted local floodplain development plan.

- Complies with a building envelope, filling levels and floor levels specified by Melbourne Water in the previous six months.
SPECIAL BUILDING OVERLAY

Shown on the planning scheme map as **SBO** with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority.
To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

Flooding management objectives and statement of risk

A schedule to this overlay may contain:
- Flooding management objectives to be achieved.
- A statement of risk.

Buildings and works

A permit is required to construct a building or to construct or carry out works, including:
- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- A rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.
- A dependent person’s unit.

This does not apply:
- If a schedule to this overlay specifically states that a permit is not required.
- To flood mitigation works carried out by the responsible authority or floodplain management authority.
- To the following works in accordance with plans prepared to the satisfaction of the responsible authority:
  - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
- The erection of telephone or power lines provided they do not involve the construction of towers or poles designed to operate at more than 66,000 volts.

- To landscaping, driveways, vehicle cross overs, footpaths or bicycle paths if there is no significant change to existing surface levels, or if the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.

- To an extension of less than 20 square metres in floor area to an existing building (not including an out-building), where the floor levels are constructed to at least 300mm above the flood level or if the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.

- To an upper storey extension to an existing building.

- To an alteration to an existing building where the original building footprint remains the same and floor levels are constructed to at least 300mm above flood level.

- To an out-building (including replacement of an existing building) if the out-building is less than 10 square metres in floor area and constructed to at least 150mm above the flood level or the relevant floodplain management authority has agreed in writing that the flowpath is not obstructed.

- To a replacement building (not including an out-building) if it is constructed to at least 300mm above the flood level and the original building footprint remains the same. The responsible authority may require evidence of the existing building envelope.

- To fencing with at least 25% openings and with the plinth at least 300mm above the flood level.

- To a replacement fence in the same location and of the same type and materials as the existing fence.

- To a pergola or an open deck area with unenclosed foundations.

- To a carport constructed over an existing carspace.

- To an in-ground swimming pool and associated security fencing, where the perimeter edging of the pool is constructed at natural surface levels and excavated material is removed from the flowpath.

- To a tennis court at existing surface level with fencing designed to minimise obstruction to flows.

- To an aviary or other enclosure for a domestic animal if it is less than 10 square metres in floor area at ground level.

- To open sided verandahs, open sided picnic shelters, barbeques and park furniture (excluding playground equipment) if there is less than 30mm change to existing surface levels.

- To radio masts, light poles or signs on posts or attached to buildings.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works.</td>
<td>Clause 59.08</td>
</tr>
</tbody>
</table>

**Subdivision**

A permit is required to subdivide land.
**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Any of the following classes of subdivision:</td>
<td>Clause 59.08</td>
</tr>
<tr>
<td>- Subdivide land to realign the common boundary between 2 lots where the area of either lot is reduced by less than 15 percent and the general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>- Subdivide land into lots each containing an existing building or car parking space where:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
</tr>
<tr>
<td></td>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
</tr>
<tr>
<td>- Subdivide land into 2 lots if:</td>
<td></td>
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<tr>
<td></td>
<td>- The construction of a building or the construction or carrying out of works on the land is approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
</tr>
<tr>
<td></td>
<td>- The construction or carrying out of the approved building or works on the land has started lawfully.</td>
</tr>
<tr>
<td></td>
<td>- The subdivision does not create a vacant lot.</td>
</tr>
</tbody>
</table>

**Application requirements**

Unless otherwise agreed in writing by the relevant floodplain management authority, an application to construct a building or construct or carry out works must be accompanied by a site plan which shows, as appropriate:

- The boundaries and dimensions of the site.
- Relevant existing and proposed ground levels, to Australian Height Datum, taken by or under the direction or supervision of a licensed land surveyor.
- The layout, size and use of existing and proposed buildings and works, including vehicle parking areas.
- Floor levels of any existing and proposed buildings to Australian Height Datum.
- Cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.
- Any other application requirements specified in a schedule to this overlay.

**Local floodplain development plan**

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.
Exemption from notice and review
An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Referral of applications
An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed to in writing between the responsible authority and the floodplain management authority.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- Any other matters specified in a schedule to this overlay.
SCHEDULE TO THE SPECIAL BUILDING OVERLAY

Shown on the planning scheme map as SBO.

1.0 Application requirements

An application to construct a building or construct or carry out works must be accompanied by four sets of plans drawn to scale which show:

- The boundaries and dimensions of the site
- Relevant ground levels, to Australian Height Datum, taken by 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

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:

- is accompanied by the relevant floodplain management authority's written approval, The written approval must:
  - Be granted not more than three months prior to lodging with the responsible authority
  - Quote the reference number of the approved plans
  - State applicable flood level and any required floor levels
- is in accordance with an adopted local floodplain development plan.
**44.06**  
31/07/2018  
VC148

**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.

**44.06-1**  
19/09/2017  
VC132

**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.

**44.06-2**  
08/08/2019  
VC159

**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.
MELTON PLANNING SCHEME

- 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.

44.06-3
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.

44.06-4
Requirements of Clause 53.02

An application must meet the requirements of Clause 53.02 unless the application meets all of the requirements specified in a schedule to this overlay.

A schedule to this overlay may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines for the purposes of Clause 53.02.

44.06-5
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.

**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.

EYNESBURY BAL-12.5 AREAS

1.0

Statement of the bushfire management objectives to be achieved

To specify bushfire protection measures to construct or extend one dwelling on a lot.
To specify referral requirements for applications to construct or extend one dwelling on a lot.

Application

The application to construct or extend one dwelling on a lot must include all the requirements set out in this schedule.
Clause 52.47 applies in all other circumstances.

2.0

Permit requirement

None specified.

3.0

Application requirements

An application must be accompanied by a bushfire management plan that:
- Shows all of the required bushfire protection measures specified in this schedule,
- Includes written conditions that implement the required bushfire protection measures,
- Identifies water supply including the location of any fire hydrant within 120 metres of the rear of the building, and
- Details vehicle access.

4.0

Requirements to be met

The following requirements apply to an application to construct a single dwelling on a lot:
- The dwelling must be constructed to BAL-12.5
- Defendable space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser and maintained in accordance with the vegetation management requirements of Clause 52.47 with the following variation:
  - The canopy of trees must be separated by at least 2 metres.
- A static water supply must be provided in accordance with Clause 52.47, and
- Vehicle access must be provided in accordance with Clause 52.47.
If these requirements are not met, the requirements of Clause 52.47 apply.

5.0

Substitute approved measures for Clause 52.47

None specified.

6.0

Additional alternative measures for Clause 52.47

None specified.

7.0

Mandatory Condition

An application must include the mandatory conditions as specified in Clause 44.06-4.
8.0
03/10/2017
GC13

**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.

9.0
03/10/2017
GC13

**Notice and review**

None specified.

10.0
03/10/2017
GC13

**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 OVERLAY

### Public acquisition

<table>
<thead>
<tr>
<th>PS Map</th>
<th>Acquiring Authority</th>
<th>Purpose of Acquisition</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAO1</td>
<td>VicRoads</td>
<td>Road</td>
</tr>
<tr>
<td>PAO3</td>
<td>Roads Corporation</td>
<td>Outer Metropolitan Ring /E6 Transport Corridor</td>
</tr>
<tr>
<td>PAO5</td>
<td>The Minister responsible for administering Part 2 of the Crown Land (Reserves) Act 1978</td>
<td>Western Grassland Reserves</td>
</tr>
<tr>
<td>PAO6</td>
<td>Director of Public Transport</td>
<td>Outer Metropolitan Ring / E6 Transport Corridor – Rail Connections</td>
</tr>
<tr>
<td>PAO7</td>
<td>Melton City Council</td>
<td>Road Purposes</td>
</tr>
<tr>
<td>PAO8</td>
<td>Public Transport Victoria</td>
<td>Calder Park Train Stabling and Maintenance Yards</td>
</tr>
<tr>
<td>PAO9</td>
<td>Western Region Water Corporation</td>
<td>Recycled Water Storage Facility</td>
</tr>
<tr>
<td>PAO10</td>
<td>Melbourne Water</td>
<td>Drainage</td>
</tr>
<tr>
<td>PAO11</td>
<td>Minister for Energy, Environment and Climate Change</td>
<td>Delivery of the Kororoit Creek 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.
RESTRUCTURE OVERLAY

Shown on the planning scheme map as RO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify old and inappropriate subdivisions which are to be restructured.
To preserve and enhance the amenity of the area and reduce the environmental impacts of dwellings and other development.

Subdivision

A permit is required to subdivide land.

A subdivision must be in accordance with a restructure plan for the land listed in the schedule to this overlay. This does not apply if the subdivision is for one of the following purposes and no additional lots or subdivision potential is created:

- To realign boundaries between lots that have been consolidated in accordance with the restructure plan.
- To consolidate a restructure lot with a section of closed road or other land not included in a proposed restructure lot.

Each lot must be provided with reticulated sewerage if available. If reticulated sewerage is not available, the application must be accompanied by:

- A land assessment report which demonstrates that each lot is capable of treating and retaining all waste water in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- A plan which indicates the building envelope and effluent disposal area for each lot.

Before deciding on an application to subdivide land into residential lots, the responsible authority must consider Clause 56.

Dwellings and other buildings

A permit is required to construct or extend a dwelling or other building.

A permit must be in accordance with a restructure plan for the land listed in a schedule to this overlay. This does not apply if:

- No restructure plan is listed in the schedule and the permit is required to extend an existing dwelling or other building.
- The land is a lot for which a permit has been granted under Clause 45.05-1.

Exemption from notice and review

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The objectives of the restructure plan for the area.
- Appropriate measures to cope with any environmental hazard or constraint affecting the land, including slope, drainage, salinity and erosion.

- The protection and enhancement of the natural environment and the character of the area including the retention of vegetation and fauna habitats and the need to revegetate along waterways, gullies, ridge lines and property boundaries.

- The availability of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.

- The relationship of the intended use and development to the existing or likely use and development of adjoining and nearby land.

- The effect on surrounding uses, especially agricultural uses and nearby public land.

- The design of buildings.
# SCHEDULE TO THE RESTRUCTURE OVERLAY

<table>
<thead>
<tr>
<th>PS Map reference</th>
<th>Land</th>
<th>Title of restructure plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>13</td>
<td>Rosedale Estate Chartwell</td>
<td>Chartwell Restructure Allotment Plan (August 1992)</td>
</tr>
</tbody>
</table>
DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

Development contributions plan

A permit must not be granted to subdivide land, construct a building or construct or carry out works until a development contributions plan has been incorporated into this scheme.
This does not apply to the construction of a building, the construction or carrying out of works or a subdivision specifically excluded by a schedule to this overlay.
A permit granted must:

• Be consistent with the provisions of the relevant development contributions plan.
• Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.

Preparation of a development contributions plan

The development contributions plan may consist of plans or other documents and may, with the agreement of the planning authority, be prepared and implemented in stages.
The development contributions plan must:

• Specify the area to which the plan applies.
• Set out the works, services and facilities to be funded through the plan, including the staging of the provision of those works, services and facilities.
• Relate the need for the works, services or facilities to the proposed development of land in the area.
• Specify the estimated costs of each of the works, services and facilities.
• Specify the proportion of the total estimated costs of the works, services and facilities which is to be funded by a development infrastructure levy or community infrastructure levy or both.
• Specify the land in the area and the types of development in respect of which a levy is payable and the method for determining the levy payable in respect of any development of land.
• Provide for the procedures for the collection of a development infrastructure levy in respect to any development for which a permit is not required.
The development contributions plan may:

• Exempt certain land or certain types of development from payment of a development infrastructure levy or community infrastructure levy or both.
• Provide for different rates or amounts of levy to be payable in respect of different types of development of land or different parts of the area.
SCHEDULE 1 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO1.

TAYLORS HILL WEST DEVELOPMENT CONTRIBUTIONS PLAN

Area covered by this development contributions plan

Land in Plumpton bounded by Beattys Road to the north, a transmission easement to the west, Taylors Road to the south and existing residential development in Taylors Hill and Hillside to the east.

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>20,191,130</td>
<td>Generally concurrent with subdivision*</td>
<td>15,614,825</td>
<td>77</td>
</tr>
<tr>
<td>Traffic management works</td>
<td>1,850,000</td>
<td>Generally concurrent with subdivision*</td>
<td>1,850,000</td>
<td>100</td>
</tr>
<tr>
<td>Walking and bike trails</td>
<td>843,750</td>
<td>Medium term</td>
<td>843,750</td>
<td>100</td>
</tr>
<tr>
<td>Active open space facilities</td>
<td>11,973,956</td>
<td>Long term</td>
<td>11,881,456</td>
<td>99</td>
</tr>
<tr>
<td>Community centre</td>
<td>5,146,301</td>
<td>Long term</td>
<td>5,146,301</td>
<td>100</td>
</tr>
<tr>
<td>Structure Planning</td>
<td>200,000</td>
<td>completed</td>
<td>200,000</td>
<td>100</td>
</tr>
<tr>
<td>TOTAL</td>
<td>40,205,137</td>
<td></td>
<td>35,536,332</td>
<td>88</td>
</tr>
</tbody>
</table>

*See the Taylor Hill West Development Contributions Plan for project specific timing details and where relevant, how to provide works in lieu of cash contributions.

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>$ per Ha</td>
</tr>
<tr>
<td></td>
<td>residential</td>
</tr>
<tr>
<td>Land for roads, active open space and community facility</td>
<td>67,715</td>
</tr>
<tr>
<td>Distributor roads</td>
<td>63,788</td>
</tr>
<tr>
<td>Traffic management works</td>
<td>15,603</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*.

If the collecting agency adjusts the amount of the CIL payment under this DCP, the collecting agency will publish the adjusted amount of the CIL payable under this DCP on its website.

4.0 28/10/2010 C82

Indexation

The levy payable per hectare of net developable area is adjusted annually in accordance with the Taylors Hill West Precinct Structure Plan Development Contributions Plan (incorporated document).

5.0 28/10/2010 C82

Land or development excluded from development contributions plan

The following buildings and works are exempt from the provisions of this overlay:

- Land where a s173 Agreement has been executed for development contributions
- Construction of one dwelling, including outbuildings, on a lot that exists before this overlay, provided it is the only dwelling on the lot
- Any buildings or works in association with the use of the land for agricultural purposes
- A fence
- A sign
- Minor extensions, additions or modifications to any existing development.

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 2 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO2.

MELTON NORTH PRECINCT STRUCTURE PLAN DEVELOPMENT CONTRIBUTIONS PLAN

Area covered by this development contributions plan

Land in Melton West and Kurunjang within the DCPO2 area as shown on the planning scheme maps.

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>$15,605,246</td>
<td>Refer to DCP.</td>
<td>$8,256,757</td>
<td>53%</td>
</tr>
<tr>
<td>Land Acquisition (active open space and community facilities)</td>
<td>$2,315,000</td>
<td>At subdivision.</td>
<td>$1,503,450</td>
<td>65%</td>
</tr>
<tr>
<td>Off Road Trails</td>
<td>$327,938</td>
<td>Refer to DCP.</td>
<td>$327,938</td>
<td>100%</td>
</tr>
<tr>
<td>Active Open Space (construction)</td>
<td>$2,964,040</td>
<td>Refer to DCP.</td>
<td>$1,583,040</td>
<td>53%</td>
</tr>
<tr>
<td>Community Facilities (construction)</td>
<td>$4,500,000</td>
<td>Refer to DCP.</td>
<td>$1,935,000</td>
<td>43%</td>
</tr>
<tr>
<td>Structure Planning</td>
<td>$200,000</td>
<td>Completed.</td>
<td>$200,000</td>
<td>100%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$25,912,224</strong></td>
<td></td>
<td><strong>$13,806,185</strong></td>
<td><strong>53%</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>Land per net developable hectare</td>
<td>Community infrastructure $2,245.42</td>
</tr>
<tr>
<td>Roads and Intersections (including land)</td>
<td>All infrastructure All Development</td>
</tr>
<tr>
<td>$92,699.64.70</td>
<td>$0</td>
</tr>
<tr>
<td>Land Acquisition (active open space and community facilities)</td>
<td>$0</td>
</tr>
<tr>
<td>Off Road Trails</td>
<td>$0</td>
</tr>
<tr>
<td>Active Open Space (construction)</td>
<td>$11,205.12</td>
</tr>
<tr>
<td>Community Facilities (construction)</td>
<td>$15,156.62</td>
</tr>
<tr>
<td>Precinct Plan and Development Contributions Plan</td>
<td>$2,245.42</td>
</tr>
<tr>
<td>Facility</td>
<td>LEVIES PAYABLE BY THE DEVELOPMENT</td>
</tr>
<tr>
<td>--------------------------</td>
<td>-----------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td>Development Infrastructure</td>
</tr>
<tr>
<td></td>
<td>Community infrastructure</td>
</tr>
<tr>
<td></td>
<td>All infrastructure</td>
</tr>
<tr>
<td></td>
<td>$ per net developable hectare</td>
</tr>
<tr>
<td></td>
<td>$ Per dwelling</td>
</tr>
<tr>
<td></td>
<td>All Development</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$141,868.03 per net developable hectare</td>
</tr>
<tr>
<td></td>
<td>$1,150 per dwelling</td>
</tr>
<tr>
<td></td>
<td>$141,868.03 per net developable hectare plus community infrastructure</td>
</tr>
<tr>
<td></td>
<td>levy of $1,150 per dwelling</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 Rawlison's Australian Construction Handbook on 1st January 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 3 TO THE DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO3.

TOOLERN PRECINCT STRUCTURE PLAN DEVELOPMENT CONTRIBUTIONS PLAN

1.0

Area covered by this development contributions plan

Land to the south and east of Melton Township within the DCPO3 area.

2.0

Summary of costs in 2009 dollars

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost ($)</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to Development Infrastructure Levy (DIL) ($)</th>
<th>Proportion of DIL cost attributable to total development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads</td>
<td>$95,184,129</td>
<td>As required.</td>
<td>$95,184,129</td>
<td>100%</td>
</tr>
<tr>
<td>Intersections</td>
<td>$24,252,530</td>
<td>As required.</td>
<td>$24,252,530</td>
<td>100%</td>
</tr>
<tr>
<td>Bridges</td>
<td>$20,811,000</td>
<td>As required.</td>
<td>$20,811,000</td>
<td>100%</td>
</tr>
<tr>
<td>Public Transport</td>
<td>$1,500,000</td>
<td>As required.</td>
<td>$1,500,000</td>
<td>100%</td>
</tr>
<tr>
<td>Unencumbered Land for Active Open Space</td>
<td>$28,290,000</td>
<td>As required.</td>
<td>$27,033,000</td>
<td>96%</td>
</tr>
<tr>
<td>Community Facilities</td>
<td>$36,658,128</td>
<td>As required.</td>
<td>$26,496,659</td>
<td>72%</td>
</tr>
<tr>
<td>Outdoor Active Recreation</td>
<td>$32,821,440</td>
<td>As required.</td>
<td>$21,766,296</td>
<td>66%</td>
</tr>
<tr>
<td>Off-road pedestrian and cycle trails</td>
<td>$682,500</td>
<td>As required.</td>
<td>$682,500</td>
<td>100%</td>
</tr>
<tr>
<td>Structure Planning</td>
<td>$1,250,000</td>
<td>As required.</td>
<td>$1,250,000</td>
<td>100%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$241,449,727</td>
<td>-</td>
<td>$218,976,114</td>
<td></td>
</tr>
</tbody>
</table>
### Summary of contributions for Charge Area 1 in 2009 dollars

<table>
<thead>
<tr>
<th>Facility</th>
<th>Development Infrastructure Levy (DIL)</th>
<th>Community Infrastructure Levy (CIL)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All development</td>
<td>Residential</td>
</tr>
<tr>
<td>Roads</td>
<td>$55,343</td>
<td>$ -</td>
</tr>
<tr>
<td>Intersections</td>
<td>$14,101</td>
<td>$ -</td>
</tr>
<tr>
<td>Bridges</td>
<td>$12,100</td>
<td>$ -</td>
</tr>
<tr>
<td>Public Transport</td>
<td>$872</td>
<td>$ -</td>
</tr>
<tr>
<td>Unencumbered Land for Active Open Space</td>
<td>$19,894</td>
<td>$ -</td>
</tr>
<tr>
<td>Community Facilities</td>
<td>$24,567</td>
<td>$900.00 per dwelling</td>
</tr>
<tr>
<td>Outdoor Active Recreation</td>
<td>$16,890</td>
<td>$900.00 per dwelling</td>
</tr>
<tr>
<td>Off-road pedestrian and cycle trails</td>
<td>$565</td>
<td>$ -</td>
</tr>
<tr>
<td>Structure Planning</td>
<td>$727</td>
<td>$ -</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$145,059 per net developable hectare</td>
<td>$900.00 per dwelling</td>
</tr>
</tbody>
</table>

### Summary of contributions for Charge Area 2 in 2009 dollars

<table>
<thead>
<tr>
<th>Facility</th>
<th>Development Infrastructure Levy (DIL)</th>
<th>Community Infrastructure Levy (CIL)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All development</td>
<td>Residential</td>
</tr>
<tr>
<td>Roads</td>
<td>$55,343</td>
<td>$ -</td>
</tr>
<tr>
<td>Intersections</td>
<td>$14,101</td>
<td>$ -</td>
</tr>
<tr>
<td>Bridges</td>
<td>$12,100</td>
<td>$ -</td>
</tr>
<tr>
<td>Public Transport</td>
<td>$872</td>
<td>$ -</td>
</tr>
<tr>
<td>Unencumbered Land for Active Open Space</td>
<td>$23,034</td>
<td>$ -</td>
</tr>
<tr>
<td>Community Facilities</td>
<td>$21,032</td>
<td>$900.00 per dwelling</td>
</tr>
<tr>
<td>Outdoor Active Recreation</td>
<td>$19,006</td>
<td>$900.00 per dwelling</td>
</tr>
<tr>
<td>Off-road pedestrian and cycle trails</td>
<td>$565</td>
<td>$ -</td>
</tr>
<tr>
<td>Structure Planning</td>
<td>$727</td>
<td>$ -</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$146,782 per net developable hectare</td>
<td>$900.00 per dwelling</td>
</tr>
</tbody>
</table>

### Summary of contributions for Charge Area 3 in 2009 dollars

<table>
<thead>
<tr>
<th>Facility</th>
<th>Development Infrastructure Levy (DIL)</th>
<th>Community Infrastructure Levy (CIL)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All development</td>
<td>Residential</td>
</tr>
<tr>
<td>Roads</td>
<td>$55,343</td>
<td>$ -</td>
</tr>
<tr>
<td>Intersections</td>
<td>$14,101</td>
<td>$ -</td>
</tr>
<tr>
<td>Facility</td>
<td>Development Infrastructure Levy (DIL)</td>
<td>Community Infrastructure Levy (CIL)</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>--------------------------------------</td>
<td>-------------------------------------</td>
</tr>
<tr>
<td></td>
<td>All development</td>
<td>Residential</td>
</tr>
<tr>
<td>Bridges</td>
<td>$12,100</td>
<td>$ -</td>
</tr>
<tr>
<td>Public Transport</td>
<td>$872</td>
<td>$ -</td>
</tr>
<tr>
<td>Unencumbered Land for Active Open Space</td>
<td>$19,971</td>
<td>$ -</td>
</tr>
<tr>
<td>Community Facilities</td>
<td>$20,758</td>
<td>$900.00 per dwelling</td>
</tr>
<tr>
<td>Outdoor Active Recreation</td>
<td>$12,870</td>
<td>$900.00 per dwelling</td>
</tr>
<tr>
<td>Off-road pedestrian and cycle trails</td>
<td>$565</td>
<td>$ -</td>
</tr>
<tr>
<td>Structure Planning</td>
<td>$727</td>
<td>$ -</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$137,330 per net developable hectare</td>
<td>$900.00 per dwelling</td>
</tr>
</tbody>
</table>

Summary of contributions for Charge Area 4 in 2009 dollars

<table>
<thead>
<tr>
<th>Facility</th>
<th>Development Infrastructure Levy (DIL)</th>
<th>Community Infrastructure Levy (CIL)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>All development</td>
<td>Residential</td>
</tr>
<tr>
<td>Roads</td>
<td>$55,343</td>
<td>$ -</td>
</tr>
<tr>
<td>Intersections</td>
<td>$14,101</td>
<td>$ -</td>
</tr>
<tr>
<td>Bridges</td>
<td>$12,100</td>
<td>$ -</td>
</tr>
<tr>
<td>Public Transport</td>
<td>$872</td>
<td>$ -</td>
</tr>
<tr>
<td>Unencumbered Land for Active Open Space</td>
<td>$872</td>
<td>$ -</td>
</tr>
<tr>
<td>Community Facilities</td>
<td>$ -</td>
<td>$900.00 per dwelling</td>
</tr>
<tr>
<td>Outdoor Active Recreation</td>
<td>$ -</td>
<td>$900.00 per dwelling</td>
</tr>
<tr>
<td>Off-road pedestrian and cycle trails</td>
<td>$ -</td>
<td>$ -</td>
</tr>
<tr>
<td>Structure Planning</td>
<td>$727</td>
<td>$ -</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$84,016 per net developable hectare</td>
<td>$900.00 per dwelling</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 Rawlinson's Australian Construction Handbook on 1 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 offset costs for the removal of native vegetation which form a component of the cost of particular infrastructure items within the Toolern Precinct Structure Plan Development Contributions Plan will be adjusted in accordance with any Offset Plan prepared to the satisfaction of the Department of Sustainability and Environment and approved by the Responsible Authority.
4.0

**Non-government schools**

The Toolern Precinct Structure Plan Development Contributions Plan Land Budget (Refer to Tables 1 and 2) specifies a quantum of land to be used for non-government schools and identifies preferred locations for non-government schools. The preferred locations are specified within the Future Urban Structure (Plan 2).

If a preferred site designated within the Future Urban Structure for a non-government school is to be used for this purpose, the development contribution specified for a non-government school in the Toolern Precinct Structure Plan Development Contributions Plan is to be applied to the area of land containing the use irrespective of the Charge Area within which it is located. This provision also applies to alternative non-government school sites not specified within the Toolern Precinct Structure Plan area.

The application of this provision to preferred and/or alternative sites is limited to the quantum of land specified within the Toolern Precinct Structure Plan for non-government school use unless otherwise agreed to by the Collecting Agency.

5.0

**Land or development excluded from development contributions plan**

Land required for the following (as set out in the Toolern Precinct Structure Plan):

- 6 and 4 lane arterial roads, railway reservations, community facilities, government schools.
- Melbourne Water drainage reserves and retarding basins.
- Heritage and conservation areas.
- Open space (active and passive).
- Melton landfill, Ferris Road (21.82 ha) as shown in Section 2.3.10 of the Toolern Precinct Structure Plan.

*Note: This schedule sets out a summary of the costs and contributions prescribed in the Toolern Precinct Structure Plan Development Contributions Plan incorporated document. Refer to this document for full details.*
SCHEDULE 4 TO THE DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO4.

ROCKBANK NORTH DEVELOPMENT CONTRIBUTIONS PLAN

1.0

Area covered by this development contributions plan

All land within the Rockbank North Precinct Structure Plan area as shown on the Planning Scheme Maps as DCPO4.

2.0

Summary of costs

All Infrastructure

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development infrastructure levy $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads, Bridges, Intersections</td>
<td>62,380,000</td>
<td>Refer to DCP</td>
<td>62,380,000</td>
<td>100%</td>
</tr>
<tr>
<td>Outdoor Active Recreation</td>
<td>57,068,000</td>
<td>Refer to DCP</td>
<td>37,287,360</td>
<td>65%</td>
</tr>
<tr>
<td>Community Facilities</td>
<td>22,864,000</td>
<td>Refer to DCP</td>
<td>16,739,000</td>
<td>73%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>142,312,000</strong></td>
<td></td>
<td><strong>116,406,360</strong></td>
<td><strong>84.9%</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>Roads, bridges &amp; Intersections</td>
<td>$140,869.88</td>
</tr>
<tr>
<td>Outdoor Active Recreation</td>
<td>$84,204.28</td>
</tr>
<tr>
<td>Community Facilities</td>
<td>$37,800.91</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$262,875.07</strong></td>
</tr>
</tbody>
</table>

The capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as publicised in the latest edition of Rawlinson's 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.

4.0

Land or development excluded from development contributions plan

Land required for the following as set out in the Rockbank North Precinct Structure Plan is excluded from the Net Developable Area:

- Arterial roads, community facilities, government and non-government schools.
- Encumbered Land
- Active and Passive Open space.

Notes: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.
SCHEDULE 5 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO5.

DIGGERS REST DEVELOPMENT CONTRIBUTIONS PLAN

1.0

Area covered by this development contributions plan
All land within the Diggers Rest Precinct Structure Plan area as shown on the Planning Scheme Maps as DCPO5.

2.0

Summary of costs

All Infrastructure

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads, Bridges, Intersections</td>
<td>25,941,503</td>
<td>Refer to DCP</td>
<td>25,493,904</td>
<td>98%</td>
</tr>
<tr>
<td>Active Recreation</td>
<td>31,903,000</td>
<td>Refer to DCP</td>
<td>22,710,000</td>
<td>71%</td>
</tr>
<tr>
<td>Community Facilities</td>
<td>7,558,000</td>
<td>Refer to DCP</td>
<td>7,558,000</td>
<td>100%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>65,402,503</td>
<td></td>
<td>55,761,904</td>
<td>85%</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>Employment</td>
<td>Residential development per NDA</td>
</tr>
<tr>
<td>Roads &amp; Intersections</td>
<td>$81,499.65</td>
<td>$81,499.65</td>
<td>$81,499.65</td>
</tr>
<tr>
<td>Active Recreation</td>
<td>$79,606.00</td>
<td></td>
<td>79,606.00</td>
</tr>
<tr>
<td>Community Facilities</td>
<td>$26,493.27</td>
<td></td>
<td>26,493.27</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$187,598.92</td>
<td>$81,499.65</td>
<td>$1,150 per dwelling</td>
</tr>
</tbody>
</table>

Summary of contributions

The capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as publicised in the latest edition of Rawlinsons Australian Construction Handbook on 1st January and 1st July each year.

The land values for each infrastructure item, where applicable, will be adjusted on 1 July each year following site specific land valuations undertaken by a registered valuer.

The Community Infrastructure Levy (CIL) payable under this Development Contributions Plan (DCP)

Section 46L of the Planning and Environment Act 1987 sets the maximum CIL amount that can be collected under an approved DCP.
If the maximum amount of the CIL which may be collected under an approved DCP is varied under section 46L of the Planning and Environment Act 1987, the collecting agency may adjust the amount of the CIL payable under this DCP in accordance with section 46L of the Planning and Environment Act 1987.

If the collecting agency adjusts the amount of the CIL payment under this DCP, the collecting agency will publish the adjusted amount of the CIL payable under this DCP on its website.

**Land or development excluded from development contributions plan**

Land required for the following as set out in the Diggers Rest Precinct Structure Plan is excluded from the Net Developable Area:

- Arterial roads, community facilities, government and non government schools.
- Encumbered land
- Active and passive open space.

*Note:* This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details.
SCHEDULE 6 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO6.

TOOLERN PARK DEVELOPMENT CONTRIBUTIONS PLAN

1.0

23/10/2014

C122

Area covered by this development contributions plan

All land within the Toolern Park Precinct Structure Plan area as shown on the Planning Scheme Maps as DCPO6.

Summary of costs

All Infrastructure

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development infrastructure levy</th>
<th>Proportion of cost attributable to development infrastructure levy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transport</td>
<td>$3,692,948</td>
<td>Refer to DCP</td>
<td>$3,692,948</td>
<td>100%</td>
</tr>
<tr>
<td>Community</td>
<td>$1,842,120</td>
<td>Refer to DCP</td>
<td>$1,842,120</td>
<td>100%</td>
</tr>
<tr>
<td>Active Recreation</td>
<td>$5,937,478</td>
<td>Refer to DCP</td>
<td>$5,937,478</td>
<td>100%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$11,472,546</strong></td>
<td><strong>Refer to DCP</strong></td>
<td><strong>$11,472,546</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>

Summary of contributions

<table>
<thead>
<tr>
<th>Facility</th>
<th>Development Infrastructure All development per NDA</th>
<th>Community infrastructure Per dwelling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transport</td>
<td>$108,872</td>
<td></td>
</tr>
<tr>
<td>Community</td>
<td>$54,308</td>
<td></td>
</tr>
<tr>
<td>Active Recreation</td>
<td>$94,929</td>
<td>$1,150</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$258,109</strong></td>
<td><strong>$1,150</strong></td>
</tr>
</tbody>
</table>

The development infrastructure levy is payable by all development per net developable hectare as set out in the Toolern Park 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.
4.0

Indexation

In relation to all costs associated with infrastructure items other than land, the cost must be adjusted according to the following method:

- Road and intersections – the capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as published in the latest edition of Rawlinson’s Australian Construction Handbook

- All other infrastructure items – the capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as published in the latest edition of Rawlinson’s Australian Construction Handbook

Land values will be adjusted on 1 July each year following valuation undertaken by a registered valuer.

5.0

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 Toolern Park Development Contributions Plan. Refer to the incorporated Toolern Park Development Contributions Plan for full details.
SCHEDULE 7 TO THE DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO7.

ROCKBANK DEVELOPMENT CONTRIBUTIONS PLAN

1.0

Area covered by this development contributions plan

All land within the Rockbank Development Contributions Plan area shown as DCPO7 on the planning scheme maps.

2.0

Summary of costs in June 2016 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>$17,808,784</td>
<td>Refer to details in the Rockbank Development Contributions Plan.</td>
<td>$13,901,084</td>
<td>78%</td>
</tr>
<tr>
<td>Intersections</td>
<td>$70,242,031</td>
<td>Refer to details in the Rockbank Development Contributions Plan.</td>
<td>$56,392,881</td>
<td>80%</td>
</tr>
<tr>
<td>Bridges</td>
<td>$27,711,410</td>
<td>Refer to details in the Rockbank Contributions Plan.</td>
<td>$14,355,943</td>
<td>52%</td>
</tr>
<tr>
<td>Community centres</td>
<td>$17,963,245</td>
<td>Refer to details in the Rockbank Contributions Plan.</td>
<td>$17,160,174</td>
<td>96%</td>
</tr>
<tr>
<td>Active recreation</td>
<td>$60,022,007</td>
<td>Refer to details in the Rockbank Development Contributions Plan.</td>
<td>$53,210,952</td>
<td>89%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$193,747,477</td>
<td></td>
<td>$155,021,035</td>
<td>80%</td>
</tr>
</tbody>
</table>

3.0

Summary of contributions

3.1

Charge Area (Residential) in June 2016 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>All development Per net developable hectare</td>
</tr>
<tr>
<td></td>
<td>Community infrastructure Residential Per dwelling</td>
</tr>
<tr>
<td>Roads</td>
<td>$30,015</td>
</tr>
<tr>
<td>Intersections</td>
<td>$121,764</td>
</tr>
<tr>
<td>Bridges</td>
<td>$30,997</td>
</tr>
<tr>
<td>Community centres</td>
<td>$37,274</td>
</tr>
<tr>
<td>Active recreation</td>
<td>$92,484</td>
</tr>
</tbody>
</table>
| TOTAL             | $312,535                          | $1,150

Page 701 of 1156
### Charge Area (Employment) in June 2016 dollars

<table>
<thead>
<tr>
<th>Facility</th>
<th>Levies Payable By The Development</th>
<th>Community infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
<td></td>
</tr>
<tr>
<td>All development</td>
<td>Per net developable hectare</td>
<td>Residential Per dwelling</td>
</tr>
<tr>
<td>Roads</td>
<td>$30,015</td>
<td>$0</td>
</tr>
<tr>
<td>Intersections</td>
<td>$121,764</td>
<td>$0</td>
</tr>
<tr>
<td>Bridges</td>
<td>$30,997</td>
<td>$0</td>
</tr>
<tr>
<td>Community centres</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>Active recreation</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$182,777</strong></td>
<td><strong>$0</strong></td>
</tr>
</tbody>
</table>

The development infrastructure levy is payable by all development per net developable hectare as set out in the *Rockbank Development Contributions Plan*.

The Community Infrastructure Levy is limited to a maximum of $1,150 per dwelling under legislation.

### Indexation

All capital costs of infrastructure items (with the exception of land) will be adjusted quarterly in the following manner:

- Roads, intersections and bridges – the capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as published in the latest edition of Rawlinson’s Australian Construction Handbook.

- All other infrastructure items – the capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as published in the latest edition of Rawlinson’s Australian Construction Handbook.

### 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 8 TO THE DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO8.

PAYNES ROAD DEVELOPMENT CONTRIBUTIONS PLAN

1.0

Area covered by this Development Contributions Plan

All land within the Paynes Road Precinct Structure Plan area as shown on the Planning Scheme Maps as DCPO8.

2.0

Permits before incorporation of a Development Contributions Plan

A permit may be granted to subdivide land, construct a building or construct or carry out works prior to the incorporation of a Development Contributions Plan, if the permit contains a condition requiring the land owner to enter into an agreement under Section 173 of the Planning and Environment Act 1987 with the responsible authority that provides for the owner to make development contributions to the satisfaction of the responsible authority.

3.0

Summary of costs

None specified. The preparation and incorporation of a Development Contributions Plan is required.

4.0

Summary of contributions

None specified. The preparation and incorporation of a Development Contributions Plan is required.

5.0

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.
MELBOURNE AIRPORT ENVIRONS OVERLAY

Shown on the planning scheme map as MAEO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that land use and development are compatible with the operation of Melbourne Airport in accordance with the relevant airport strategy or master plan and with safe air navigation for aircraft approaching and departing the airfield.

To assist in shielding people from the impact of aircraft noise by requiring appropriate noise attenuation measures in dwellings and other noise sensitive buildings.

To provide for appropriate levels of noise attenuation depending on the level of forecasted noise exposure.

Use of land

Any requirement in a schedule to this overlay must be met.

Buildings and works

Any requirement in a schedule to this overlay must be met.

Any building for which a permit is required under this overlay must be constructed so as to comply with any noise attenuation measures required by Section 3 of Australian Standard AS 2021-2015, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction, issued by Standards Australia Limited.

Note: In Section 3 of Australian Standard AS 2021-2015, Table 3.3 refers to both building types and activities within those buildings. Each building type listed has its ordinary meaning and should not be interpreted as defined in this scheme.

Subdivision

A permit is required to subdivide land.

Subdivision must occur in accordance with any lot size or other requirement specified in a schedule to this overlay.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposal will result in an increase in the number of dwellings and people affected by aircraft noise.
- Whether the proposal is compatible with the present and future operation of the airport in accordance with the current Melbourne Airport Master Plan approved in accordance with the Airports Act 1996.
- Location of the development in relation to the criteria set out in Table 2.1 Building Site Acceptability Based on ANEF Zones in Australian Standard AS 2021-2015.

Exemption from notice

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d) of the Act.
Notification requirements

In accordance with section 52(1)(c) of the Act, notice of an application under this overlay to use land, subdivide land or to construct a building or construct or carry out works must be given to the airport lessee company of Melbourne Airport in accordance with the Commonwealth *Airports Act 1996*, unless otherwise agreed in writing between the responsible authority and the airport lessee. The notice must be accompanied by a copy of the application, existing condition and development plans.
SCHEDULE 1 TO THE MELBOURNE AIRPORT ENVIRONS OVERLAY

Shown on the planning scheme map as MAEO1.

Purpose
To identify areas that are or will be subject to high levels of aircraft noise based on the 25 Australian Noise Exposure Forecast (ANEF) contour and to restrict use and development to that which is appropriate to that level of exposure.

1.0

Use of land

1.1

Dwelling and Dependent person’s unit
A permit is required to use land for a:

- Dwelling
- Dependent person’s unit.

Land must not be used for:

- More than one Dwelling on a lot.
- More than one Dependent person’s unit on a lot.

1.2

Other use of land
A permit is required to use land for:

- Art and craft centre.
- Bar.
- Brothel.
- Cinema based entertainment facility.
- Crematorium.
- Display home centre.
- Funeral parlour.
- Host farm.
- Hotel.
- Home based business.
- Indoor recreation facility.
- Office.
- Place of assembly (other than Drive-in theatre).
- Research and development centre.
- Research centre.
- Residential hotel.
- Restricted recreation facility.
- Retail premises.
- Veterinary centre.

Land must not be used for:
- Accommodation (other than Dwelling, Dependent person’s unit, Host farm and Residential hotel).
- Drive-in theatre.
- Education centre.
- Hospital.

2.0

Buildings and works

A permit is required to construct a building or construct or carry out works for a use in Clause 1.0. A permit is not required for the following:

- An open sided carport, verandah, pergola or other open sided structure.
- A non-habitable room or outbuilding.
- A swimming pool or tennis court.
- An alteration or extension to a Dwelling which existed as at 14 May 2007 provided the extension is less than 50% of the floor area of the Dwelling at that date.

3.0

Subdivision

Any subdivision of land which would increase the number of Dwellings which the land could be used for is prohibited. This does not apply to the subdivision of land to create a lot for a Dwelling in respect of which a permit has been granted.
SCHEDULE 2 TO THE MELBOURNE AIRPORT ENVIRONS OVERLAY

Shown on the planning scheme map as MAEO2.

**Purpose**

To identify areas that are or will be subject to moderate levels of aircraft noise based on the 20-25 Australian Noise Exposure Forecast (ANEF) contours and to limit use and development to that which is appropriate to that level of exposure.

### 1.0

**Use of land**

#### 1.1

**Dwelling**

A permit is required to use land for a Dwelling.

The development of a single lot for two or more Dwellings must not exceed a density of one dwelling per 300 square metres.

#### 1.2

**Other use of land**

A permit is required to use the land for:

- Accommodation.
- Arts and craft centre.
- Bar.
- Display home centre.
- Education centre.
- Hospital.
- Hotel.
- Office.
- Place of assembly.
- Research and development centre.
- Research centre.
- Restricted recreation facility.

### 2.0

**Buildings and works**

A permit is required to construct a building or construct or carry out works for a use in Clause 1.0.

A permit is not required to construct the following:

- An open sided carport, verandah, pergola or other open sided structure.
- A non-habitable room or outbuilding.
- A swimming pool or tennis court.
- An alteration or extension to a Dwelling which existed as at 14 May 2007 provided the extension is less than 50% of the floor area of the Dwelling at that date.

### 3.0

**Subdivision**

A permit is required to subdivide land.

Each lot must be at least 300 square metres.
A permit may be granted to create smaller lots:

- If the responsible authority is satisfied the lots will not be used for Accommodation; or
- Provided the average area of all lots is not less than 300 square metres. An agreement under Section 173 of the Act must be entered into with the owner of each lot created which ensures that the land may not be further subdivided.

The above lot size provisions do not apply to the subdivision of land in respect of which a permit was granted before 14 May 2007 to allow the development of that land so long as the form of the subdivision is consistent with the permitted development.
INFRASTRUCTURE CONTRIBUTIONS OVERLAY

Shown on the planning scheme map as ICO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify the area where an infrastructure contributions plan applies for the purpose of imposing contributions for the provision of infrastructure.

To identify the infrastructure contribution imposed for the development of land.

Infrastructure contributions plan

A schedule to this overlay must specify the name of the infrastructure contributions plan to which it applies.

The requirements of the relevant infrastructure contributions plan incorporated into this scheme apply to the development of land covered by this overlay.

Permit requirement

A permit must not be granted to subdivide land, construct a building or construct or carry out works until an infrastructure contributions plan has been incorporated into this scheme.

This does not apply to the construction of a building, the construction or carrying out of works or a subdivision specifically excluded by a schedule to this overlay.

A permit granted must:

- Be consistent with the provisions of the relevant infrastructure contributions plan.
- Include any conditions required to give effect to any levies set out in the relevant schedule to this overlay.

Monetary component

A schedule to this overlay must specify, if applicable:

- The standard levy rate payable.
- The supplementary levy rate payable.

Land component

A schedule to this overlay must specify, if applicable:

- The infrastructure contributions plan land contribution percentage for each class of development.
- The parcel contribution percentage for each parcel of land in the infrastructure contributions plan area.
- The land credit amount or land equalisation amount in respect of each parcel of land in the infrastructure contributions plan area.

Indexation

A schedule to this overlay must specify:

- The method and timing of indexation to be applied to the standard levy rate and any supplementary levy rate of the monetary component.
- The method and timing of adjustment to be applied to the land credit amounts and land equalisation amounts of the land component.
Land or development exempt from infrastructure contributions

The following land or development of land is exempt from an infrastructure contribution:

- A non-government school.
- Housing provided by or on behalf of the Department of Health and Human Services.
- For any other land or development of land specified in a schedule to this overlay.
SCHEDULE 1 TO CLAUSE 45.11 INFRASTRUCTURE CONTRIBUTIONS OVERLAY

Shown on the planning scheme map as ICO1.

PLUMPTON & KOROROIT INFRASTRUCTURE CONTRIBUTIONS PLAN, OCTOBER 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>$89,518</td>
</tr>
<tr>
<td></td>
<td>Transport construction</td>
<td>$124,344</td>
</tr>
<tr>
<td>Total standard levy rate payable</td>
<td></td>
<td>$213,862</td>
</tr>
<tr>
<td>Commercial and industrial development</td>
<td>Community and recreation construction</td>
<td>$0</td>
</tr>
<tr>
<td></td>
<td>Transport construction</td>
<td>$124,344</td>
</tr>
<tr>
<td>Total standard levy rate payable</td>
<td></td>
<td>$124,344</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>$0</td>
</tr>
<tr>
<td></td>
<td>Transport construction</td>
<td>$26,205.74</td>
</tr>
<tr>
<td>Total standard levy rate payable</td>
<td></td>
<td>$26,205.74</td>
</tr>
<tr>
<td>Commercial and industrial development</td>
<td>Community and recreation construction</td>
<td>$0</td>
</tr>
<tr>
<td></td>
<td>Transport construction</td>
<td>$26,205.74</td>
</tr>
<tr>
<td>Total supplementary levy rate payable</td>
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<td>$26,205.74</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>12.26%</td>
</tr>
<tr>
<td>Commercial and industrial</td>
<td>4.68%</td>
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5.0 Land component

<table>
<thead>
<tr>
<th>PSP parcel ID</th>
<th>Class of development</th>
<th>Parcel contribution</th>
<th>Land credit amount</th>
<th>Land equalisation amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>P-1</td>
<td>Employment</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$8,296.38</td>
</tr>
<tr>
<td>P-2</td>
<td>Employment</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$832,238.22</td>
</tr>
<tr>
<td>P-3</td>
<td>Employment</td>
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<td>$0.00</td>
<td>$753,138.23</td>
</tr>
<tr>
<td>PSP parcel ID</td>
<td>Class of development</td>
<td>Parcel contribution</td>
<td>Land credit amount</td>
<td>Land equalisation amount</td>
</tr>
<tr>
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<td>P-4</td>
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<td>Employment</td>
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</tr>
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<td>P-6</td>
<td>Employment</td>
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<td>$902,850.63</td>
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<tr>
<td>P-7</td>
<td>Employment</td>
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<td>$0.00</td>
<td>$70,420.67</td>
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<td>Residential</td>
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<td>$4,116.89</td>
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<tr>
<td>P-9</td>
<td>Residential</td>
<td>2.59%</td>
<td>$0.00</td>
<td>$2,095,981.91</td>
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<tr>
<td>P-10</td>
<td>Residential</td>
<td>7.44%</td>
<td>$0.00</td>
<td>$1,137,235.63</td>
</tr>
<tr>
<td>P-11 - R</td>
<td>Residential</td>
<td>18.56%</td>
<td>$1,620,068.25</td>
<td>$0.00</td>
</tr>
<tr>
<td>P-11 - E</td>
<td>Employment</td>
<td>34.94%</td>
<td>$531,532.05</td>
<td>$0.00</td>
</tr>
<tr>
<td>P-12 - R</td>
<td>Residential</td>
<td>11.74%</td>
<td>$0.00</td>
<td>$607,381.62</td>
</tr>
<tr>
<td>P-12 - E</td>
<td>Employment</td>
<td>4.00%</td>
<td>$0.00</td>
<td>$488,080.41</td>
</tr>
<tr>
<td>P-13</td>
<td>Employment</td>
<td>8.98%</td>
<td>$716,572.50</td>
<td>$0.00</td>
</tr>
<tr>
<td>P-14</td>
<td>Employment</td>
<td>15.49%</td>
<td>$1,157,102.10</td>
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</tr>
<tr>
<td>P-15</td>
<td>Employment</td>
<td>11.42%</td>
<td>$999,481.35</td>
<td>$0.00</td>
</tr>
<tr>
<td>P-16</td>
<td>Residential</td>
<td>8.96%</td>
<td>$0.00</td>
<td>$867,850.28</td>
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<tr>
<td>P-16a</td>
<td>Residential</td>
<td>11.48%</td>
<td>$0.00</td>
<td>$14,051.73</td>
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<tr>
<td>P-17</td>
<td>Residential</td>
<td>6.71%</td>
<td>$0.00</td>
<td>$1,274,528.64</td>
</tr>
<tr>
<td>P-18</td>
<td>Residential</td>
<td>44.03%</td>
<td>$6,085,851.45</td>
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<tr>
<td>P-19</td>
<td>Residential</td>
<td>2.39%</td>
<td>$0.00</td>
<td>$1,456,740.92</td>
</tr>
<tr>
<td>P-20</td>
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<td>7.11%</td>
<td>$0.00</td>
<td>$1,454,520.62</td>
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<tr>
<td>P-21</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$3,859,858.50</td>
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<tr>
<td>P-22</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$727,141.94</td>
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<tr>
<td>P-23</td>
<td>Residential</td>
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<td>$0.00</td>
<td>$1,332,275.67</td>
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<tr>
<td>P-24</td>
<td>Residential</td>
<td>19.16%</td>
<td>$1,451,984.10</td>
<td>$0.00</td>
</tr>
<tr>
<td>P-25</td>
<td>Residential</td>
<td>32.68%</td>
<td>$3,056,453.40</td>
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<tr>
<td>P-26</td>
<td>Residential</td>
<td>0.00%</td>
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<td>$488,686.30</td>
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<tr>
<td>P-27</td>
<td>Residential</td>
<td>2.02%</td>
<td>$0.00</td>
<td>$9,738,123.08</td>
</tr>
<tr>
<td>P-28</td>
<td>Residential</td>
<td>5.43%</td>
<td>$0.00</td>
<td>$7,582,048.92</td>
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<tr>
<td>P-29</td>
<td>Residential</td>
<td>33.00%</td>
<td>$7,591,712.10</td>
<td>$0.00</td>
</tr>
<tr>
<td>P-30</td>
<td>Residential</td>
<td>34.35%</td>
<td>$8,172,736.95</td>
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<tr>
<td>P-31</td>
<td>Residential</td>
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<td>PSP parcel ID</td>
<td>Class of development</td>
<td>Parcel contribution</td>
<td>Land credit amount</td>
<td>Land equalisation amount</td>
</tr>
<tr>
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<td>-------------------------</td>
</tr>
<tr>
<td>P-32</td>
<td>Residential</td>
<td>20.40%</td>
<td>$2,866,861.20</td>
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</tr>
<tr>
<td>P-33</td>
<td>Residential</td>
<td>30.26%</td>
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</tr>
<tr>
<td>P-34</td>
<td>Residential</td>
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<td>$0.00</td>
<td>$1,573,069.14</td>
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<tr>
<td>P-35</td>
<td>Residential</td>
<td>42.25%</td>
<td>$9,445,823.10</td>
<td>$0.00</td>
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<tr>
<td>P-36</td>
<td>Residential</td>
<td>41.28%</td>
<td>$2,775,627.75</td>
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</tr>
<tr>
<td>P-37</td>
<td>Residential</td>
<td>40.44%</td>
<td>$2,694,513.15</td>
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<tr>
<td>P-38</td>
<td>Residential</td>
<td>14.19%</td>
<td>$375,996.60</td>
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<tr>
<td>P-39 - R</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$3,238,386.37</td>
</tr>
<tr>
<td>P-39 - E</td>
<td>Employment</td>
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<td>$0.00</td>
<td>$61,973.22</td>
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<tr>
<td>P-40</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$1,162,981.91</td>
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<td>P-41</td>
<td>Residential</td>
<td>5.14%</td>
<td>$0.00</td>
<td>$1,081,793.41</td>
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<td>P-42</td>
<td>Residential</td>
<td>7.40%</td>
<td>$0.00</td>
<td>$1,261,389.87</td>
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<tr>
<td>P-43</td>
<td>Residential</td>
<td>8.29%</td>
<td>$0.00</td>
<td>$725,520.75</td>
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<tr>
<td>P-44</td>
<td>Residential</td>
<td>5.49%</td>
<td>$0.00</td>
<td>$1,412,476.03</td>
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<td>P-45</td>
<td>Residential</td>
<td>7.72%</td>
<td>$0.00</td>
<td>$936,768.50</td>
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<td>P-46</td>
<td>Residential</td>
<td>6.09%</td>
<td>$0.00</td>
<td>$1,021,734.08</td>
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<tr>
<td>P-47</td>
<td>Residential</td>
<td>11.03%</td>
<td>$0.00</td>
<td>$330,685.10</td>
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<td>P-48</td>
<td>Residential</td>
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<tr>
<td>P-49</td>
<td>Residential</td>
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<td>P-50</td>
<td>Residential</td>
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<td>$0.00</td>
<td>$0.00</td>
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<tr>
<td>P-51</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$0.00</td>
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<td>$0.00</td>
<td>$2,305,013.05</td>
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<td>P-54</td>
<td>Residential</td>
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<td>$404,967.51</td>
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<td>Residential</td>
<td>15.29%</td>
<td>$843,102.75</td>
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</tr>
<tr>
<td>P-R1 (Plumpton Road)</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>P-R2 (Tarleton Road)</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>P-R3 (Beattys Rd)</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>P-R4 (Saric Ct)</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>P-R5 (Taylors Rd)</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>K-1</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$1,801,527.15</td>
</tr>
<tr>
<td>PSP parcel ID</td>
<td>Class of development</td>
<td>Parcel contribution</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>K-2</td>
<td>Residential</td>
<td>11.14%</td>
<td>$0.00</td>
<td>$234,829.84</td>
</tr>
<tr>
<td>K-3</td>
<td>Residential</td>
<td>0.61%</td>
<td>$0.00</td>
<td>$1,549,199.23</td>
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<td>$0.00</td>
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<td>Residential</td>
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<td>$0.00</td>
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<td>Residential</td>
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<td>$0.00</td>
<td>$1,118,879.25</td>
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<td>Residential</td>
<td>13.47%</td>
<td>$135,242.10</td>
<td>$0.00</td>
</tr>
<tr>
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<td>Residential</td>
<td>0.12%</td>
<td>$0.00</td>
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</tr>
<tr>
<td>K-8a</td>
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<td>$0.00</td>
<td>$0.00</td>
</tr>
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<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
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<td>Residential</td>
<td>17.77%</td>
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</tr>
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<td>Employment</td>
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<td>$0.00</td>
<td>$27,930.84</td>
</tr>
<tr>
<td>K-13 - R</td>
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<td>28.49%</td>
<td>$9,622,243.05</td>
<td>$0.00</td>
</tr>
<tr>
<td>K-14</td>
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<td>$61,813.50</td>
<td>$0.00</td>
</tr>
<tr>
<td>K-15</td>
<td>Residential</td>
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<td>$0.00</td>
</tr>
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<td>Residential</td>
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<td>$173,173.83</td>
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<td>K-19</td>
<td>Residential</td>
<td>12.37%</td>
<td>$9,484.65</td>
<td>$0.00</td>
</tr>
<tr>
<td>K-20</td>
<td>Residential</td>
<td>14.20%</td>
<td>$77,949.90</td>
<td>$0.00</td>
</tr>
<tr>
<td>K-21</td>
<td>Residential</td>
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<td>$0.00</td>
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<td>K-25</td>
<td>Residential</td>
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<td>K-26</td>
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<td>$0.00</td>
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</tr>
<tr>
<td>K-27</td>
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<td>$0.00</td>
</tr>
<tr>
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<td>Residential</td>
<td>1.91%</td>
<td>$0.00</td>
<td>$1,325,260.95</td>
</tr>
<tr>
<td>K-29</td>
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<td>$0.00</td>
<td>$966,826.38</td>
</tr>
<tr>
<td>K-30</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>K-31</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>PSP parcel ID</td>
<td>Class of development</td>
<td>Parcel contribution</td>
<td>Land credit amount</td>
<td>Land equalisation amount</td>
</tr>
<tr>
<td>--------------</td>
<td>----------------------</td>
<td>---------------------</td>
<td>-------------------</td>
<td>-------------------------</td>
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<tr>
<td>K-31a</td>
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<td>Parcel contribution</td>
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<td>$0.00</td>
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<td>K-R1 (Taylors Rd)</td>
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<td>$0.00</td>
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<td>K-R2 (Vere Ct)</td>
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<td>$0.00</td>
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<td>$0.00</td>
<td>$0.00</td>
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<td>K-R6 (Deanside Ct)</td>
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<td>$0.00</td>
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<td>K-R7 (Gray Ct)</td>
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<td>$0.00</td>
</tr>
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<td>K-R8 (Neale Rd)</td>
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<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>K-R9 - E</td>
<td>Employment</td>
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<td>K-R9 - R</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$918,346.93</td>
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*Note: Refer to Plan 01 of the incorporated Plumpton & Kororoit 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>
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<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>
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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>Community and recreation construction</td>
<td>Australian Bureau of Statistics Producer Price Indexes Non-Residential Building Construction Index, 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>
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Method and timing of adjustment – Land component

<table>
<thead>
<tr>
<th>Adjustment method</th>
<th>Timing</th>
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<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 infrastructure contributions plan for full details.
SCHEDULE 3 TO CLAUSE 45.11 INFRASTRUCTURE CONTRIBUTIONS OVERLAY

Shown on the planning scheme map as ICO3.

MT ATKINSON & TARNEIT PLAINS INFRASTRUCTURE CONTRIBUTIONS PLAN, JULY 2018

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>
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<td>Transport construction</td>
<td>$114,062</td>
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<tr>
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<td><strong>Total standard levy rate payable</strong></td>
<td><strong>$200,689</strong></td>
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<td>Commercial and industrial development</td>
<td>Community and recreation construction</td>
<td>$0</td>
</tr>
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<td>Transport construction</td>
<td>$114,062</td>
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<td><strong>Total standard levy rate payable</strong></td>
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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>$0</td>
</tr>
<tr>
<td></td>
<td>Transport construction</td>
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</tr>
<tr>
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<td><strong>Total supplementary levy rate payable</strong></td>
<td><strong>$600.83</strong></td>
</tr>
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<td>Commercial and industrial development</td>
<td>Community and recreation construction</td>
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<td>Transport construction</td>
<td>$600.83</td>
</tr>
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<td><strong>Total supplementary levy rate payable</strong></td>
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4.0

Infrastructure Contribution Plan (ICP) land contribution percentage

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<th>ICP land contribution percentage</th>
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</thead>
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<td>Residential</td>
<td>12.41%</td>
</tr>
<tr>
<td>Commercial and industrial</td>
<td>4.17%</td>
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5.0

Land component

<table>
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<tr>
<th>PSP parcel ID</th>
<th>Class of development</th>
<th>Parcel contribution percentage (Total $)</th>
<th>Land credit amount (Total $)</th>
<th>Land equalisation amount (Total $)</th>
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<td>PSP parcel ID</td>
<td>Class of development</td>
<td>Parcel contribution percentage (Total $)</td>
<td>Land credit amount (Total $)</td>
<td>Land equalisation amount (Total $)</td>
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<td>PSP parcel ID</td>
<td>Class of development</td>
<td>Parcel contribution percentage (Total $)</td>
<td>Land credit amount (Total $)</td>
<td>Land equalisation amount (Total $)</td>
</tr>
<tr>
<td>--------------</td>
<td>----------------------</td>
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<tr>
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</tr>
<tr>
<td>Road Reserve</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
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<td>R1</td>
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</tr>
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<td>*</td>
</tr>
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<td>R4-E</td>
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</tr>
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<td>*</td>
</tr>
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<td>R10</td>
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<td>*</td>
</tr>
<tr>
<td>R13</td>
<td>Residential</td>
<td>0.00%</td>
<td>*</td>
<td>*</td>
</tr>
<tr>
<td>R14</td>
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<td>*</td>
<td>*</td>
</tr>
</tbody>
</table>
Refer to Plan 01 of the incorporated Mt Atkinson & Tarneit Plains Infrastructure Contributions Plan, July 2018 for PSP parcel ID numbers.

* The Land Equalisation Amount or Land Credit Amount will be adopted upon the conclusion of the valuation and dispute resolution process in accordance with Division 4, Part 3AB of the Planning and Environment Act 1987.

### 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>Producer Price Index Numbers for Non-Residential Building Construction – Victoria published by the Australian Bureau of Statistics (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>Producer Price Index Numbers for Road and Bridge Construction – Victoria published by the Australian Bureau of Statistics (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>Community and recreation construction</td>
<td>Australian Bureau of Statistics Producer Price Indexes Non-Residential Building Construction Index, 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 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>Index prepared by the Valuer-General Victoria as specified in the Ministerial Direction on the Preparation and Content on Infrastructure Contributions Plans</td>
<td>1 July each year</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.

Notes: This schedule sets out the levies prescribed in the infrastructure contributions plan. Refer to the incorporated infrastructure contributions plan for full details.
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>Lots 1&amp;2 LP 30733k, Plumpton Road, Rockbank</td>
<td>Conditions for use of Lots 1&amp;2 LP 30733K, Plumpton Road for rock crushing</td>
</tr>
<tr>
<td>South-west corner of Greigs Road and Mount Cottrell Road, Melton, Crown Portions 1 and 2, Section 11, Parish of Pywheitjorrk</td>
<td>Conditions for use of south-west corner of Greigs Road and Mount Cottrell Road, Melton, Crown Portions 1 and 2, Section 11 Parish of Pywheitjorrk for Extractive Industry</td>
</tr>
<tr>
<td>The Melbourne to Ballarat Railway shown on the project area maps for the Regional Fast Rail Project and the Fibre Optic Project in the incorporated document.</td>
<td>Rail Infrastructure Projects (comprising the Rail Gauge Standardisation Project, the Regional Fast Rail Project and the Fibre Optic Project), December 2002</td>
</tr>
<tr>
<td>The Ballarat Rail Corridor Deviation alignment at Melton South as shown on the project area maps for the Rail Infrastructure Projects Ballarat Rail Corridor Deviations in the incorporated document.</td>
<td>Rail Infrastructure Projects Ballarat Rail Corridor Deviation: Regional Fast Rail Project, Integrated Approval Requirements (August 2003) and Fibre Optic Project, Integrated Approval Requirements (August 2003)</td>
</tr>
<tr>
<td>The land required for the Western Highway Realignment (Melton to Bacchus Marsh) Project as identified in clause 3 of the incorporated document.</td>
<td>Western Highway Realignment (Melton to Bacchus Marsh) Incorporated Document, December 2009</td>
</tr>
<tr>
<td>Land within and adjacent to the railway between Sunbury Railway Station to Watergardens Railway Station, the general extent of which is shown on the project locality maps in the incorporated document.</td>
<td>Sunbury Electrification Project Incorporated Document February 2010</td>
</tr>
<tr>
<td>The land required for or in conjunction with the Regional Rail Link Project as identified in clause 3 of the incorporated document.</td>
<td>Regional Rail Link Project Section 2 Incorporated Document, March 2015</td>
</tr>
<tr>
<td>The land required for the Regional Rail Link Project as identified in clause 3 of the incorporated document.</td>
<td>Regional Rail Link Project Section 1 Incorporated Document, March 2015</td>
</tr>
<tr>
<td>Land required for the Palmers Road and Robinsons Road Upgrade as identified in clause 3 of the incorporated document.</td>
<td>Palmers Road and Robinsons Road Upgrade (Sayers Road to Western Freeway, Truganina) Incorporated Document, July 2012</td>
</tr>
<tr>
<td>1-75 Holden Road, Plumpton, more particularly described as the land in Certificate of Title Volume 6813 Folio 507</td>
<td>Calder Park Train Stabling and Maintenance Yards Incorporated Document, September 2012</td>
</tr>
<tr>
<td>The land required for the RDAV Rockbank Facility at Lot 2 on TP821851 as identified on the site plan in the incorporated document.</td>
<td>RDAV Rockbank Facility Incorporated Document, July 2013</td>
</tr>
<tr>
<td>Land required for the Water for a Growing West Project as shown on the project plans included in the Incorporated Document</td>
<td>Water for a Growing West Project Incorporated Document, July 2014</td>
</tr>
<tr>
<td>Address of land</td>
<td>Title of incorporated document</td>
</tr>
<tr>
<td>----------------</td>
<td>--------------------------------</td>
</tr>
<tr>
<td>1665-1715 Mount Cottrell Road, Mount Cottrell (Lot 3 on Plan of Subdivision LP141929)</td>
<td>Water for a Growing West Project Incorporated Document, July 2014</td>
</tr>
<tr>
<td>1665-1715 Mount Cottrell Road, Mount Cottrell (Lot 3 on Plan of Subdivision LP141929)</td>
<td>Mount Cottrell Class A Recycled Water Storage Facility, Incorporated Document, March 2015</td>
</tr>
<tr>
<td>Land identified in clause 3 of the Palmers Road Upgrade Project (Western Freeway to Calder Freeway) Incorporated Document, June 2017.</td>
<td>Palmers Road Upgrade Project (Western Freeway to Calder Freeway) Incorporated Document, June 2017</td>
</tr>
<tr>
<td>Stages 5, 6 and 13 of the approved Eynesbury Township Development Plan, February 2013</td>
<td>Eynesbury Township Stages 5, 6 and 13 Native Vegetation Removal and Offset Requirements, May 2017</td>
</tr>
<tr>
<td>The land required for the Ballarat Line Upgrade as identified in clause 3 of the incorporated document.</td>
<td>Ballarat Line Upgrade Incorporated Document, August 2018</td>
</tr>
<tr>
<td>Land required for the Outer Suburban Arterial Roads Program – Western Package as shown on the project area maps in the incorporated document.</td>
<td>Outer Suburban Arterial Roads - Western Package Incorporated Document, June 2017</td>
</tr>
<tr>
<td>1198 Christies Road, Ravenhall (S3 PS723362)</td>
<td>Ravenhall Concrete Segment Manufacturing Facility Incorporated Document, June 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>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only 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>The goods stored must be agricultural produce, or products used in agriculture.</td>
</tr>
<tr>
<td>Freezing and cool storage</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>Function centre</td>
<td></td>
</tr>
<tr>
<td>Funeral parlour</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>Group accommodation</td>
<td></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>
</tbody>
</table>
### Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential building (other than Residential hotel)</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td></td>
<td>Must be used to provide accommodation for persons away from their normal place of residence.</td>
</tr>
<tr>
<td>Residential hotel</td>
<td>Must be used in conjunction with Agriculture, Natural systems, Outdoor recreation facility, Rural industry or Winery.</td>
</tr>
<tr>
<td></td>
<td>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.</td>
</tr>
<tr>
<td></td>
<td>No more than 150 patrons may be present at any time. If used in conjunction with Function centre, the total number of patrons present at any time must not exceed 150.</td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td>Must not be used for more than 30 days in a calendar year.</td>
</tr>
<tr>
<td>Retail premises (other than Manufacturing sales, Market, Plant nursery, Primary produce sales and Restaurant)</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Freezing and cool storage, Milk depot, Rural store, Solid fuel depot and Vehicle store)</td>
<td></td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Must not be on land in a Rural Conservation Zone.</td>
</tr>
</tbody>
</table>

### Subdivision

The subdivision of land to create a lot that is smaller in area than the minimum area specified for the land in the zone is prohibited unless:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

### Existing uses

If an existing use right is established by these provisions, Clauses 63.05 and 63.08 apply to the use as if the use were in Section 3 of a zone.
Transitional arrangements for permit applications
The requirements of the planning scheme as in force immediately before 19 May 2004, continue to apply to a permit application made before that date to the extent that, but for this clause, Clauses 35.04, 35.05, 35.06 or this clause would apply to such an application. This does not apply to a permit application to subdivide land.

Deeming provisions for land outside an urban growth boundary
Any reference in this planning scheme to a Rural Zone or a schedule to a Rural Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Green Wedge Zone or a schedule to a Green Wedge Zone.

Any reference in this planning scheme to a Rural Living Zone or a schedule to a Rural Living Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Green Wedge A Zone or a schedule to a Green Wedge A Zone.

Any reference in this planning scheme to an Environmental Rural Zone or a schedule to an Environmental Rural Zone as it applies to land outside an Urban Growth Boundary is deemed to be a reference to a Rural Conservation Zone or a schedule to a Rural Conservation Zone.
SCHEDULE TO CLAUSE 51.02 METROPOLITAN GREEN WEDGE LAND

Land where core planning provisions apply

<table>
<thead>
<tr>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
</tr>
</tbody>
</table>
MELBOURNE AIRPORT ENVIRONS STRATEGY PLAN

Scope

To ensure consistency between this planning scheme and the Melbourne Airport Environs Strategy Plan pursuant to the requirements of Part 3C of the Planning and Environment Act 1987.
COMBUSTIBLE CLADDING RECTIFICATION EXEMPTIONS

Purpose
To facilitate the rectification of combustible cladding on buildings.

Permit exemption
Any requirement of this planning scheme to obtain a permit does not apply to the rectification of combustible cladding on a building in accordance with an emergency order, building notice or building order made under Part 8 of the Building Act 1993.

Exemption from notice and review
An application to amend a permit to allow the rectification of combustible cladding on a building in accordance with an emergency order, building notice or building order made under Part 8 of the Building Act 1993 is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.
EASEMENTS, RESTRICTIONS AND RESERVES

Purpose
To enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

Permit requirement
A permit is required before a person proceeds:

- Under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement or restriction or vary or remove a condition in the nature of an easement in a Crown grant.
- Under Section 36 of the Subdivision Act 1988 to acquire or remove an easement or remove a right of way.

This does not apply:

- If the action is required or authorised by the schedule to this clause.
- In the circumstances set out in Section 6A(3) of the Planning and Environment Act 1987.
- If the person proceeds under Section 362A of the Land Act 1958.
- In the case of a person proceeding under Section 36 of the Subdivision Act 1988, if the council or a referral authority gives a written statement in accordance with Section 36(1)(a) or (b) of the Subdivision Act 1988.

In this clause, restriction has the same meaning as in the Subdivision Act 1988.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider the interests of affected people.

Note: Section 23 of the Subdivision Act 1988 provides that either the council or the person benefiting from the direction must lodge a certified plan at the Titles Office for registration.
SCHEDULE TO CLAUSE 52.02 EASEMENTS, RESTRICTIONS AND RESERVES

Under Section 23 of the Subdivision Act 1988

<table>
<thead>
<tr>
<th>Land</th>
<th>Easement or restriction</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>451-471 Beatys Road, Plumpton being Lot 8 on Plan of Subdivision 219656R Volume 9987 Folio 225</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. R630155E</td>
<td>Remove</td>
</tr>
<tr>
<td>1241-1249 Plumpton Road, Plumpton being Lot 7 on Plan of Subdivision 219656R Volume 9987 Folio 224</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. R255599P</td>
<td>Remove</td>
</tr>
<tr>
<td>1251 Plumpton Road, Plumpton being Lot 1 on Plan of Subdivision 648499M Volume 11507 Folio 426</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. S793763Q</td>
<td>Remove</td>
</tr>
<tr>
<td>1257 Plumpton Road, Plumpton being Lot 2 on Plan of Subdivision 648499M Volume 11507 Folio 427</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. S793763Q</td>
<td>Remove</td>
</tr>
<tr>
<td>1259-1265 Plumpton Road being Lot 5 on Plan of Subdivision 219656R Volume 9987 Folio 222</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. S730995A</td>
<td>Remove</td>
</tr>
<tr>
<td>1267-1275 Plumpton Road, Plumpton being Lot 4 on Plan of Subdivision 219656R Volume 9987 Folio 221</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. R916235H</td>
<td>Remove</td>
</tr>
<tr>
<td>1176-1198 Taylors Road, Plumpton being Lot 2 on Plan of Subdivision 219656R Volume 9987 Folio 219</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. T319904Y</td>
<td>Remove</td>
</tr>
<tr>
<td>1152-1174 Taylors Road, Plumpton being Lot 1 on Plan of Subdivision 219656R Volume 9987 Folio 218</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. T365052V</td>
<td>Remove</td>
</tr>
<tr>
<td>1200-1306 Taylors Road, being Lot 3 on Plan of Subdivision 219656R Volume 9987 Folio 220</td>
<td>Restrictive Covenant contained in Instrument of Transfer No. S629674L</td>
<td>Remove</td>
</tr>
</tbody>
</table>

Under Section 24A of the Subdivision Act 1988

<table>
<thead>
<tr>
<th>Land</th>
<th>Person</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Under Section 36 of the Subdivision Act 1988

<table>
<thead>
<tr>
<th>Land</th>
<th>Easement or right of way</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
SATELLITE DISH

Purpose
To provide an opportunity to consider the impact of a satellite dish attached to a building or structure listed in a schedule to the Heritage Overlay.
To provide an opportunity to consider the effect of a satellite dish on the amenity of residential areas.

Application
This clause applies to:
- A building or structure listed in a schedule to the Heritage Overlay.
- Land in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Low Density Residential Zone, Mixed Use Zone or Township Zone.

Permit requirement
A permit is required to use land or to construct or install or carry out works for a satellite dish (whether or not it forms part of a network) even if it is ancillary to another use on the land.
This does not apply to a satellite dish with a diameter:
- Less than 1.2 metres.
- Between 1.2 metres and 2.4 metres provided:
  - The dish is not visible from the street (other than a lane) or a public park,
  - The dish is setback from the side or rear boundary 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, and
  - The dish is setback at least 3 metres from the boundary where it is opposite an existing habitable room window.

Decision guidelines
Before deciding on an application, in addition to Clause 15.01-2S and the decision guidelines in clause 65, the responsible authority must consider the effect of the satellite dish on the visual amenity of nearby land.
SIGNS

Purpose
To regulate the development of land for signs and associated structures.
To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
To ensure signs do not contribute to excessive visual clutter or visual disorder.
To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

Application
This clause applies to the development of land for signs.

Requirements
Sign categories
Clauses 52.05-11 to 52.05-14 specify categories of sign control. The zone provisions specify which category of sign control applies to the zone.
Each category is divided into three sections.
If a sign can be interpreted in more than one way, the most restrictive requirement must be met.

Section 1
A sign in Section 1 of the category may be constructed or put up for display without a permit, but all the conditions opposite the sign must be met. If the conditions are not met, the sign is in Section 2.
Some overlays require a permit for Section 1 signs.

Section 2
A permit is required to construct or put up for display a sign in Section 2.
This does not apply to a sign specified in Clause 52.05-10.
All the conditions opposite the sign must be met. If the conditions are not met, the sign is prohibited.

Section 3
A sign in Section 3 is prohibited and must not be constructed or put up for display.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or put up for display a sign in an industrial zone, commercial zone,</td>
<td>Clause 59.09</td>
</tr>
<tr>
<td>Special Use Zone, Comprehensive Development Zone, Docklands Zone, Priority Development Zone or Activity Centre Zone if:</td>
<td></td>
</tr>
<tr>
<td>- The sign is not within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
</tbody>
</table>
Referral of applications

An application to construct or put up for display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the Road Management Act 2004 must be referred in accordance with section 55 of the Act to the referral authority specified in Clause 66.03 or a schedule to that clause.

Expiry of permits

A permit for a sign other than a major promotion sign expires on the date specified in the permit. If no date is specified, the expiry date is 15 years from the date of issue of the permit.

Existing signs

A sign that was lawfully displayed on the approval date or that was being constructed or put up for display on that date may be displayed or continue to be displayed and may be repaired and maintained.

The content of a lawfully displayed sign may be renewed or replaced. However, a permit is required if:

- The display area is to be increased.
- The renewal or replacement would result in a different type of sign.

A major promotion sign displayed in accordance with a permit granted between 19 September 1995 and 18 September 1997 may continue to be displayed:

- until 31 December 2008; or
- where a permit application seeking permission to display the sign is lodged before 31 December 2008, until the permit application is finally determined.

Application requirements

An application must be accompanied by the following information, as appropriate:

Site context

- A site context report, using a site plan, photographs or other methods to accurately describe:
  - The location of the proposed sign on the site or building and distance from property boundaries.
  - The location and size of existing signage on the site including details of any signs to be retained or removed.
  - The location and form of existing signage on abutting properties and in the locality.
  - The location of closest traffic control signs.
  - Identification of any view lines or vistas that could be affected by the proposed sign.
Sign details

- The location, dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width, depth of the total sign structure including method of support and any associated structures such as safety devices and service platforms.
- Details of associated on-site works.
- Details of any form of illumination, including details of baffles and the times at which the sign would be illuminated.
- The colour, lettering style and materials of the proposed sign.
- The size of the display (total display area, including all sides of a multi-sided sign).
- The location of any logo box and proportion of display area occupied by such a logo box.
- For animated or electronic signs, a report addressing the decision guidelines at Clause 52.05-8 relating to road safety.
- Any landscaping details.

Signs with a display area of 18 square metres or more

- For a sign with a display area of 18 square metres or more:
  - A description of the existing character of the area including built form and landscapes.
  - The location of any other signs over 18 square metres, or scrolling, electronic or animated signs within 200 metres of the site.
  - Any existing identifiable advertising theme in the area.
  - Photo montages or a streetscape perspective of the proposed sign.
  - Level of illumination including:
    - Lux levels for any sign on or within 60 metres of a Road Zone or a residential zone or public land zone.
    - The dwell and change time for any non-static images.
  - The relationship to any significant or prominent views and vistas.

Exemption from notice and review

An application for a sign is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act provided the sign:

- Is to be constructed or displayed on land specified in the schedule to this clause.
- Meets any condition specified in the schedule to this clause.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

All signs

- The character of the area including:
  - The sensitivity of the area in terms of the natural environment, heritage values, waterways and open space, rural landscape or residential character.
- The compatibility of the proposed sign with the existing or desired future character of the area in which it is proposed to be located.
- The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of signs.
- The consistency with any identifiable outdoor advertising theme in the area.

- Impacts on views and vistas:
  - The potential to obscure or compromise important views from the public realm.
  - The potential to dominate the skyline.
  - The potential to impact on the quality of significant public views.
  - The potential to impede views to existing signs.

- The relationship to the streetscape, setting or landscape:
  - The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.
  - The position of the sign, including the extent to which it protrudes above existing buildings or landscape and natural elements.
  - The ability to screen unsightly built or other elements.
  - The ability to reduce the number of signs by rationalising or simplifying signs.
  - The ability to include landscaping to reduce the visual impact of parts of the sign structure.

- The relationship to the site and building:
  - The scale and form of the sign relative to the scale, proportion and any other significant characteristics of the host site and host building.
  - The extent to which the sign displays innovation relative to the host site and host building.
  - The extent to which the sign requires the removal of vegetation or includes new landscaping.

- The impact of structures associated with the sign:
  - The extent to which associated structures integrate with the sign.
  - The potential of associated structures to impact any important or significant features of the building, site, streetscape, setting or landscape, views and vistas or area.

- The impact of any illumination:
  - The impact of glare and illumination on the safety of pedestrians and vehicles.
  - The impact of illumination on the amenity of nearby residents and the amenity of the area.
  - The potential to control illumination temporally or in terms of intensity.

- The impact of any logo box associated with the sign:
  - The extent to which the logo box forms an integral part of the sign through its position, lighting and any structures used to attach the logo box to the sign.
  - The suitability of the size of the logo box in relation to its identification purpose and the size of the sign.

- The need for identification and the opportunities for adequate identification on the site or locality.
- The impact on road safety. A sign is a safety hazard if the sign:
- Obstructs a driver’s line of sight at an intersection, curve or point of egress from an adjacent property.
- Obstructs a driver’s view of a traffic control device, or is likely to create a confusing or dominating background that may reduce the clarity or effectiveness of a traffic control device.
- Could dazzle or distract drivers due to its size, design or colouring, or it being illuminated, reflective, animated or flashing.
- Is at a location where particular concentration is required, such as a high pedestrian volume intersection.
- Is likely to be mistaken for a traffic control device, because it contains red, green or yellow lighting, or has red circles, octagons, crosses, triangles or arrows.
- Requires close study from a moving or stationary vehicle in a location where the vehicle would be unprotected from passing traffic.
- Invites drivers to turn where there is fast moving traffic or the sign is so close to the turning point that there is no time to signal and turn safely.
- Is within 100 metres of a rural railway crossing.
- Has insufficient clearance from vehicles on the carriageway.
- Could mislead drivers or be mistaken as an instruction to drivers.

**Major promotion signs**

- The effect of the proposed major promotion sign on:
  - Significant streetscapes, buildings and skylines.
  - The visual appearance of a significant view corridor, viewline, gateway location or landmark site identified in a framework plan or local policy.
  - Residential areas and heritage places.
  - Open space and waterways.

- When determining the effect of a proposed major promotion sign, the following locational principles must be taken into account:
  - Major promotion signs are encouraged in commercial and industrial locations in a manner that complements or enhances the character of the area.
  - Major promotion signs are discouraged along forest and tourist roads, scenic routes or landscaped sections of freeways.
  - Major promotion signs are discouraged within open space reserves or corridors and around waterways.
  - Major promotion signs are discouraged where they will form a dominant visual element from residential areas, within a heritage place or where they will obstruct significant viewlines.
  - In areas with a strong built form character, major promotion signs are encouraged only where they are not a dominant element in the streetscape and except for transparent feature signs (such as neon signs), are discouraged from being erected on the roof of a building.
Mandatory conditions

All signs
A permit for a sign that includes an expiry date must include a condition that provides that on expiry of the permit the sign and structures built specifically to support and illuminate it must be removed.

Major promotion signs
A permit for a major promotion sign must include conditions that specify:

- That the sign must not:
  - Dazzle or distract drivers due to its colouring.
  - Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.
  - Be able to be mistaken as an instruction to drivers.

- An expiry date that is 15 years from the date the permit is issued unless otherwise specified in this clause. This does not apply to a permit for major promotion sign for a special event or temporary building shrouding.

A permit for a major promotion sign may specify an expiry date other than 15 years, but the date must not be less than 10 years or more than 25 years from the date the permit is issued. Before deciding to alter the specified expiry date of 15 years, the responsible authority must consider, as appropriate:

- The purpose of the sign.
- The existing or desired character of the area.
- The Municipal Planning Strategy and the Planning Policy Framework in terms of the extent to which the proposed sign is consistent with any relevant policy direction and the extent to which the area may be expected to change over time.
- The extent to which the signage is physically and visually integrated into the architecture of the building.

Signs not requiring a permit
Despite any provision in a zone, overlay, or other particular provision of this scheme, a permit is not required to construct or put up for display any of the following signs:

- A sign identifying the functions or property of a government department, public authority or municipal council, but not a promotion sign displayed at the direction of any of these bodies.
- A sign controlling traffic on a public road, railway, tramway, water or in the air, provided it is displayed at the direction of a government department, public authority or municipal council.
- A sign at a hospital that gives direction to emergency facilities.
- A sign in a road reserve that gives direction or guidance about a tourist attraction, service or facility of interest to road users. The sign must be displayed to the satisfaction of the road authority.
- A sign required by statute or regulation, provided it is strictly in accordance with the requirement.
- A sign at a railway station or bus terminal that provides information or direction for people using the station or terminal.
- A sign on a showground, on a motor racing track or on a major sports and recreation facility, provided the sign’s display cannot be seen from nearby land.
A sign with a display area not exceeding 1 square metre to each premises that provides information about a place of worship. It must not be an animated or internally illuminated sign.

A sign inside a building that cannot generally be seen outside.

A sign with a display area not exceeding 2 square metres concerning construction work on the land. Only one sign may be displayed, it must not be an animated or internally illuminated sign and it must be removed when the work is completed.

A sign with a display area not exceeding 5 square metres publicising a local educational, cultural, political, religious, social or recreational event not held for commercial purposes. Only one sign may be displayed on the land, it must not be an animated or internally illuminated sign and it must not be displayed longer than 14 days after the event is held or 3 months, whichever is sooner. A sign publicising a local political event may include information about a candidate for an election.

A sign publicising a special event on the land or in the building on which it is displayed, provided no more than 8 signs are displayed in a calendar year and the total number of days the signs are displayed does not exceed 28 in that calendar year. The sign must be removed when the event is finished.

A sign with a display area not exceeding 2 square metres publicising the sale of goods or livestock on the land or in the building on which it is displayed, provided the land or building is not normally used for that purpose. Only one sign may be displayed, it must not be an animated or internally illuminated sign and it must not be displayed longer than 3 months without a permit.

A sign with an display area not exceeding 10 square metres publicising the sale or letting of the property on which it is displayed. Only one sign may be displayed, it must not be an animated sign and it must not be displayed longer than 7 days after the sale date. A permit may be granted for:
- The display area to exceed 10 square metres if the sign concerns more than 20 lots.
- The sign to be displayed on land excised from the subdivision and transferred to the municipal council.
- The sign to be displayed longer than 7 days after the sale date.

No permit is required to fly the Australian flag or to display the flag on a building, painted or otherwise represented, provided it is correctly dimensioned and coloured in accordance with the Flags Act 1953.

### Category 1 - Commercial areas

Minimum limitation

### Purpose
To provide for identification and promotion signs and signs that add vitality and colour to commercial areas.

### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>The total display area of all signs to each premises must not exceed 8 sqm. This does not include a sign with a display area not exceeding 1.5 sqm that is below a verandah or, if no verandah, that is less than 3.7 m above pavement level.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td></td>
</tr>
<tr>
<td>Home based business sign</td>
<td></td>
</tr>
<tr>
<td>Promotion sign</td>
<td></td>
</tr>
<tr>
<td>Sign</td>
<td>Condition</td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<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>

Category 2 - Office and industrial

Low limitation

Purpose
To provide for adequate identification signs and signs that are appropriate to office and industrial areas.

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>The total display area of all signs to each premises must not exceed 8 sqm. This does not include a direction sign.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td></td>
</tr>
<tr>
<td>Home based business sign</td>
<td></td>
</tr>
<tr>
<td>Pole sign</td>
<td></td>
</tr>
<tr>
<td>Direction sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>The display area must not exceed 1.5 sqm. The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.</td>
</tr>
</tbody>
</table>
Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Category 3 - High amenity areas

Medium limitation

**Purpose**

To ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area.

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td>Home based business sign</td>
<td>The display area must not exceed 0.2 sqm.</td>
</tr>
<tr>
<td>Direction sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Above-verandah sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Business identification sign</td>
<td></td>
</tr>
<tr>
<td>Electronic sign</td>
<td>The display area must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>None specified</td>
</tr>
<tr>
<td>High-wall sign</td>
<td>Must be a business logo or street number.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Pole sign</td>
<td></td>
</tr>
<tr>
<td>Promotion sign</td>
<td>The display area must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Reflective sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Sections 1 or 2</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Category 4 - Sensitive areas

Maximum limitation

**Purpose**

To provide for unobtrusive signs in areas requiring strong amenity control.
### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td>Home based business sign</td>
<td>The display area must not exceed 0.2 sqm.</td>
</tr>
<tr>
<td>Direction sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business identification sign</td>
<td>The total display area to each premises must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Sections 1 or 2</td>
<td>None specified</td>
</tr>
</tbody>
</table>
## SCHEDULE TO CLAUSE 52.05 ADVERTISING SIGNS

<table>
<thead>
<tr>
<th>Land</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
CAR PARKING

Purpose

To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.

To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.

To support sustainable transport alternatives to the motor car.

To promote the efficient use of car parking spaces through the consolidation of car parking facilities.

To ensure that car parking does not adversely affect the amenity of the locality.

To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Scope

Clause 52.06 applies to:

- a new use; or
- an increase in the floor area or site area of an existing use; or
- an increase to an existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

Clause 52.06 does not apply to:

- the extension of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone; or
- the construction and use of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone unless the zone or a schedule to the zone specifies that a permit is required to construct or extend one dwelling on a lot.

Provision of car parking spaces

Before:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use,

the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:

- on the land; or
- in accordance with a permit issued under Clause 52.06-3; or
- in accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.

If a schedule to the Parking Overlay specifies a maximum parking provision, the maximum provision must not be exceeded except in accordance with a permit issued under Clause 52.06-3.

Permit requirement

A permit is required to:
- Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.

- Provide some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay on another site.

- Provide more than the maximum parking provision specified in a schedule to the Parking Overlay.

A permit is not required if a schedule to the Parking Overlay specifies that a permit is not required under this clause.

A permit is not required to reduce the number of car parking spaces required for a new use of land if the following requirements are met:

- The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the new use is less than or equal to the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the existing use of the land.

- The number of car parking spaces currently provided in connection with the existing use is not reduced after the new use commences.

A permit is not required to reduce the required number of car parking spaces for a new use of an existing building if the following requirements are met:

- The building is in the Commercial 1 Zone, Commercial 2 Zone, Commercial 3 Zone or Activity Centre Zone.

- The gross floor area of the building is not increased.

- The reduction does not exceed 10 car parking spaces.

- The building is not in a Parking Overlay with a schedule that allows a financial contribution to be paid in lieu of the provision of the required car parking spaces for the use.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause to reduce the required number of car parking spaces by no more than 10 car parking spaces is a class of VicSmart application and must be assessed against Clause 59.10.

**Exemption from notice and review**

An application under Clause 52.06-3 is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if:

- the application is only for a permit under Clause 52.06-3; or

- the application is also for a permit under another provision of the planning scheme and in respect of all other permissions sought, the application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

**Number of car parking spaces required under Table 1**

Table 1 of this clause sets out the car parking requirement that applies to a use listed in the Table. A car parking requirement in Table 1 may be calculated as either:

- a number of car parking spaces; or

- a percentage of the total site area that must be set aside for car parking.
A car parking requirement in Table 1 is calculated by multiplying the figure in Column A or Column B (whichever applies) by the measure (for example square metres, number of patrons or number of bedrooms) in Column C.

Column A applies unless Column B applies.

Column B applies if:

- any part of the land is identified as being within the Principal Public Transport Network Area as shown on the Principal Public Transport Network Area Maps (State Government of Victoria, August 2018); or
- a schedule to the Parking Overlay or another provision of the planning scheme specifies that Column B applies.

Where an existing use is increased by the measure specified in Column C of Table 1 for that use, the car parking requirement only applies to the increase, provided the existing number of car parking spaces currently being provided in connection with the existing use is not reduced.

If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

Where the car parking requirement specified in Table 1 is calculated as a percentage of the total site area, the area to be provided for car parking includes an accessway that directly abuts any car parking spaces, but does not include any accessway or portion of an accessway that does not directly abut any car parking spaces.

The car parking requirement specified in Table 1 includes disabled car parking spaces. The proportion of spaces to be allocated as disabled spaces must be in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia.

The car parking requirement specified for a use listed in Table 1 does not apply if:

- a car parking requirement for the use is specified under another provision of the planning scheme; or
- a schedule to the Parking Overlay specifies the number of car parking spaces required for the use.

**Table 1: Car parking requirement**

<table>
<thead>
<tr>
<th>Use</th>
<th>Rate Column A</th>
<th>Rate Column B</th>
<th>Car Parking Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Art &amp; craft centre</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Bar</td>
<td>0.4</td>
<td>3.5</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Space to each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Betting agency</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Bowling green</td>
<td>6</td>
<td>6</td>
<td>To each rink plus 50 per cent of the relevant requirement of any ancillary use</td>
</tr>
<tr>
<td>Child care centre</td>
<td>0.22</td>
<td>0.22</td>
<td>To each child</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td>0.3</td>
<td>0.3</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>0.3</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Use</td>
<td>Rate Column A</td>
<td>Rate Column B</td>
<td>Car Parking Measure</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------</td>
<td>---------------</td>
<td>---------------</td>
<td>---------------------------------------------------------</td>
</tr>
<tr>
<td>Convenience shop if the leasable floor area exceeds 80 sq m</td>
<td>10</td>
<td>3.5</td>
<td>To each premises</td>
</tr>
<tr>
<td>Display home centre</td>
<td>5</td>
<td></td>
<td>To each dwelling for five or fewer contiguous dwellings, plus</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>3.5</td>
<td>To each additional contiguous dwelling</td>
</tr>
<tr>
<td>Dwelling</td>
<td>1</td>
<td>1</td>
<td>To each one or two bedroom dwelling, plus</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>2</td>
<td>To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>0</td>
<td>For visitors to every 5 dwellings for developments of 5 or more dwellings</td>
</tr>
<tr>
<td>Education centre other than listed in this table</td>
<td>0.4</td>
<td>0.3</td>
<td>To each student that is part of the maximum number of students on the site at any time</td>
</tr>
<tr>
<td>Food and drink premises other than listed in this table</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Freezing and cool storage,</td>
<td>1.5</td>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Fuel depot</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Funeral Parlour</td>
<td>0.3</td>
<td>0.3</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Gambling premises other than listed in this table</td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Golf course</td>
<td>4</td>
<td>4</td>
<td>To each hole plus 50 per cent of the relevant requirement of any ancillary uses.</td>
</tr>
<tr>
<td>Home based business</td>
<td>1</td>
<td>0</td>
<td>To each employee not a resident of the dwelling</td>
</tr>
<tr>
<td>Hotel</td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Industry other than listed in this table</td>
<td>2.9</td>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Mail centre</td>
<td>3.5</td>
<td>3</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Market</td>
<td>8</td>
<td>3.5</td>
<td>To each 100 sq m of site area</td>
</tr>
<tr>
<td>Materials recycling</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Medical centre</td>
<td>5</td>
<td></td>
<td>To the first person providing health services plus</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td></td>
<td>To every other person providing health services</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Milk depot</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Use</td>
<td>Rate Column A</td>
<td>Rate Column B</td>
<td>Car Parking Measure</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>---------------</td>
<td>---------------</td>
<td>-------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Motel</td>
<td>1</td>
<td>1</td>
<td>To each unit, and one to each manager dwelling, plus 50 per cent of the relevant requirement of any ancillary use</td>
</tr>
<tr>
<td>Motor repairs</td>
<td>3</td>
<td>3</td>
<td>To each 100 sq m of net floor area plus</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>1</td>
<td>For each vehicle being serviced, repaired or fitted with accessories, including vehicles waiting to be serviced, repaired, fitted with accessories or collected by owners</td>
</tr>
<tr>
<td>Office other than listed in this table</td>
<td>3.5</td>
<td>3</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Place of assembly other than listed in this table</td>
<td>0.3</td>
<td>0.3</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Postal agency</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Primary school</td>
<td>1</td>
<td>1</td>
<td>To each employee that is part of the maximum number of employees on the site at any time</td>
</tr>
<tr>
<td>Research and development centre</td>
<td>3.5</td>
<td>3</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td>0.3</td>
<td>0.3</td>
<td>To each lodging room</td>
</tr>
<tr>
<td>Residential village</td>
<td>1</td>
<td>1</td>
<td>To each one or two bedroom dwelling plus</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>2</td>
<td>To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>0</td>
<td>For visitors to every five dwellings for developments of five or more dwellings</td>
</tr>
<tr>
<td>Retirement village</td>
<td>1</td>
<td>1</td>
<td>To each one or two bedroom dwelling plus</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>2</td>
<td>To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>0</td>
<td>For visitors to every five dwellings for developments of five or more dwellings</td>
</tr>
<tr>
<td>Restaurant</td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td>3</td>
<td>2.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Rooming house</td>
<td>1</td>
<td>1</td>
<td>To each four bedrooms</td>
</tr>
<tr>
<td>Saleyard</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Secondary school</td>
<td>1.2</td>
<td>1.2</td>
<td>To each employee that is part of the maximum number of employees on the site at any time</td>
</tr>
<tr>
<td>Shop other than listed in this table</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Squash court – other than in conjunction with a dwelling</td>
<td>3</td>
<td>3</td>
<td>To each court plus 50 per cent of the relevant requirement of any ancillary use</td>
</tr>
<tr>
<td>Use</td>
<td>Rate Column A</td>
<td>Rate Column B</td>
<td>Car Parking Measure</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>---------------</td>
<td>---------------</td>
<td>-------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Store other than listed in this table</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Supermarket</td>
<td>5</td>
<td>5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Swimming pool – other than in conjunction with a dwelling</td>
<td>5.6</td>
<td>5.6</td>
<td>To each 100 sq m of the site</td>
</tr>
<tr>
<td>Tennis court – other than in conjunction with a dwelling</td>
<td>4</td>
<td>4</td>
<td>To each court plus 50% of the requirement of any ancillary use</td>
</tr>
<tr>
<td>Trade supplies</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Veterinary centre</td>
<td>5</td>
<td></td>
<td>To the first person providing animal health services plus</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td></td>
<td>To every other person providing animal health services</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Warehouse other than listed in this table</td>
<td>2</td>
<td>2</td>
<td>To each premises plus</td>
</tr>
<tr>
<td></td>
<td>1.5</td>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Winery</td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
</tbody>
</table>

### Number of car parking spaces required for other uses

Where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority. This does not apply to the use of land for a temporary portable land sales office located on the land for sale.

### Application requirements and decision guidelines for permit applications

#### For applications to reduce the car parking requirement

An application to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed:

- new use; or
- increase in the floor areas or site area of the existing use; or
- increase to the existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
The short-stay and long-stay car parking demand likely to be generated by the proposed use.

The availability of public transport in the locality of the land.

The convenience of pedestrian and cyclist access to the land.

The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.

The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.

Any empirical assessment or case study.

Before granting a permit to reduce the number of spaces, the responsible authority must consider the following, as appropriate:

- The Car Parking Demand Assessment.
- Any relevant local planning policy or incorporated plan.
- The availability of alternative car parking in the locality of the land, including:
  - Efficiencies gained from the consolidation of shared car parking spaces.
  - Public car parks intended to serve the land.
  - On street parking in non residential zones.
  - Streets in residential zones specifically managed for non-residential parking.

- On street parking in residential zones in the locality of the land that is intended to be for residential use.

- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.

- Any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre.

- The future growth and development of any nearby activity centre.

- Any car parking deficiency associated with the existing use of the land.

- Any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.

- Local traffic management in the locality of the land.

- The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.

- The need to create safe, functional and attractive parking areas.

- Access to or provision of alternative transport modes to and from the land.

- The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.

- The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.

- Any other matter specified in a schedule to the Parking Overlay.

- Any other relevant consideration.
For applications to allow some or all of the required car parking spaces to be provided on another site

Before granting a permit to allow some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay to be provided on another site, the responsible authority must consider the following, as appropriate:

- The proximity of the car parking on the alternate site to the subject site.
- The likelihood of the long term provision and availability of the car parking spaces.
- Whether the location of the car parking spaces is consistent with any relevant local policy or incorporated plan.
- Any other matter specified in a schedule to the Parking Overlay.

For applications to provide more than the maximum parking provision specified in a schedule to the Parking Overlay

An application to provide more than the maximum parking provision specified in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed use or increase to the existing use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
- The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
- Any empirical assessment or case study.

For applications to allow some or all of the required car parking spaces to be provided on another site

Before granting a permit to allow some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay to be provided on another site, the responsible authority must consider the following, as appropriate:

- The proximity of the car parking on the alternate site to the subject site.
- The likelihood of the long term provision and availability of the car parking spaces.
- Whether the location of the car parking spaces is consistent with any relevant local policy or incorporated plan.
- Any other matter specified in a schedule to the Parking Overlay.

For applications to provide more than the maximum parking provision specified in a schedule to the Parking Overlay

An application to provide more than the maximum parking provision specified in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed use or increase to the existing use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
- The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
- Any empirical assessment or case study.

Requirement for a car parking plan

Plans must be prepared to the satisfaction of the responsible authority before any of the following occurs:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The plans must show, as appropriate:

- All car parking spaces that are proposed to be provided (whether on the land or on other land).
- Access lanes, driveways and associated works.
- Allocation of car parking spaces to different uses or tenancies, if applicable.
- Any landscaping and water sensitive urban design treatments.
- Finished levels, if required by the responsible authority.
- Any other matter specified in a schedule to the Parking Overlay.

Plans must be provided to the responsible authority under Clause 52.06-8 wherever Clause 52.06 applies, whether or not a permit application is being made under Clause 52.06-3 or any other provision of the planning scheme.

Where an application is being made for a permit under Clause 52.06-3 or another provision of the planning scheme, the information required under Clause 52.06-8 may be included in other plans submitted with the application.

Clause 52.06-8 does not apply where no car parking spaces are proposed to be provided.

**Design standards for car parking**

Plans prepared in accordance with Clause 52.06-8 must meet the design standards of Clause 52.06-9, unless the responsible authority agrees otherwise.

Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

**Design standard 1 – Accessways**

Accessways must:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.
- If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed so that cars can exit the site in a forward direction.
- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Road Zone.
- Have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

If an accessway to four or more car parking spaces is from land in a Road Zone, the access to the car spaces must be at least 6 metres from the road carriageway.

If entry to the car space is from a road, the width of the accessway may include the road.

**Design standard 2 – Car parking spaces**

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.

**Table 2: Minimum dimensions of car parking spaces and accessways**

<table>
<thead>
<tr>
<th>Angle of car parking spaces to access way</th>
<th>Accessway width</th>
<th>Car space width</th>
<th>Car space length</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parallel</td>
<td>3.6 m</td>
<td>2.3 m</td>
<td>6.7 m</td>
</tr>
<tr>
<td>45°</td>
<td>3.5 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td>Angle of car parking spaces to access way</td>
<td>Accessway width</td>
<td>Car space width</td>
<td>Car space length</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>----------------</td>
<td>----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>60º</td>
<td>4.9 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td>90º</td>
<td>6.4 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>5.8 m</td>
<td>2.8 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>5.2 m</td>
<td>3.0 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>4.8 m</td>
<td>3.2 m</td>
<td>4.9 m</td>
</tr>
</tbody>
</table>

Note to Table 2: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked ‘clearance required’ on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked ‘tree or column permitted’ on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

**Diagram 1 Clearance to car parking spaces**

Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.

Where parking spaces are provided in tandem (one space behind the other) an additional 500 mm in length must be provided between each space.

Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500mm.
Design standard 3: Gradients

Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

Table 3: Ramp gradients

<table>
<thead>
<tr>
<th>Type of car park</th>
<th>Length of ramp</th>
<th>Maximum grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public car parks</td>
<td>20 metres or less</td>
<td>1:5 (20%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:6 (16.7%)</td>
</tr>
<tr>
<td>Private or residential car parks</td>
<td>20 metres or less</td>
<td>1:4 (25%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:5 (20%)</td>
</tr>
</tbody>
</table>

Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

Design standard 4: Mechanical parking

Mechanical parking may be used to meet the car parking requirement provided:

- At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle height of at least 1.8 metres.
- Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

Design standard 5: Urban design

Ground level car parking, garage doors and accessways must not visually dominate public space.

Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.

Design of car parks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

Design standard 6: Safety

Car parking must be well lit and clearly signed.

The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to car parking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.
Design standard 7: Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

Decision guidelines

Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.
- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The workability and allocation of spaces of any mechanical parking arrangement.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The type and size of vehicle likely to use the parking area.
- Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.
- The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.
- Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).
- The relevant standards of Clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.
- Any other matter specified in a schedule to the Parking Overlay.

Construction of car parking

Where a plan is required under Clause 52.06-8, the car parking spaces, access lanes, driveways and associated works and landscaping shown on the plan must be:

- constructed and available for use in accordance with the plan approved by the responsible authority; and
- formed to such levels and drained so that they can be used in accordance with the plan; and
- treated with an all-weather seal or some other durable surface; and
- line-marked or provided with some other adequate means of showing the car parking spaces, before any of the following occurs:
  - the new use commences; or
  - the floor area or site area of the existing use is increased; or
  - the existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.
EARTH AND ENERGY RESOURCES INDUSTRY

Purpose
To encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards.

To ensure that mineral extraction, geothermal energy extraction, greenhouse gas sequestration and petroleum extraction are not prohibited land uses.

To ensure that planning controls for the use and development of land for the exploration and extraction of earth and energy resources are consistent with other legislation governing these land uses.

Permit requirement
A permit is required to use and develop land for earth and energy resources industry unless the table to this clause specifically states that a permit is not required.

Table of exemptions

<table>
<thead>
<tr>
<th>No permit is required to use or develop land for earth and energy resources industry if the following conditions are met:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mineral exploration</td>
</tr>
<tr>
<td>Mineral extraction</td>
</tr>
<tr>
<td>Stone exploration</td>
</tr>
<tr>
<td>Stone extraction</td>
</tr>
<tr>
<td>Geothermal energy exploration</td>
</tr>
<tr>
<td>Geothermal energy extraction</td>
</tr>
<tr>
<td>Petroleum exploration</td>
</tr>
<tr>
<td>Petroleum extraction</td>
</tr>
</tbody>
</table>

Application requirements for mineral extraction
An application to use and develop land for mineral extraction must be accompanied by:

- A copy of a work plan or a variation to an approved work plan that has received statutory endorsement under section 77TD of the Mineral Resources (Sustainable Development) Act 1990.

- The written notice of statutory endorsement under section 77TD(1) of the Mineral Resources (Sustainable Development) Act 1990.

- Any conditions specified under section 77TD(3) of the Mineral Resources (Sustainable Development) Act 1990.
Referral requirements for mineral extraction

Before deciding on any applications to use and develop land for mineral extraction the Responsible Authority must refer the application to the referral authorities specified under section 55 of the Planning and Environment Act 1987.

Unless the referral authority is the Roads Corporation, the referral requirements of Clause 52.08-2 do not apply to an application to use and develop land for mineral extraction if a copy of the work plan or a variation to an approved work plan was previously referred to the referral authority listed in Clause 66 under section 77TE of the Mineral Resources (Sustainable Development) Act 1990.
STONE EXTRACTION AND EXTRACTIVE INDUSTRY INTEREST AREAS

Purpose
To ensure that use and development of land for stone extraction does not adversely affect the environment or amenity of the area during or after extraction.
To ensure that excavated areas can be appropriately rehabilitated.
To ensure that sand and stone resources, which may be required by the community for future use, are protected from inappropriate development.

Application
These provisions apply to planning permit applications for:
- The use and development of land for stone extraction.
- The use and development of land within an extractive industry interest area.
- The use and development of land within 500 metres of stone extraction.

Permit exemptions for stone extraction
A permit to use and develop land for stone extraction will not be required if the conditions in the table to Clause 52.08-1 are met.

Application requirements
An application to use and develop land for stone extraction must be accompanied by:
- A copy of a work plan or a variation to an approved work plan that has received statutory endorsement under section 77TD of the Mineral Resources (Sustainable Development) Act 1990.
- The written notice of statutory endorsement under section 77TD(1) of the Mineral Resources (Sustainable Development) Act 1990.
- Any conditions specified under section 77TD(3) of the Mineral Resources (Sustainable Development) Act 1990.

These requirements do not apply to an application to use and develop land for stone extraction which is exempt from:
- The requirement to obtain a work plan under Section 77G of the Mineral Resources (Sustainable Development) Act 1990, or
- The provisions of the Mineral Resources (Sustainable Development) Act 1990 under Section 5AA of that Act.

Referral requirements
Before deciding on any applications to use and develop land for stone extraction the responsible authority must refer the application to the referral authorities specified under section 55 of the Planning and Environment Act 1987.

Unless the referral authority is the Roads Corporation, the referral requirements of Clause 52.09-4 do not apply to an application to use and develop land for stone extraction if a copy of the work plan or a variation to an approved work plan was previously referred to the referral authority listed in Clause 66 under section 77TE of the Mineral Resources (Sustainable Development) Act 1990.
Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, responsible authority must consider, as appropriate:

- The effect of the proposed stone extraction on any native flora and fauna on and near the land.
- The impact of the stone extraction operations on sites of cultural and historic significance, including any effects on Aboriginal places.
- The effect of the stone extraction operation on the natural and cultural landscape of the surrounding land and the locality generally.
- The ability of the stone extraction operation to contain any resultant industrial emissions within the boundaries of the subject land in accordance with the Regulations associated with the Mineral Resources (Sustainable Development) Act 1990 and other relevant regulations.
- The effect of vehicular traffic, noise, blasting, dust and vibration on the amenity of the surrounding area.
- The ability to rehabilitate the affected land to a form or for a use which is compatible with the natural systems or visual appearance of the surrounding area.
- The ability to rehabilitate the land so it can be used for a purpose or purposes beneficial to the community.
- The effect of the proposed stone extraction on groundwater and quality and the impact on any affected water uses.
- The impact of the proposed stone extraction on surface drainage and surface water quality.
- Any proposed provisions, conditions or requirements in a work plan that has received statutory endorsement issued under the Mineral Resources (Sustainable Development) Act 1990.

Permit conditions for stone extraction

A permit for the use and development of land for stone extraction must not include conditions which require the use to cease by a specified date unless either:

- The subject land is situated in or adjoins land which is being developed or is proposed to be developed for urban purposes.
- Such condition is suggested by the applicant.

A permit for the use and development of land for stone extraction must include conditions which are consistent with the requirements specified in Clause 52.09-7.

Requirements for the use and development of land for stone extraction

Boundary setback

Except with a permit, no alteration may be made to the natural condition or topography of the land within 20 metres of the boundary of the land. This does not apply to driveways, drains, bund walls or landscaping.

Screen planting

Shrubs and trees must be planted and maintained to screen activity on the site to the satisfaction of the responsible authority.

Parking areas

Parking areas must be provided for employees’ cars and all vehicles used on the site to the satisfaction of the responsible authority.
Notice of an application

Notice of the kinds of application listed below must be given under section 52(1)(c) of the Act to the person or body specified as a person or body to be notified in Clause 66.05:

- An application to use or subdivide land or construct a building for Accommodation, Child care centre, Education centre or Hospital:
  - Within an Extractive Industry Interest Area.
  - On land which is within 500 metres of land on which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

- An application to construct a building or construct or carry out works on land for which a work authority has been applied for or granted under the *Mineral Resources (Sustainable Development) Act 1990*.

These requirements do not apply to an extension to buildings or works.
HOME BASED BUSINESS

Purpose
To ensure that the amenity of the neighbourhood is not adversely affected by a business conducted in or from a dwelling.

Requirements to be met
A home based business must meet the following requirements:

- The person conducting the home based business must use the dwelling as their principal place of residence.
- No more than two persons who does not live in the dwelling may work in the home based business at any one time.
- The net floor area used in conducting the business including the storage of any materials or goods must not exceed 100 square metres or one-third of the net floor area of the dwelling, whichever is the lesser. The net floor area includes out-buildings and works normal to a dwelling.
- The business must not impose a load on any utility greater than normally required for domestic use.
- The business must not adversely affect the amenity of the neighbourhood in any way including:
  - The appearance of any building, works or materials used.
  - The parking of motor vehicles.
  - The transporting of materials or goods to or from the dwelling.
  - The hours of operation.
  - Electrical interference.
  - The storage of chemicals, gasses or other hazardous materials.
  - Emissions from the site.
- No motor vehicle may be adjusted, modified, serviced or repaired for gain.
- Only one commercial vehicle (a commercial goods vehicle, commercial passenger vehicle or tow truck within the meaning of the Transport Act 1983), not exceeding 2 tonnes capacity and with or without a trailer registered to a resident of the dwelling may be present at any time. The vehicle must not be fuelled or repaired on the site.
- No goods other than goods manufactured or serviced in the home based business may be offered for sale. This requirement does not apply to goods offered for sale online.
- Materials used or goods manufactured, serviced or repaired in the home based business must be stored within a building.
- No goods manufactured, serviced or repaired may be displayed so that they are visible from outside the site.
- Any goods offered for sale online must not be collected from the dwelling.

Permit requirement
Despite the requirements of Clause 52.11-1, a permit may be granted for a home occupation:

- Which allows no more than three people who do not live in the dwelling to work in the occupation at any one time; or
- Which has a floor area not exceeding 200 square metres or one-third of the net floor area of the dwelling, whichever is the lesser.
- Which allows no more than one additional commercial vehicle (a commercial goods vehicle, commercial passenger vehicle or tow truck within the meaning of the Transport Act 1983), not exceeding two tonnes capacity and with or without a trailer registered to a resident of the dwelling, to be present at any time.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether there is a need for additional parking or loading facilities.
- The effect of any vehicle parking, storage or washing facilities on the amenity and character of the street.
- Whether the site is suitable for the particular home based business and is compatible with the surrounding use and development.
- Whether there is a need for landscaping to screen any outbuildings or car parking or loading areas or any other area relating to the home based business.
BUSHFIRE PROTECTION: EXEMPTIONS

Exemption to create defendable space around buildings used for accommodation

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to:

- The removal, destruction or lopping of any vegetation within 10 metres of an existing building used for accommodation that was:
  - constructed before 10 September 2009; or
  - approved by a permit issued under this scheme before 10 September 2009; or
  - approved by a building permit issued under the Building Act 1993 before 10 September 2009; or
  - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.

This does not apply to land covered by the Banyule, Bayside, Boroondara, Brimbank, Darebin, Glen Eira, Greater Dandenong, Hobsons Bay, Kingston, Knox, Maribyrnong, Maroondah, Melbourne, Monash, Moonee Valley, Moreland, Port of Melbourne, Port Phillip, Stonnington, Whitehorse and Yarra planning schemes unless the land is included in a Bushfire Management Overlay or is specified in a schedule to this clause.

- The removal, destruction or lopping of any vegetation, except trees, within 30 metres of an existing building used for accommodation that was:
  - constructed before 10 September 2009; or
  - approved by a permit issued under this scheme before 10 September 2009; or
  - approved by a building permit issued under the Building Act 1993 before 10 September 2009; or
  - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.

This does not apply to land covered by the Banyule, Bayside, Boroondara, Brimbank, Darebin, Glen Eira, Greater Dandenong, Hobsons Bay, Kingston, Knox, Maribyrnong, Maroondah, Melbourne, Monash, Moonee Valley, Moreland, Port of Melbourne, Port Phillip, Stonnington, Whitehorse and Yarra planning schemes unless the land is specified in a schedule to this clause.

- The removal, destruction or lopping of any vegetation, except trees, within 50 metres of an existing building used for accommodation where land is within the Bushfire Management Overlay and where the existing building was:
  - constructed before 10 September 2009 or lawfully erected before 18 November 2011 without the need for a planning permit; or
  - approved by a permit issued under this scheme before 10 September 2009 and erected before 18 November 2011; or
  - approved by a building permit issued under the Building Act 1993 before 10 September 2009 and erected before 18 November 2011; or
  - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
Exemption for vegetation removal along a fenceline

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to:

- The removal, destruction or lopping of any vegetation for a combined maximum width of 4 metres either side of an existing fence on a boundary between properties in different ownership that was constructed before 10 September 2009.

This does not apply to land covered by the Banyule, Bayside, Boroondara, Brimbank, Darebin, Glen Eira, Greater Dandenong, Hobsons Bay, Kingston, Knox, Maribyrnong, Maroondah, Melbourne, Monash, Moonee Valley, Moreland, Port of Melbourne, Port Phillip, Stonnington, Whitehorse and Yarra planning schemes unless the land is included in a Bushfire Management Overlay.

Exemption for buildings and works associated with a community fire refuge

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works does not apply to modifying an existing building to create a community fire refuge in accordance with Ministerial Direction No. 4, Construction Requirements for a Community Fire Refuge (1 August 2012).

Exemption for buildings and works associated with a private bushfire shelter

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works does not apply to buildings and works associated with a private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2006), provided the total area of all buildings and works does not exceed 30 square metres.

This clause does not apply to land in the Urban Floodway Zone, Erosion Management Overlay, Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Heritage Overlay.

Exemption to create defendable space for a dwelling approved under Clause 44.06 of this planning scheme

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to the removal, destruction or lopping of vegetation to construct a dwelling and create its defendable space if all of the following requirements are met:

- Land is in the Bushfire Management Overlay.
- Land is in the General Residential Zone, Residential Growth Zone, Neighbourhood Residential Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone, Rural Living Zone, Farming Zone or Rural Activity Zone.
- The removal, destruction or lopping of vegetation:
  - Does not exceed the distance specified in Table 1 to Clause 53.02-3 of this planning scheme, based on the bushfire attack level determined by a relevant building surveyor in deciding an application for a building permit under the Building Act 1993 for a dwelling or alteration or extension to the dwelling; or
- Is required to be undertaken by a condition in a planning permit issued after 31 July 2014 under Clause 44.06 of this scheme for a dwelling or an alteration or extension to the dwelling.
## Exemptions for vegetation removal

<table>
<thead>
<tr>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
</tr>
</tbody>
</table>
2009 BUSHFIRE - RECOVERY EXEMPTIONS

Purpose
To support recovery operations following the 2009 Victorian bushfires.

Scope
This clause applies to a use or development specified in Clause 52.13-3 carried out for the purposes of recovery from a bushfire that occurred after 1 January 2009.

Exemptions from planning scheme requirements
Any requirement of the scheme to obtain a permit or any provision in the scheme which prohibits the use or development of land or requires the use or development of land to be carried out in a particular manner does not apply to a use or development specified in Clause 52.13-3 provided the following requirements are met:

- Works must only be constructed or carried out for bushfire recovery or in association with the construction of a building under this provision to be used for temporary accommodation.
- A building constructed under this provision must only be used:
  - To provide temporary accommodation for a person or persons whose normal place of residence was damaged or destroyed by bushfire; or
  - For a use that is directly associated with bushfire recovery.
- A building constructed under this provision to be used for temporary accommodation must be located on the same lot as a building used for accommodation that was damaged or destroyed by bushfire unless the building is being constructed by or on behalf of a municipality, the Victorian Bushfire Reconstruction and Recovery Authority or other public authority.
- The construction of a building or the construction or carrying out of works must be completed prior to 31 March 2011.
- Native vegetation must only be removed, destroyed or lopped:
  - To provide access to, make safe or remove building and demolition rubble from a property; or
  - To enable emergency and bushfire recovery works undertaken by or on behalf of a municipality, the Victorian Bushfire Reconstruction and Recovery Authority, other public authority or a utility service provider in the exercise of any power conferred on them under any Act.
- Native vegetation must not be removed, destroyed or lopped after 31 March 2011.
- Any sign displayed must be directly associated with bushfire recovery.
- Any sign displayed must be removed prior to 31 March 2011.

Use and development
The requirements of Clause 52.13-2 apply to the following types of development:

- Demolition or removal of a building.
- Construction of a building.
- Construction or carrying out of works.
- Removal, destruction or lopping of vegetation.
- Display of a sign.
The requirements of Clause 52.13-2 apply to the following uses:

- Temporary accommodation.
- Any use directly associated with bushfire recovery.

52.13-4
04/10/2018
VC153

Land in a Heritage Overlay

For land within a Heritage Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to:

- Demolishing or removing a building;
- Externally altering a building by structural work;
- Internally altering a building if the schedule to the Heritage Overlay identifies the heritage place as one where internal alteration controls apply;
- Carrying out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials; or
- Removing, destroying or lopping a tree if the schedule to the Heritage Overlay identifies the heritage place as one where tree controls apply.

52.13-5
04/10/2018
VC153

Land in a Land Management Overlay

For land within a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to constructing a building or constructing and carrying out works.

For land within an Erosion Management Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to:

- Constructing a building or constructing and carrying out works; or
- Removing, destroying or lopping vegetation.

52.13-6
04/10/2018
VC153

Land in an Environmental Audit Overlay

For land within an Environmental Audit Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to commencing a sensitive use (residential use, child care centre, pre school centre or primary school).

52.13-7
26/09/2019
VC164

Cessation of use

A use must not continue after 31 March 2020 unless in accordance with the requirements of this scheme.

A building must not be used after 31 March 2020 unless in accordance with the requirements of this scheme.

Decision guidelines

Before deciding on an application to allow the retention or continuing use of a building, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider the extent to which compliance can be reasonably achieved with all requirements of this scheme.
2009 BUSHFIRE - REPLACEMENT BUILDINGS

Purpose
To support the rebuilding of dwellings, dependent persons’ units and buildings used for agriculture damaged or destroyed by the 2009 Victorian bushfires.

Scope
This clause applies to:

- The construction of a building or the construction and carrying out of works, associated with rebuilding:
  - a dwelling or dependent person’s unit; or
  - a building used for agriculture,
    that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.

- The use of land for:
  - a dwelling or dependent person’s unit that is rebuilt in accordance with this clause; or
  - agriculture to the extent that the use relates to a building that was destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009 and that use cannot continue unless that building is rebuilt.

- The removal, destruction or lopping of vegetation to enable the construction, use and maintenance of a building rebuilt in accordance with this Clause.

This clause does not apply to land in a Heritage Overlay.

For the avoidance of doubt, any planning permit exemption provided by the scheme continues to apply to the use and development specified in this Clause.

If any use or development is within the scope of both this Clause 52.14 and Clause 52.13, then this Clause 52.14 prevails over Clause 52.13 in the event of any inconsistency.

Exemption from planning scheme requirements
Any requirement of the scheme to obtain a permit or any provision in the scheme which prohibits the use or development of land or requires the use or development of land to be carried out in a particular manner does not apply to the use and development specified in Clause 52.14-1 provided the following requirements are met:

Site plan
Before the commencement of construction of a building or the construction or carrying out of works, a site plan must be provided to and approved by the responsible authority. The site plan must show:

- The boundaries of the property.

- The location of any damaged or destroyed dwelling, dependent person’s unit or building used for agriculture.

- The proposed location of the replacement dwelling, dependent person’s unit or building used for agriculture.

- The existing and proposed access to the lot.
Vegetation to be removed destroyed or lopped to enable rebuilding including construction of vehicle access, water storage and waste water treatment.

For replacement dwellings and dependent persons’ units on land in a Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:

- The location and dimensions of vehicle access.
- The location and storage of water for potable and fire fighting purposes if the dwelling or dependent person’s unit cannot be connected to a reticulated potable water supply.
- The location of the waste water treatment system if waste water is to be retained and treated on site.

The site plan must be submitted to the responsible authority by 30 September 2017.

Commencement of development

- The development must commence within two years after the approval of a site plan by the responsible authority and must be completed within two years after the development commences. The responsible authority may allow an extension of time on the request of the owner or the occupier of the land to which the approved site plan applies, provided that request is made before the expiry of the applicable period or within three months of the expiry of the applicable period.

Compliance with site plan

- The development must comply with the approved site plan.

Use and development conditions

- The land must not be used for more than the number of dwellings or dependent persons’ units that were damaged or destroyed.
- The removal, destruction or lopping of vegetation to enable the maintenance of a building must not exceed 10 metres beyond the building.
- For land in the Farming Zone, Rural Conservation Zone, Rural Activity Zone, Green Wedge Zone, Green Wedge A Zone or the Rural Living Zone:
  - Access to the dwelling or dependent person’s unit must be provided via an all weather road with dimensions adequate to accommodate emergency vehicles.
  - The dwelling or dependent person’s unit must be connected to a reticulated sewerage system or if not available, the waste water must be managed to the satisfaction of the responsible authority.
  - The dwelling or dependent person’s unit must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
  - The dwelling or dependent person’s unit must be connected to a reticulated electricity supply or have an alternative energy source.
- A building must be constructed of materials that are non-reflective and of muted tones in the following locations:
  - Land in an Environmental Significance Overlay, Design and Development Overlay or Significant Landscape Overlay.
  - Land in a Green Wedge Zone, Green Wedge A Zone or Rural Conservation Zone in the municipal districts of the Shire of Yarra Ranges and the Shire of Nillumbik.
For land in a Restructure Overlay, a building must be consistent with any Restructure Plan.

For land adjacent to a Road Zone, Category 1, or Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road, access must not be created or altered.

**52.14-3**

**Land in an Erosion Management Overlay**

For land in an Erosion Management Overlay in the municipal district of the Shire of Yarra Ranges, in addition to the requirements specified in Clause 52.14-2, the written authorisation of the responsible authority must be obtained prior to:

- Constructing a building or constructing and carrying out works; or
- Removing, destroying or lopping vegetation.

**52.14-4**

**Land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay**

For land in a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay, in addition to the requirements specified in Clause 52.14-2, the written authorisation of the relevant floodplain management authority must be obtained prior to the commencement of construction of a building or the construction or carrying out of works.

**52.14-5**

**Decision guidelines**

Before deciding on approval of the site plan, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider, as appropriate:

- The extent to which the siting of the building and associated development can reasonably achieve compliance with other relevant requirements of this scheme.
- The extent to which the replacement dwelling or dependent person’s unit can be located on the land to assist the minimisation of risk to life and property from bushfire.
HELIPORT AND HELICOPTER LANDING SITE

Purpose
To ensure the amenity impacts of a heliport and a helicopter landing site on surrounding areas is considered.

Permit requirement
A permit is required to use or develop any land for a heliport or a helicopter landing site even if it is ancillary to another use on the land, unless the table to this Clause specifically states that a permit is not required.

Table of exemptions for use

<table>
<thead>
<tr>
<th>No permit is required to use land for a helicopter landing site if any of the following apply:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Emergency services</strong></td>
</tr>
<tr>
<td><strong>Agriculture</strong></td>
</tr>
<tr>
<td><strong>Public land management</strong></td>
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<tr>
<td>..........................................................</td>
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<td>..........................................................</td>
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<td><strong>General</strong></td>
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<tr>
<td>..........................................................</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.
52.16-6 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.

52.16-7 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.

52.16-8 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>Fire protection</th>
<th>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:</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>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);
- in accordance with a fire prevention notice issued under either:
  - section 65 of the Forests Act 1958; or
- keeping native vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998;
- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forest and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the Road Management Act 2004.

Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.

| Geothermal energy exploration and extraction | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Geothermal Energy Resources Act 2005. |
| Greenhouse gas sequestration and exploration | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008. |
| Land management or directions notice | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the Catchment and Land Protection Act 1994. |
| Land use conditions | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the Catchment and Land Protection Act 1994. |
| Mineral exploration and 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. |
<p>| Pest animal burrows | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in accordance with the written agreement of an officer of the department responsible for administering the Flora and Fauna Guarantee Act 1988. |
| Planted vegetation | Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production. This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding. |
| Railways | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). |</p>
<table>
<thead>
<tr>
<th>Requirement</th>
<th>Description</th>
</tr>
</thead>
</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. |
| **Stone extraction** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority under that Act. |
| **Surveying** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licensed surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land. |
| **Traditional owners** | Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:  
  - a natural resource agreement under Part 6 of the *Traditional Owner Settlement Act 2010*; or  
  - an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional Owner Settlement Amendment Act in 2016* (1 May 2017). |
| **Utility installations** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary:  
  - to maintain the safe and efficient function of a Minor utility installation; or  
  - by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
SCHEDULE TO CLAUSE 52.16 NATIVE VEGETATION PRECINCT PLAN

Native vegetation precinct plan

<table>
<thead>
<tr>
<th>Name of plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taylors Hill West Precinct Structure Plan (including the Taylors Hill West Native Vegetation Precinct Plan), December 2016</td>
</tr>
<tr>
<td>Robinsons Road Employment Area South Native Vegetation Precinct Plan, February 2011</td>
</tr>
<tr>
<td>Toolern Precinct Structure Plan (including Toolern Native Vegetation Precinct Plan), July 2011 (Amended December 2015)</td>
</tr>
<tr>
<td>Diggers Rest Native Vegetation Precinct Plan, March 2012</td>
</tr>
<tr>
<td>Rockbank North Native Vegetation Precinct Plan, March 2012</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. This exemption does not apply to a standing dead tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td>Emergency works</td>
<td>Native vegetation that is to be removed, destroyed, or lopped:</td>
</tr>
<tr>
<td></td>
<td>- in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access associated with emergency works; or</td>
</tr>
<tr>
<td></td>
<td>- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
</tbody>
</table>
## The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
</table>
| **Existing buildings** | Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the use or maintenance of a building constructed in accordance with a planning or building permit issued before 15 September 2008. This exemption does not apply to:  
  - the operation or maintenance of a fence; or  
  - native vegetation located more than 10 metres measured from the outermost point of the building. |
| **Existing buildings and works in the Farming Zone and Rural Activity Zone** | Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the use or maintenance of an existing building or works used for Agricultural production, including a dam, utility service, bore, horticultural trellising and accessway in the Farming Zone or the Rural Activity Zone. This exemption does not apply to:  
  - the use or maintenance of a Dwelling; or  
  - the operation or maintenance of a fence; or  
  - native vegetation located more than 10 metres measured from the outermost point of the building or works. |
| **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:  
  - firefighting;  
  - 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.  
  - 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; |
The requirement to obtain a permit does not apply to:

- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the Road Management Act 2004.

Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.

<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>Grasses</td>
<td>Native grass that is to be mowed or slashed for maintenance only, provided that the grass is:</td>
</tr>
<tr>
<td></td>
<td>• located within a lawn, garden or other landscaped area; or</td>
</tr>
<tr>
<td></td>
<td>• maintained at a height of at least 10 centimetres above ground level.</td>
</tr>
<tr>
<td>Grazing</td>
<td>Native vegetation that is to be removed, destroyed or lopped by domestic stock grazing on:</td>
</tr>
<tr>
<td></td>
<td>• freehold land; or</td>
</tr>
<tr>
<td></td>
<td>• Crown land in accordance with a license, permit or lease granted under applicable legislation.</td>
</tr>
<tr>
<td>Greenhouse gas sequestration and exploration</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008.</td>
</tr>
<tr>
<td>Harvesting for timber production – naturally established native vegetation</td>
<td>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:</td>
</tr>
<tr>
<td></td>
<td>• undertaken on public land under a licence or permit issued under section 52 of the Forests Act 1958; or</td>
</tr>
<tr>
<td></td>
<td>• authorised in accordance with Part 5 of the Sustainable Forests (Timber) Act 2004.</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>Lopping and pruning for maintenance</td>
<td>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.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to:</td>
</tr>
<tr>
<td></td>
<td>• the pruning or lopping of the trunk of a native tree; or</td>
</tr>
<tr>
<td></td>
<td>• native vegetation on a roadside or railway reservation.</td>
</tr>
<tr>
<td>The requirement to obtain a permit does not apply to:</td>
<td></td>
</tr>
<tr>
<td>-------------------------------------------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>Mineral exploration and extraction</strong></td>
<td></td>
</tr>
<tr>
<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 <em>Mineral Resources (Sustainable Development) Act 1990</em>:</td>
<td></td>
</tr>
<tr>
<td>- that is low impact exploration within the meaning of Schedule 4A of the <em>Mineral Resources (Sustainable Development) Act 1990</em>; or</td>
<td></td>
</tr>
<tr>
<td>- in accordance with a work plan approved under Part 3 of the <em>Mineral Resources (Sustainable Development) Act 1990</em>.</td>
<td></td>
</tr>
<tr>
<td>Note: Schedule 4A of the <em>Mineral Resources (Sustainable Development) Act 1990</em> specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.</td>
<td></td>
</tr>
</tbody>
</table>

| **New buildings and works in the Farming Zone and Rural Activity Zone**                                              |
| Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the construction of a building or works used for Agricultural production, including a dam, utility service, bore and accessway, in the Farming Zone or the Rural Activity Zone. |
| The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: |
| - 1 hectare of native vegetation which does not include a tree. |
| - 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. |
| - 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. |
| This exemption does not apply to the construction or operation of a pivot irrigation system or horticultural trellising. |

| **New dwellings in the Farming Zone and Rural Activity Zone**                                                        |
| Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the construction of a dwelling in the Farming Zone or Rural Activity Zone. |
| The maximum extent of native vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following: |
| - 300 square metres of native vegetation which does not include a tree. |
| - 5 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level. |
| - 1 native tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level. |
| This exemption does not apply native vegetation removed, destroyed or lopped to enable the construction of a swimming pool, tennis court or horse ménage. |

| **Personal use**                                                                                                    |
| Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to obtain reasonable amounts of wood for personal use by the owner or lawful occupier of the land. |
| For the purpose of this exemption personal use means uses such as heating and cooking, building and fence construction on land, and hobbies such as arts and craft. |
| This exemption does not apply to: |
| - contiguous land in one ownership that has an area of less than 10 hectares; |
The requirement to obtain a permit does not apply to:

- the removal, destruction or lopping of native vegetation by means other than cutting or chopping; or
- a standing native tree (including a dead tree) with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

<table>
<thead>
<tr>
<th>Pest animal burrows</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in the Farming Zone or the Rural Activity Zone:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- in accordance with written agreement of an officer of the department responsible for administering the Flora and Fauna Guarantee Act 1988; or</td>
</tr>
<tr>
<td></td>
<td>- provided the maximum extent of native vegetation removed, destroyed or lopped on contiguous land in the same ownership in a five year period does not exceed any of the following:</td>
</tr>
<tr>
<td></td>
<td>- 1 hectare of native vegetation which does not include a tree; or</td>
</tr>
<tr>
<td></td>
<td>- 15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Planted vegetation</th>
<th>Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.</td>
</tr>
</tbody>
</table>

| Railways | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). |

<table>
<thead>
<tr>
<th>Regrowth</th>
<th>Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- less than 10 years old; or</td>
</tr>
<tr>
<td></td>
<td>- bracken (<em>Pteridium esculentum</em>); or</td>
</tr>
<tr>
<td></td>
<td>- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation; or</td>
</tr>
<tr>
<td></td>
<td>- less than ten years old at the time of a property vegetation plan being signed by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987), and is:</td>
</tr>
<tr>
<td></td>
<td>- shown on that plan as being ‘certified regrowth’; and</td>
</tr>
<tr>
<td></td>
<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.
### 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>Road safety</strong></td>
<td>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 <em>Conservation, Forests and Lands Act 1987</em>).</td>
</tr>
<tr>
<td><strong>Site area</strong></td>
<td>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.</td>
</tr>
<tr>
<td><strong>Stock movements on roads</strong></td>
<td>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.</td>
</tr>
</tbody>
</table>
| **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 costeaging and bulk sampling activities. |
| **Stone extraction**    | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority under that Act. |
| **Surveying**           | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land. |
| **Traditional owners**  | Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:  
  - a natural resource agreement under Part 6 of the *Traditional Owner Settlement Act 2010*; or  
  - an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional Owner Settlement Amendment Act* in 2016 (1 May 2017). |
| **Utility installations** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary:  
  - to maintain the safe and efficient function a Minor utility installation; or |
The requirement to obtain a permit does not apply to:

- by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).

<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>
### 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>Reservation for the Western Freeway - Melton to Bacchus Marsh west of Bulmans Road</td>
<td>None specified</td>
</tr>
<tr>
<td>Those areas marked PAO1 on Map14PAO</td>
<td>All native vegetation</td>
</tr>
<tr>
<td>Those sites zoned Special Use – Schedule 8</td>
<td>All native vegetation</td>
</tr>
<tr>
<td>Land in a Public Use Zone 4 for the Caroline Springs Railway Station and associated facilities, known as Lot 1 on TP514045 part of 11-15 Palm Springs Road, Ravenhall</td>
<td>All native vegetation</td>
</tr>
<tr>
<td>Land shown as UGZ6 or IPO3 on the planning scheme maps</td>
<td>Shown as ‘Remnant patches to be removed’ on Plan 6 in the incorporated Toolern Park Precinct Structure Plan where the removal, destruction or lopping is carried out in accordance with the ‘Final approval for urban development in three growth corridors under the Melbourne urban growth program strategic assessment, 5 September 2013’ pursuant to section 146B of the <em>Environment Protection and Biodiversity Conservation Act, 1999</em> (EPBC Act).</td>
</tr>
<tr>
<td>Land shown as UGZ7 on the planning scheme maps</td>
<td>Shown as ‘native vegetation that can be removed’ on Plan 7 in the incorporated Rockbank Precinct Structure Plan, August 2016 where the removal, destruction or lopping is carried out in accordance with the ‘Final approval for urban development in three growth corridors under the Melbourne urban growth program strategic assessment, 5 September 2013’ pursuant to section 146B of the <em>Environment Protection and Biodiversity Conservation Act, 1999</em> (EPBC Act).</td>
</tr>
<tr>
<td>Land shown as UGZ9, SUZ11 or IPO5 on the planning scheme maps</td>
<td>Shown as ‘native vegetation that can be removed’ on Plan 8 in the incorporated Mt Atkinson &amp; Tarneit Plains Precinct Structure Plan where the removal, destruction or lopping is required for any development that is subject to and carried out in accordance with the ‘Final approval for urban development in three growth corridors under the Melbourne urban growth program strategic assessment, 5 September 2013’ pursuant to section 146B of the <em>Environment Protection and Biodiversity Conservation Act, 1999</em> (Cth). and Shown as ‘no native vegetation’ on Plan 8 in the incorporated Mt Atkinson &amp; Tarneit Plains Precinct Structure Plan.</td>
</tr>
<tr>
<td>Land shown as UGZ11, SUZ10 on the planning scheme maps</td>
<td>All native vegetation removal, destruction or lopping which is required for any development that is subject to and carried out in accordance with the ‘Final approval for urban development in three growth corridors under the Melbourne urban growth program strategic assessment, 5 September 2013’. This does not apply to native vegetation identified as to be retained in a precinct structure plan incorporated in this scheme.</td>
</tr>
<tr>
<td>Land shown as UGZ12, SUZ9 or IPO4 on the planning scheme maps</td>
<td>All native vegetation removal, destruction or lopping which is required for any development that is subject to and carried out in accordance with the ‘Final approval for urban development in three growth corridors under the Melbourne urban growth program strategic assessment, 5 September 2013’. This does not apply to native vegetation identified as to be retained in a precinct structure plan incorporated in this scheme.</td>
</tr>
</tbody>
</table>
### Scheduled weed

<table>
<thead>
<tr>
<th>Area</th>
<th>Description of weed</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

### Utility installation code of practice

<table>
<thead>
<tr>
<th>Name of code of practice</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
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.
[NO CONTENT]
PRIVATE TENNIS COURT

Purpose
To ensure that tennis courts used in association with a dwelling are sited and constructed to minimise the effects of the development on nearby properties.
To ensure that the use of tennis courts in association with a dwelling does not cause unreasonable disturbance to adjoining residents or adversely affect the residential amenity of adjoining areas.

Application
This clause applies to any private tennis court which is used in association with a dwelling.

Permit requirement
A permit is not required under any provision of this scheme to construct, use or illuminate a private tennis court if the performance requirements specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999 are met.

A permit is required to construct, use or illuminate a private tennis court:

- If any of the performance requirements specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999 are not met.
- If the land is in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, an Urban Floodway Zone, a Floodway Overlay or a Land Subject to Inundation Overlay and a permit is required for any of the following:
  - To construct a building or construct or carry out works.
  - To remove, destroy, prune or lop a tree or vegetation.

Application requirements
Unless the circumstances do not require, an application under this clause must be accompanied by the following information:

- A copy of title of the land.
- A layout plan to a scale of not less than 1:200.
- The location of dwellings on adjoining land within 10 metres of the court site showing habitable room windows.
- Existing and proposed site levels.
- Location of vegetation to be removed.
- Proposed landscaping.
- Illumination levels and the position and height of light poles and fencing.
- Description of fencing material.
- The location of easements.
- Volume of excavated material to be brought to or removed from the site.
- Means of access to the site.
- Construction method and timing.
**Notice provisions**

An application for a permit to construct, use or illuminate a private tennis court under any provision of this scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d) of the Act. In accordance with section 52(1)(c) of the Act notice of an application to construct, use or illuminate a private tennis court under any provision of this scheme must be given by ordinary post to the owners and occupiers of adjoining and opposite properties.

**Decision guidelines**

Before deciding on an application under this Clause, in addition to the decision guidelines in Clause 65, the responsible authority must consider the relevant objectives and considerations specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999.
COMMUNITY CARE ACCOMMODATION

Purpose
To facilitate the establishment of community care accommodation.
To support the confidentiality of community care accommodation.

Application
This clause applies to the use and development of land for community care accommodation.

Use exemption
Any requirement in the Activity Centre Zone, Capital City Zone, Commercial 1 Zone, General Residential Zone, Low Density Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone, Rural Living Zone or Township Zone to obtain a permit to use land for community care accommodation does not apply if all of the following requirements are met:

- Any condition opposite the use ‘community care accommodation’ in the table of uses in the zone or schedule to the zone is met.
- The use is funded by, or conducted by or on behalf of, a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act.
- No more than 20 clients are accommodated. This does not include staff.
- No more than 5 persons at any one time who are not residents may access support services provided on the land.

Buildings and works exemption
Any requirement in the General Residential Zone, Low Density Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone, Rural Living Zone or Township Zone to obtain a permit to construct a building or construct or carry out works for community care accommodation does not apply if all of the following requirements are met:

- The development is funded by, or carried out by or on behalf of, a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act.
- If the development is in the General Residential Zone or Neighbourhood Residential Zone, a garden area is provided in accordance with the minimum garden area requirement specified in the zone.
- If the development is in the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone, standards B6, B17, B18, B19, B20, B21 and B22 of Clause 55 are met.

Exemption from notice and review
An application under any provision of this planning scheme to use land or construct a building or construct or carry out works for community care accommodation is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the application is made by or on behalf of a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act.
ROOMING HOUSE

Purpose
To facilitate the establishment of domestic-scale rooming houses.

Application
This clause applies to use and development of land for a rooming house.

Use exemption
Any requirement in the Activity Centre Zone, Capital City Zone, Commercial 1 Zone, General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone to obtain a permit to use land for a rooming house does not apply if all of the following requirements are met:

- Any condition opposite the use ‘rooming house’ in the table of uses in the zone or schedule to the zone is met.
- The total floor area of all buildings on the land does not exceed 300 square metres, excluding outbuildings.
- No more than 12 persons are accommodated.
- No more than 9 bedrooms are provided.

Buildings and works exemption
Any requirement in the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone to obtain a permit to construct a building or construct or carry out works for a rooming house does not apply if all of the following requirements are met:

- No more than 9 bedrooms are developed on the land.
- Bedrooms can only be accessed from within the building.
- The total floor area of all buildings on the land 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

### 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>

### 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>

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Page 812 of 1156
GAMING

Purpose
To ensure that gaming machines are situated in appropriate locations and premises.
To ensure the social and economic impacts of the location of gaming machines are considered.
To prohibit gaming machines in specified shopping complexes and strip shopping centres.

Gaming objectives
A schedule to this clause may specify objectives to be achieved in relation to the installation or use of a gaming machine.

Permit requirement
A permit is required to install or use a gaming machine.
This does not apply in either of the following circumstances:
- Clause 52.28-4 or Clause 52.28-5 specifically prohibit a gaming machine.
- the gaming machine is in an approved venue under the Gambling Regulation Act 2003 on 18 October 2006 and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

Prohibition of a gaming machine in a shopping complex
Installation or use of a gaming machine is prohibited on land specified in a schedule to this clause.
This does not apply to a gaming machine in an approved venue under the Gambling Regulation Act 2003 on 18 October 2006; and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.

Prohibition of a gaming machine in a strip shopping centre
Installation or use of a gaming machine is prohibited in a strip shopping centre if:
- the strip shopping centre is specified in the schedule to this clause.
- the schedule provides that a gaming machine is prohibited in all strip shopping centres on land covered by this planning scheme.
This does not apply to a gaming machine in an approved venue under the Gambling Regulation Act 2003 on 18 October 2006; and the maximum number of gaming machines for the approved venue on 18 October 2006 is not exceeded.
A strip shopping centre is an area that meets all of the following requirements:
- it is zoned for commercial use;
- it consists of at least two separate buildings on at least two separate and adjoining lots;
- it is an area in which a significant proportion of the buildings are shops;
- it is an area in which a significant proportion of the lots abut a road accessible to the public generally;
but it does not include the Capital City Zone in the Melbourne Planning Scheme.

Locations for gaming machines
A schedule to this clause may specify guidelines relating to locations for gaming venues and machines.
Venues for gaming machines

A schedule to this clause may specify guidelines relating to venues for gaming machines.

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The compatibility of the proposal with adjoining and nearby land uses.
- The capability of the site to accommodate the proposal.
- Whether the gaming premises provides a full range of hotel facilities or services to patrons or a full range of club facilities or services to members and patrons.
- Any other matters specified in the schedule to this clause.
SCHEDULE TO CLAUSE 52.28 GAMING

Prohibition of a gaming machine in a shopping complex

Installation or use of a gaming machine as specified in Clause 52.28-3 is prohibited on land described in Table 1 below.

Table 1

<table>
<thead>
<tr>
<th>Name of shopping complex and locality</th>
<th>Land description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Woodgrove Shopping Centre</td>
<td>533-555 High Street Melton, described in Certificates of Title</td>
</tr>
<tr>
<td></td>
<td>Volume 10294 Folio 286 and Volume 9974 Folio 346</td>
</tr>
<tr>
<td>Coburns Shopping Centre</td>
<td>Lot 1 PS 120634 south west corner of High Street and Coburns Road</td>
</tr>
<tr>
<td>Bellevue Shopping Centre</td>
<td>North west corner of Wattle Valley Drive and Royal Crescent, Hillside</td>
</tr>
<tr>
<td>Melton Fresh Shopping Centre</td>
<td>North west corner of Brooklyn Road and Station Street, Melton South</td>
</tr>
</tbody>
</table>

Prohibition of a gaming machine in a strip shopping centre

A gaming machine as specified in Clause 52.28-4 is prohibited in a strip shopping centre specified in Table 2 below.

Table 2

<table>
<thead>
<tr>
<th>Name of strip shopping centre and locality</th>
<th>Land description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Burleigh Road Shopping Centre, Melton</td>
<td>44-48 (even numbers) Burleigh Rd</td>
</tr>
<tr>
<td>Cradle Road Shopping Centre, Diggers Rest</td>
<td>23-31 (odd numbers) Cradle Rd</td>
</tr>
<tr>
<td>Exford Road Shopping Centre, Melton</td>
<td>1-17 (odd numbers) Exford Rd; 1-11 (odd numbers) Stauton St</td>
</tr>
<tr>
<td>High Street Shopping Centre, Melton</td>
<td>Land bounded by High St, Smith St, Unitt St and Alexandra St; land bounded by</td>
</tr>
<tr>
<td></td>
<td>High St, Smith St, McKenzie St and Station Rd</td>
</tr>
<tr>
<td>Scott Street Shopping Centre, Melton</td>
<td>17-35 (odd numbers) Scott St</td>
</tr>
<tr>
<td>Wattle Valley Shopping Centre, Hillside</td>
<td>49-69 (odd numbers) Royal Cr</td>
</tr>
</tbody>
</table>
LAND ADJACENT TO A ROAD ZONE, CATEGORY 1, OR A PUBLIC ACQUISITION OVERLAY FOR A CATEGORY 1 ROAD

Purpose
To ensure appropriate access to identified roads.
To ensure appropriate subdivision of land adjacent to identified roads.

Application
This clause applies to land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.

Permit requirement
A permit is required to:

- Create or alter access to:
  - A road in a Road Zone, Category 1.
  - Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.

- Subdivide land adjacent to:
  - A road in a Road Zone, Category 1.
  - Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.

Permit not required
A permit is not required to:

- Realign a boundary.

- Subdivide an existing building, provided the building is already connected to services and no new access is required.

- Subdivide land into two lots, provided no new access is required.

Referral of applications
An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or arterial road under the Road Management Act 2004, land owned by the Roads Corporation for the purpose of a road, or land in a Public Acquisition Overlay if the Roads Corporation is the acquiring authority for the land, must be referred to the Roads Corporation under section 55 of the Act.

Any other application must be referred to the owner of, or the acquiring authority for, the adjacent land in the Road Zone, Category 1, or the Public Acquisition Overlay.

Exemption from notice and review
An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

• The views of the relevant road authority.
• The effect of the proposal on the operation of the road and on public safety.
• Any policy made by the relevant road authority pursuant to Schedule 2, Clause 3 of the Road Management Act 2004 regarding access between a controlled access road and adjacent land.
WIND ENERGY FACILITY

Purpose
To facilitate the establishment and expansion of wind energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

Application
This clause applies to land used and developed or proposed to be used and developed for a Wind energy facility.

Use and development of land
A permit is required to use and develop land for a Wind energy facility.

The use and development of land for a Wind energy facility is prohibited at a location listed in the table to this clause unless the condition opposite the location specified in the table is met.

Table to Clause 52.32-2

<table>
<thead>
<tr>
<th>Location</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>On land where any turbine (measured from the centre of the tower at ground level) that forms part of the facility is located within one kilometre of an existing dwelling. This does not apply to a Wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.</td>
<td>Must meet the requirements of clause 52.32-3.</td>
</tr>
<tr>
<td>Land described in a schedule to the National Parks Act 1975</td>
<td>Must be principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land.</td>
</tr>
<tr>
<td>Land declared a Ramsar wetland as defined under section 17 of the Environment Protection and Biodiversity Conservation Act 1999 (Cwth)</td>
<td>Must be on land in a residential zone, industrial zone, commercial zone or special purpose zone and must be integrated as part of the development of the land.</td>
</tr>
</tbody>
</table>

Turbine within one kilometre of a dwelling
An application that includes a proposed turbine within one kilometre of an existing dwelling must be accompanied by:

- A plan showing all dwellings within one kilometre of a proposed turbine (measured from the centre of the tower at ground level).
- Evidence of the written consent of any owner as at the date of that application of an existing dwelling located within one kilometre of a proposed turbine (measured from the centre of the tower at ground level) that forms part of a Wind energy facility. This does not apply to an application to amend such a permit under section 72 or section 97I of the Act unless the amendment of the permit would:
  - increase the number of turbines; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.

This does not apply to a Wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.

**Application requirements**

An application must be accompanied by the following information as appropriate:

**Site and context analysis**

A site and context analysis may use a site plan, photographs or other techniques to accurately describe the site and surrounding area and must include the following information:

- In relation to the site:
  - Site shape, dimensions and size
  - Orientation and contours
  - Current land use
  - The existing use and siting of buildings or works on the land
  - Existing vegetation types, condition and coverage
  - The landscape of the site
  - Species of flora and fauna listed under the *Flora and Fauna Guarantee Act 1988* and the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth)
  - Sites of cultural heritage significance
  - Wind characteristics
  - Any other notable features, constraints or other characteristics of the site.

- In relation to the surrounding area:
  - Existing land uses
  - Above-ground utilities
  - Access to infrastructure
  - Direction and distances to nearby dwellings, townships, urban areas, significant conservation and recreation areas, water features, tourist routes and walking tracks, major roads, airports, aerodromes and existing and proposed wind energy facilities
  - The siting and use of buildings on adjacent properties
  - Views to and from the site, including views from existing dwellings and key vantage points including major roads, walking tracks, tourist routes and regional population growth corridors
  - Sites of flora and fauna listed under the *Flora and Fauna Guarantee Act 1988* and *Environment Protection and Biodiversity Conservation Act 1999* (Cwth), including significant habitat corridors, and movement corridors for these fauna
  - Sites of cultural heritage significance
  - National Parks, State Parks, Coastal Reserves and other land subject to the *National Parks Act 1975*
  - Land declared a Ramsar wetland as defined under section 17 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth)
- Location of any land included in the schedule to clause 52.32-2 of the planning scheme
- Any other notable features or characteristics of the area
- Bushfire risks.

**Design response**

- Detailed plans of the proposed development.
- Plans and elevations of transmission infrastructure and electricity utility works required to connect the facility to the electricity network, and access road options.
- Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.
- A rehabilitation plan for the site.
- A written report(s), including:
  - A description of the proposal.
  - An explanation of how the proposed design derives from and responds to the site analysis.
  - A description of how the proposal responds to any significant landscape features for the area identified in the planning scheme.
  - An assessment of:
    - the visual impact of the proposal on the surrounding landscape.
    - the visual impact on abutting land that is described in a schedule to the *National Parks Act 1975* and Ramsar wetlands and coastal areas.
    - the impact of the proposal on any species (including birds and bats) listed under the *Flora and Fauna Guarantee Act 1988* or the *Environment Protection and Biodiversity Conservation Act 1999* (Cwrh).
    - the noise impacts of the proposal prepared in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise, including an assessment of whether a high amenity noise limit is applicable, as assessed under Section 5.3 of the Standard.
    - the impacts upon Aboriginal or non-Aboriginal cultural heritage.
  - A statement of why the site is suitable for the wind energy facility.
  - An environmental management plan including any rehabilitation and monitoring requirements.

If in the opinion of the responsible authority a requirement of the site and context analysis or design response is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

An application must be accompanied by the following information:

**Mandatory noise assessment**

- A pre-construction (predictive) noise assessment report demonstrating that the proposal can comply with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise, including an assessment of whether a high amenity noise limit is applicable under Section 5.3 of the Standard.
- An environmental audit report of the pre-construction (predictive) noise assessment report prepared under Part IXD, Section 53V of the *Environment Protection Act 1970* by an environmental auditor appointed under Part IXD of the *Environment Protection Act 1970*. The environmental audit report must verify that the acoustic assessment undertaken for the purpose
of the pre-construction (predictive) noise assessment report has been conducted in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise.

**Mandatory condition**

A permit to use or develop land for a wind energy facility must include the following conditions:

- A post-construction noise assessment report prepared in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise demonstrating whether the wind energy facility complies with the Standard, must be submitted to the Responsible Authority. If the wind energy facility is constructed in stages, additional post-construction noise assessment reports for each stage must be submitted to the Responsible Authority.

- Each post-construction noise assessment report must be accompanied by an environmental audit report prepared under Part IXD, Section 53V of the Environment Protection Act 1970 by an environmental auditor appointed under Part IXD of the Environment Protection Act 1970. The environmental audit report must verify that the acoustic assessment undertaken for the purpose of the post-construction noise assessment report has been conducted in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:


- The effect of the proposal on the surrounding area in terms of noise, blade glint, shadow flicker and electromagnetic interference.

- The impact of the development on significant views, including visual corridors and sightlines.

- The impact of the facility on the natural environment and natural systems.

- The impact of the facility on cultural heritage.

- The impact of the facility on aircraft safety.


**Anemometer**

Despite anything to the contrary in this scheme a permit may be granted to use and develop land for the purpose of wind measurement by an anemometer for a period of more than three years.

**Application to amend a permit under section 72 of the Act**

An application to amend a permit made under section 72 of the Act is exempt from the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the amendment of the permit does not:

- increase the number of turbines; or

- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.
**Application to amend a permit under section 97I of the Act**

An application to amend a referred wind energy facility permit made under section 97I of the Act is wholly exempt from the requirements of section 97E(1) of the Act if the application does not seek to:

- increase the total number of turbines; or
- increase the maximum height of any turbine; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.

The requirements of section 97E(1) of the Act are modified so as to require referral of objections and submissions to an advisory committee established under section 151 of the Act if an application to amend a referred wind energy facility permit made under section 97I of the Act does not seek to:

- increase the total number of turbines by more than 15%; or
- increase the maximum height of any turbine by more than 20%; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.
SCHEDULE TO CLAUSE 52.32 WIND ENERGY FACILITY

1.0 Wind energy facility prohibition

<table>
<thead>
<tr>
<th>Land where a Wind energy facility is prohibited</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
</tr>
</tbody>
</table>
POST BOXES AND DRY STONE WALLS

Purpose
To conserve historic post boxes and dry stone walls.

Permit requirement
A permit is required to demolish or remove a post box constructed before 1930.
A permit is required to demolish, remove or alter a dry stone wall constructed before 1940 on land specified in the schedule to this provision. This does not apply to:
- Dry stone structures other than walls and fences.
- The demolition or removal of a section of a dry stone wall to install a gate.
- The reconstruction of damaged or collapsing walls which are undertaken to the same specifications and using the same materials as the existing walls.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:
- The significance of the post box or dry stone wall.
- Any applicable heritage study, statement of significance and conservation policy.
- Whether the proposal will adversely affect the significance of the post box or dry stone wall.
- Whether the proposal will adversely affect the significance, character or appearance of the area.
### SCHEDULE TO CLAUSE 52.33 POST BOXES AND DRY STONE WALLS

#### 1.0 Permit requirement for dry stone walls

<table>
<thead>
<tr>
<th>Land</th>
<th>None specified</th>
</tr>
</thead>
</table>

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MELTON PLANNING SCHEME
BICYCLE FACILITIES

Purpose
To encourage cycling as a mode of transport.
To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

Provision of bicycle facilities
A new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.
Where the floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use.

Permit requirement
A permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.

Exemption from notice and review
An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposed number, location and design of bicycle facilities meets the purpose of this clause.
- The location of the proposed land use and the distance a cyclist would need to travel to reach the land.
- The users of the land and their opportunities for bicycle travel.
- Whether showers and change rooms provided on the land for users other than cyclists are available to cyclists.
- The opportunities for sharing of bicycle facilities by multiple uses, either because of variation of bicycle parking demand over time or because of efficiencies gained from the consolidation of shared bicycle facilities.
- Any relevant bicycle parking strategy or equivalent.

Required bicycle facilities
Tables 1, 2 and 3 to this clause set out the number and type of bicycle facilities required. Bicycle facilities are required if the use is listed in column 1 of the table. The number of bicycle facilities required for a use is the sum of columns 2 and 3 of the tables.
If in calculating the number of bicycle facilities the result is not a whole number, the required number of bicycle facilities is the nearest whole number. If the fraction is one-half, the requirement is the next whole number.
A bicycle space for an employee or resident must be provided either in a bicycle locker or at a bicycle rail in a lockable compound.
A bicycle space for a visitor, shopper or student must be provided at a bicycle rail.

**Table 1 to Clause 52.34-5 Bicycle spaces**

<table>
<thead>
<tr>
<th>Use</th>
<th>Employee/Resident</th>
<th>Visitor/Shopper/Student</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
<td>None</td>
<td>2 plus 1 to each 50 sq m of net floor area</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>1 to each 25 sq m of floor area available to the public</td>
<td>2</td>
</tr>
<tr>
<td>Dwelling</td>
<td>In developments of four or more storeys, 1 to each 5 dwellings</td>
<td>In developments of four or more storeys, 1 to each 10 dwellings</td>
</tr>
<tr>
<td>Education centre (excluding Child care centre) other than specified in this table</td>
<td>1 to each 20 employees</td>
<td>1 to each 20 full-time students</td>
</tr>
<tr>
<td>Hospital</td>
<td>1 to each 15 beds</td>
<td>1 to each 30 beds</td>
</tr>
<tr>
<td>Hotel</td>
<td>1 to each 25 sq m of bar floor area available to the public, plus 1 to each 100 sq m of lounge floor area available to the public</td>
<td>1 to each 25 sq m of bar floor area available to the public, plus 1 to each 100 sq m of lounge floor area available to the public</td>
</tr>
<tr>
<td>Industry other than specified in this table</td>
<td>1 to each 1000 sq m of net floor area</td>
<td>None</td>
</tr>
<tr>
<td>Library</td>
<td>1 to each 500 sq m of net floor area</td>
<td>4 plus 2 to each 200 sq m of net floor area</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>1 to each 1500 spectator places</td>
<td>1 to each 250 spectator places</td>
</tr>
<tr>
<td>Market</td>
<td>1 to each 50 stalls</td>
<td>1 to each 10 stalls</td>
</tr>
<tr>
<td>Medical centre</td>
<td>1 to each 8 practitioners</td>
<td>1 to each 4 practitioners</td>
</tr>
<tr>
<td>Minor sports and recreation facility</td>
<td>1 per 4 employees</td>
<td>1 to each 200 sq m of net floor area</td>
</tr>
<tr>
<td>Motel</td>
<td>1 to each 40 rooms</td>
<td>None</td>
</tr>
<tr>
<td>Office other than specified in this table</td>
<td>1 to each 300 sq m of net floor area if the net floor area exceeds 1000 sq m</td>
<td>1 to each 1000 sq m of net floor area if the net floor area exceeds 1000 sq m</td>
</tr>
<tr>
<td>Place of assembly other than specified in this table</td>
<td>1 to each 1500 sq m of net floor area</td>
<td>2 plus 1 to each 1500 sq m of net floor area</td>
</tr>
<tr>
<td>Primary school</td>
<td>1 to each 20 employees</td>
<td>1 to each 5 pupils over year 4</td>
</tr>
<tr>
<td>Residential building other than specified in this table</td>
<td>In developments of four or more storeys, 1 to each 10 lodging rooms</td>
<td>In developments of four or more storeys, 1 to each 10 lodging rooms</td>
</tr>
<tr>
<td>Restaurant</td>
<td>1 to each 100 sq m of floor area available to the public</td>
<td>2 plus 1 to each 200 sq m of floor area available to the public if the floor area available to the public exceeds 400 sq m.</td>
</tr>
<tr>
<td>Retail premises other than specified in this table</td>
<td>1 to each 300 sq m of leasable floor area</td>
<td>1 to each 500 sq m of leasable floor area</td>
</tr>
<tr>
<td>Secondary school</td>
<td>1 to each 20 employees</td>
<td>1 to each 5 pupils</td>
</tr>
<tr>
<td>Service industry</td>
<td>1 to each 800 sq m of net floor area</td>
<td>None</td>
</tr>
<tr>
<td>Shop</td>
<td>1 to each 600 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres</td>
<td>1 to each 500 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres</td>
</tr>
</tbody>
</table>
### Take-away food premises

<table>
<thead>
<tr>
<th>Use</th>
<th>Employee/Resident</th>
<th>Visitor/Shopper/Student</th>
</tr>
</thead>
<tbody>
<tr>
<td>Take-away food premises</td>
<td>1 to each 100 sq m of net floor area</td>
<td>1 to each 50 sq m of net floor area</td>
</tr>
</tbody>
</table>

| Table 2 to Clause 52.34-5 Showers |

<table>
<thead>
<tr>
<th>USE</th>
<th>Employee/Resident</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>
</tr>
<tr>
<td>Visitor/Shopper/Student</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>
</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>
</tr>
<tr>
<td>Visitor/Shopper/Student</td>
<td>None</td>
</tr>
</tbody>
</table>

### Design of bicycle spaces

Bicycle spaces should:

- Provide a space for a bicycle of minimum dimensions of 1.7 metres in length, 1.2 metres in height and 0.7 metres in width at the handlebars.
- Be located to allow a bicycle to be ridden to within 30 metres of the bicycle parking space.
- Be located to provide convenient access from surrounding bicycle routes and main building entrances.
- Not interfere with reasonable access to doorways, loading areas, access covers, furniture, services and infrastructure.
- Not cause a hazard.
- Be adequately lit during periods of use.

### Bicycle rails

A bicycle rail must:

- Be securely fixed to a wall or to the floor or ground.
- Be in a highly visible location for bicycle security (when not in a compound).
- Be of a shape that allows a cyclist to easily lock the bicycle frame and wheels.
- Be located to allow easy access to park, lock and remove the bicycle.

### Bicycle compounds and lockers

A bicycle compound or a bicycle locker must:

- Be located to provide convenient access to other bicycle facilities including showers and change rooms.
- Be fully enclosed.
- Be able to be locked.
- If outside, provide weather protection for the bicycle.

A bicycle locker must provide a bicycle parking space for at least one bicycle.

A bicycle compound must:
- Include wall or floor rails for bicycle parking.
- Provide an internal access path of at least 1.5 metres in width.

**Bicycle signage**

If bicycle facilities are required by this clause, bicycle signage that directs the cyclists to the bicycle facilities must be provided to the satisfaction of the responsible authority.

Bicycle signage should:
- Be at least 0.3 metres wide and 0.45 metres high.
- Display a white bicycle on a blue background on the top half of the sign.
- Display information about the direction of facilities on the bottom half of the sign.
PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the Subdivision Act 1988.

Exemption from public open space requirement specified in the scheme

A subdivision is exempt from a public open space requirement specified in this scheme if:

- It is one of the following classes of subdivision:
  - Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.
  - Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.

- It is for the purpose of excising land to be transferred to a public authority, council or a Minister for a utility installation.

- It subdivides land into two lots and the council considers it unlikely that each lot will be further subdivided.

Exemption from public open space requirement under section 18(8)(a) of the Subdivision Act 1988

For the purposes of section 18(8)(a) of the Subdivision Act 1988, the following classes of subdivision are exempt from the public open space requirement:

- Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.

- Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.

Note: Check section 18A of the Subdivision Act 1988 for other requirements that apply to a public open space requirement specified in the planning scheme.
### SCHEDULE TO CLAUSE 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

#### Subdivision and public open space contribution

<table>
<thead>
<tr>
<th>Type or location of subdivision</th>
<th>Amount of contribution for public open space</th>
</tr>
</thead>
<tbody>
<tr>
<td>All subdivision in the Melton East Growth Area except as exempted by Clause 53.01</td>
<td>9%</td>
</tr>
<tr>
<td>Land shown as UGZ1 on the planning scheme maps.</td>
<td>3.21%</td>
</tr>
<tr>
<td>Land shown as UGZ2 on the planning scheme maps.</td>
<td>3.78%</td>
</tr>
<tr>
<td>All land shown as Area 4 in Plan 1 of the Toolern Precinct Structure Plan.</td>
<td>0%</td>
</tr>
<tr>
<td>All other land within the Toolern Precinct Structure Plan</td>
<td>3.97%</td>
</tr>
<tr>
<td>Land shown as UGZ5 on planning scheme maps (Diggers Rest Precinct Structure Plan)</td>
<td>3.04%</td>
</tr>
<tr>
<td>Land shown as UGZ4 on planning scheme maps (Rockbank North Precinct Structure Plan)</td>
<td>3.66%</td>
</tr>
<tr>
<td>Land shown as UGZ6 on planning scheme maps (Toolern Park Precinct Structure Plan)</td>
<td>2.21%</td>
</tr>
<tr>
<td>Land shown as UGZ8 on planning scheme maps (Paynes Road Precinct Structure Plan)</td>
<td>3.26%</td>
</tr>
<tr>
<td>Land shown as UGZ7 on planning scheme maps (Rockbank Precinct Structure Plan, August 2016)</td>
<td>2.89%</td>
</tr>
</tbody>
</table>
BUSHFIRE PLANNING

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.
To ensure that the location, design and construction of development appropriately responds to the bushfire hazard.
To ensure development is only permitted where the risk to life, property and community infrastructure from bushfire can be reduced to an acceptable level.
To specify location, design and construction measures for a single dwelling that reduces the bushfire risk to life and property to an acceptable level.

Application
This clause applies to an application under Clause 44.06 - Bushfire Management Overlay, unless the application meets all of the requirements specified in a schedule to Clause 44.06.

Clause 53.02-3 applies to an application to construct a single dwelling or construct or carry out works associated with a single dwelling if all of the following requirements are met:

- The land is zoned Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone or Rural Living Zone.
- There is only one dwelling on the lot.
- The application meets all of the approved measures contained in Clause 53.02-3.

Clause 53.02-4 applies to all other applications.

Operation
The provisions of this clause contain:

- Objectives. An objective describes the outcome that must be achieved in a completed development.
- Approved measures (AM). An approved measure meets the objective.
- Alternative measures (AltM). An alternative measure may be considered where the responsible authority is satisfied that the objective can be met. The responsible authority may consider other unspecified alternative measures.
- Decision guidelines. The decision guidelines set out the matters that the responsible authority must consider before deciding on an application, including whether any proposed alternative measure is appropriate.

A schedule to Clause 44.06 may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines.

A substitute approved measure specified in a schedule to Clause 44.06 substitutes the applicable approved measure contained in this clause.

Dwellings in existing settlements – Bushfire protection objective
To specify bushfire design and construction measures for a single dwelling or alteration and extension to an existing dwelling that reduces the risk to life and property to an acceptable level.
### Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AM 1.1</strong></td>
<td>A building is sited to ensure the site best achieves the following:</td>
</tr>
<tr>
<td></td>
<td>- The maximum separation distance between the building and the bushfire hazard.</td>
</tr>
<tr>
<td></td>
<td>- The building is in close proximity to a public road.</td>
</tr>
<tr>
<td></td>
<td>- Access can be provided to the building for emergency service vehicles.</td>
</tr>
<tr>
<td><strong>AM 1.2</strong></td>
<td>A building provides the defendable space in accordance with Table 1 Columns A, B, C, D or E and Table 6 to Clause 53.02-5. Adjoining land may be included as defendable space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defendable space.</td>
</tr>
<tr>
<td></td>
<td>A building is constructed to the bushfire attack level:</td>
</tr>
<tr>
<td></td>
<td>- That corresponds to the defendable space provided in accordance with Table 1 to Clause 53.02-5, or</td>
</tr>
<tr>
<td></td>
<td>- The next lower bushfire attack level that corresponds to the defendable space provided in accordance with Table 1 to Clause 53.02-5 where all of the following apply:</td>
</tr>
<tr>
<td></td>
<td>- A private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2006) is constructed on the same land as the dwelling.</td>
</tr>
<tr>
<td></td>
<td>- A minimum bushfire attack level of BAL12.5 is provided in all circumstances.</td>
</tr>
<tr>
<td><strong>AM 1.3</strong></td>
<td>A building is provided with:</td>
</tr>
<tr>
<td></td>
<td>- A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.</td>
</tr>
<tr>
<td></td>
<td>- Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.</td>
</tr>
</tbody>
</table>

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The bushfire hazard site assessment and the bushfire management statement submitted with the application.
- Whether all of the approved measures have been incorporated into the application.

### Bushfire protection objectives

#### Landscape, siting and design objectives

Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.

Development is sited to minimise the risk from bushfire.

Development is sited to provide safe access for vehicles, including emergency vehicles.

Building design minimises vulnerability to bushfire attack.
### Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM 2.1</td>
<td>The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.</td>
</tr>
<tr>
<td>AM 2.2</td>
<td>A building is sited to ensure the site best achieves the following:</td>
</tr>
<tr>
<td></td>
<td>• The maximum separation distance between the building and the bushfire hazard.</td>
</tr>
<tr>
<td></td>
<td>• The building is in close proximity to a public road.</td>
</tr>
<tr>
<td></td>
<td>• Access can be provided to the building for emergency service vehicles.</td>
</tr>
<tr>
<td>AM 2.3</td>
<td>A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building.</td>
</tr>
</tbody>
</table>

### Defendable space and construction objective

53.02-4.2 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>
AltM 3.5  A building used for a dwelling (including an extension or alteration to a dwelling) may provide defendable space to the property boundary where it can be demonstrated that:

- The lot has access to urban, township or other areas where:
  - Protection can be provided from the impact of extreme bushfire behaviour.
  - Fuel is managed in a minimum fuel condition.
  - There is sufficient distance or shielding to protect people from direct flame contact or harmful levels of radiant heat.

- Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.

- The dwelling is constructed to a bushfire attack level of BAL FZ.

This alternative measure only applies where the requirements of AM 3.1 cannot be met.

AltM 3.6  A building used for accommodation (other than a dwelling or dependent person’s unit), child care centre, education centre, hospital, leisure and recreation or place of assembly may provide defendable space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 where it can be demonstrated that:

- An integrated approach to risk management has been adopted that considers:
  - The characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency.
  - The intended frequency and nature of occupation.
  - The effectiveness of proposed emergency management arrangements, including a mechanism to secure implementation.

- Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.

53.02-4.3 Water supply and access objectives

A static water supply is provided to assist in protecting property.

Vehicle access is designed and constructed to enhance safety in the event of a bushfire.

Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
</table>
| AM 4.1  | A building used for a dwelling (including an extension or alteration to a dwelling), a dependent person’s unit, industry, office or retail premises is provided with:
  - A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5.
  - Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5. The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies. |

| AM 4.2  | A building used for accommodation (other than a dwelling or dependent person’s unit), child care centre, education centre, hospital, leisure and recreation or place of assembly is provided with: |
A static water supply for firefighting and property protection purposes of 10,000 litres per 1,500 square metres of floor space up to 40,000 litres.

Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.

An integrated approach to risk management that ensures the water supply and access arrangements will be effective based on the characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency.

The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.

### 53.02-4.4 Subdivision objectives

To provide lots that are capable of being developed in accordance with the objectives of Clause 53.02.

To specify at the subdivision stage bushfire protection measures to develop a lot with a single dwelling on land zoned for residential or rural residential purposes.

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AM 5.1</strong></td>
<td>An application to subdivide land, other than where <strong>AM 5.2</strong> applies, demonstrates that each proposed lot is capable of meeting:</td>
</tr>
<tr>
<td></td>
<td>- The defendable space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5.</td>
</tr>
<tr>
<td></td>
<td>- The approved measures in Clause 53.02-4.1 and Clause 53.02-4.3.</td>
</tr>
<tr>
<td><strong>AM 5.2</strong></td>
<td>An application to subdivide land zoned for residential or rural residential purposes must be accompanied by a plan that shows:</td>
</tr>
<tr>
<td></td>
<td>- Each lot satisfies the approved measure in <strong>AM 2.1</strong>.</td>
</tr>
<tr>
<td></td>
<td>- A building envelope for a single dwelling on each lot that complies with <strong>AM 2.2</strong> and provides defendable space in accordance with:</td>
</tr>
<tr>
<td></td>
<td>- Columns A or B of Table 2 to Clause 53.02-5 for a subdivision that creates 10 or more lots; or</td>
</tr>
<tr>
<td></td>
<td>- Columns A, B or C of Table 2 to Clause 53.02-5 for a subdivision that creates less than 10 lots.</td>
</tr>
<tr>
<td></td>
<td>The bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5 must be noted on the building envelope.</td>
</tr>
<tr>
<td></td>
<td>- Defendable space wholly contained within the boundaries of the proposed subdivision.</td>
</tr>
<tr>
<td></td>
<td>- Defendable space may be shared between lots within the subdivision. Defendable space for a lot may utilise communal areas, such as roads, where that land can meet the requirements for defendable space.</td>
</tr>
<tr>
<td></td>
<td>- Vegetation management requirements in accordance with Table 6 to implement and maintain the defendable space required under this approved measure.</td>
</tr>
<tr>
<td></td>
<td>- Water supply and vehicle access that complies with <strong>AM 4.1</strong>.</td>
</tr>
<tr>
<td><strong>AM 5.3</strong></td>
<td>An application to subdivide land to create 10 or more lots provides a perimeter road adjoining the hazardous vegetation to support fire fighting.</td>
</tr>
</tbody>
</table>
### Measure | Requirement
--- | ---
**AM 5.4** | A subdivision manages the bushfire risk to future development from existing or proposed landscaping, public open space and communal areas.

### Alternative measure

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
</table>
| **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:  
  1. All other requirements of **AM 5.2** have been met.  
  2. Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment. |

### 53.02-4.5 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The bushfire hazard landscape assessment, the bushfire hazard site assessment and the bushfire management statement submitted with the application.
- The impact of any State, regional or local bushfire management and prevention actions occurring around the site and in the wider area on the bushfire hazard and the level of risk to the proposed development.
- Whether the proposed development meets the objectives of Clause 53.02-4 regardless of other measures which may be available, including private bushfire shelters, community shelters and the presence of places of last resort.
- Whether the proposed measures can be practically implemented and maintained in conjunction with the ongoing use of the land.
- Whether the use of an alternative measure meets the relevant objective having regard to the bushfire hazard and the nature of any constraint that prevents the applicable approved measure from being implemented.
- If one or more of the objectives in Clause 53.02-4 will not be achieved in the completed development, whether the development will, taking all relevant factors into account, reduce the bushfire risk to a level that warrants it proceeding.
- Whether the risk arising from the broader landscape can be mitigated to an acceptable level or warrants the development not proceeding.
### Tables: Defendable space, construction, water supply, vehicle access, vegetation management and outbuilding construction requirements

#### Table 1: Defendable space and construction

<table>
<thead>
<tr>
<th>Slope Type</th>
<th>Vegetation Type</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>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>
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</tr>
<tr>
<td>Rainforest</td>
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<tr>
<td>Grassland</td>
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<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>
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<tr>
<td>Shrubland</td>
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</table>
Defendable space distance from building facade (metres)Vegetation Type

<table>
<thead>
<tr>
<th>Slope</th>
<th>Vegetation Type</th>
<th>Column A</th>
<th>Column B</th>
<th>Column C</th>
<th>Column D</th>
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| Defendable space and construction

Defendable space distance from building facade (metres)

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<th>Slope</th>
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<th>Column B</th>
<th>Column C</th>
<th>Column D</th>
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<td>Column C</td>
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<td>20</td>
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<tr>
<td>Downslope &gt;15 to 20</td>
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<td>Rainforest</td>
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</table>

<table>
<thead>
<tr>
<th>BAL12.5</th>
<th>BAL19</th>
<th>BAL29</th>
<th>BAL40</th>
</tr>
</thead>
</table>
| >20 degrees | All vegetation | 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.

| All slopes | Low threat vegetation | 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.

| All slopes | Modified vegetation | Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 29.

Note 1: Slope and vegetation type is determined through the bushfire hazard site assessment.

Note 2: Modified vegetation is vegetation that doesn’t fit into the vegetation classifications in AS3959:2009 Construction of buildings in bushfire prone areas (the standard) because it:
- has been modified, altered or is managed due to urban development, or gardening,
- has different fuel loads from those assumed in the standard,
- has limited or no understorey vegetation, or
- is not low-threat or low-risk vegetation as defined in the standard.

Table 3 Defendable space

<table>
<thead>
<tr>
<th>Vegetation class</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Upslope and flat land (0 degrees)</td>
</tr>
<tr>
<td>Forest</td>
<td>60</td>
</tr>
<tr>
<td>Woodland</td>
<td>40</td>
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<tr>
<td>Shrubland</td>
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</tr>
<tr>
<td>Scrub</td>
<td>35</td>
</tr>
<tr>
<td>Mallee/Mulga</td>
<td>23</td>
</tr>
<tr>
<td>Rainforest</td>
<td>30</td>
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</tbody>
</table>
Table 4 Water supply requirements

Capacity, fittings and access

<table>
<thead>
<tr>
<th>Lot sizes (square meters)</th>
<th>Hydrant available</th>
<th>Capacity (litres)</th>
<th>Fire authority fittings and access required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 500</td>
<td>Not applicable</td>
<td>2,500</td>
<td>No</td>
</tr>
<tr>
<td>500-1,000</td>
<td>Yes</td>
<td>5,000</td>
<td>No</td>
</tr>
<tr>
<td>500-1,000</td>
<td>No</td>
<td>10,000</td>
<td>Yes</td>
</tr>
<tr>
<td>1,001 and above</td>
<td>Not applicable</td>
<td>10,000</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Note 1: A hydrant is available if it is located within 120 metres of the rear of the building.

Fire authority requirements

Unless otherwise agreed in writing by the relevant fire authority, the water supply must:

- Be stored in an above ground water tank constructed of concrete or metal.
- Have all fixed above ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use.

Where a 10,000 litre water supply is required, fire authority fittings and access must be provided as follows:

- Be readily identifiable from the building or appropriate identification signs to the satisfaction of the relevant fire authority.
- Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64 millimetre CFA 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling).

Table 5 Vehicle access design and construction

Vehicle access (or part thereof) of a length specified in Column A implements the design and construction requirements specified in Column B.

<table>
<thead>
<tr>
<th>Column A</th>
<th>Column B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length of access is less than 30 metres</td>
<td>There are no design and construction requirements if fire authority access to the water supply is not required under AM4.1.</td>
</tr>
</tbody>
</table>
Where fire authority access to the water supply is required under AM4.1, fire authority vehicles should be able to get within 4 metres of the water supply outlet.

<table>
<thead>
<tr>
<th>Length of access is less than 30 metres</th>
<th>Where fire authority access to the water supply is required under AM4.1, fire authority vehicles should be able to get within 4 metres of the water supply outlet.</th>
</tr>
</thead>
</table>
| Length of access is greater than 30 metres | The following design and construction requirements apply:  
  - All-weather construction.  
  - A load limit of at least 15 tonnes.  
  - Provide a minimum trafficable width of 3.5 metres.  
  - Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.  
  - Curves must have a minimum inner radius of 10 metres.  
  - The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more than 1 in 5 (20%) (11.3°) for no more than 50 metres.  
  - Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle. |
| Length of access is greater than 100 metres | A turning area for fire fighting vehicles must be provided close to the building by one of the following:  
  - A turning circle with a minimum radius of eight metres.  
  - A driveway encircling the dwelling.  
  - The provision of other vehicle turning heads — such as a T or Y head — which meet the specification of Austroad Design for an 8.8 metre Service Vehicle. |
| Length of access is greater than 200 metres |  
  - Passing bays must be provided at least every 200 metres.  
  - Passing bays must be a minimum of 20 metres long with a minimum trafficable width of 6 metres. |

**Note 1:** The length of access should be measured from a public road to either the building or the water supply outlet, whichever is longer.

### Table 6 Vegetation management requirement

**Vegetation management requirement**

Defendable space is provided and is managed in accordance with the following requirements:

- Grass must be short cropped and maintained during the declared fire danger period.

- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.

- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.

- Plants greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of the building.

- Shrubs must not be located under the canopy of trees.

- Individual and clumps of shrubs must not exceed 5 square metres in area and must be separated by at least 5 metres.
Vegetation management requirement

- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

Unless specified in a schedule or otherwise agreed in writing to the satisfaction of the relevant fire authority.

Table 7 Outbuilding construction requirement

Building construction condition

The proposed outbuilding is separated from the adjacent building by a wall that extends to the underside of a non-combustible roof covering and:

- has a FRL of not less than 60/60/60 for loadbearing walls and -/60/60 for non-load bearing walls when tested from the attached structure side, or
- is of masonry, earth wall or masonry-veneer construction with the masonry leaf of not less than 90 millimetres in thickness.

Any openings in the wall shall be protected in accordance with the following:

i. Doorways – by FLR -/60/30 self-closing fire doors
ii. Windows – by FRL -/60/- fire windows permanently fixed in the closed position
iii. Other openings – by construction with a FRL of not less than -/60/-

Note: Control and construction joints, subfloor vents, weepholes and penetrations for pipes and conduits need not comply with Item iii.

Note 1: These conditions are required for some non habitable outbuildings ancillary to a dwelling that do not require referral to the relevant fire authority. Applications for non habitable outbuildings can also use the bushfire protection measures in Clause 53.02 however referral to the relevant fire authority will be required.
BROTHELS

Purpose

To provide consistent planning controls for the establishment and expansion of brothels throughout Victoria coordinated with the provisions of the *Sex Work Act 1994*.

Permit requirement

A permit for a brothel must include a condition that specifies that the use or development must not commence until a licence is granted under the *Sex Work Act 1994*.

Decision guidelines

Responsible authorities should consider the matters set out in section 73 of the *Sex Work Act 1994* before deciding an application to use or develop land for a brothel. Responsible authorities should refuse a permit to use or develop land for a brothel in accordance with the restrictions contained in section 74 of the *Sex Work Act 1994*, unless section 76(2) of *Sex Work Act 1994* applies.

If the effect of:

- A request to amend a permit in accordance with section 87 or section 87A of the *Planning and Environment Act 1987*, or

- An application to amend a permit in accordance with Part 4 Division 1A of the *Planning and Environment Act 1987*, or

- A request to amend plans, drawings or other documents under a permit in accordance with:
  - Section 216 of the *Planning and Environment Act 1987*, or
  - Any condition in a planning permit which allows such an amendment

is to expand or extend the use or development of a brothel, the application or request should be determined as if it were an application for a permit for use or development of land for the purposes of the operation of a brothel in accordance with Part 4 of the *Sex Work Act 1994*. 
CONVENIENCE RESTAURANT AND TAKE-AWAY FOOD PREMISES

Application

These requirements only apply to land in a residential zone.

Decision guidelines

Before deciding on an application to use land for a convenience restaurant or take-away food premises or to construct a building or construct or carry out works associated with a convenience restaurant or take-away food premises, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any policy in this scheme relating to convenience restaurants or take-away food premises.
- Whether the location is appropriate for a convenience restaurant or take-away food premises having regard to:
  - Amenity of the neighbourhood.
  - Proximity of the land to non-residential uses and zones.
  - Effect of the use on heritage and environment features.
  - Capacity of the land to contain significant off-site effects.
  - Access to land in a Road Zone.
  - The suitability of the land for a residential use.
- The effect on the amenity or character of the street or neighbourhood having regard to:
  - Massing and proportions of any building.
  - Ground floor height above ground level.
  - Ceiling heights.
  - Roof form and pitch.
  - Facade articulation.
  - Window and door proportions.
  - Building features including verandas, towers, eaves, parapets and decorative elements.
  - Building materials, patterns textures and colours.
- Whether the site layout and the design of buildings, noise attenuation measures, landscaping, car parking, vehicle access lanes, loading bays, rubbish bins, plant and equipment, lights, signs, drive through facilities and playgrounds are designed to prevent significant loss of amenity to adjoining land due to noise, emission of noise, emission of light or glare, loss of privacy, litter or odour.
- Whether any special measure may be necessary to protect the amenity of adjoining land in residential use, including buffer planting, noise attenuation measures and litter collection arrangements.
- The adequacy of traffic measures to:
  - Provide safe pedestrian movement.
  - Achieve safe, efficient vehicle movement on site and access to and egress from the land.
  - Avoid disruption to traffic flow on land in a Road Zone.
  - Prevent inappropriate use of local residential streets.
- The adequacy of car parking, loading and drive through queuing spacing to accommodate customers at peak periods and employee requirements on the land.
**FREEWAY SERVICE CENTRE**

**Purpose**

To ensure that freeways 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 freeways service centres with access to a rural freeway provide only essential services and facilities which encourage drivers to stop and take an effective break at appropriate intervals in the interests of driver safety.

To ensure that any new freeway service centre meets an identifiable need to provide essential services and facilities along a freeway where those services and facilities are not readily available.

To ensure that the use of land for a freeway service centre does not adversely affect the amenity of surrounding land uses.

**Requirements to be met**

**Facilities and services**

A freeway service centre must provide only essential services and facilities. These essential services and facilities must be available at all times. Essential services and facilities that a freeway service centre must include are:

- Designated parking areas.
- Undercover fuel sales area for petrol, diesel and LPG.
- An area of not more than 240 square metres for the sale of food, drinks and other convenience goods.
- An indoor sit-down eating area.
- A safe play area for children.
- Public toilets.
- A public telephone.

A freeway service centre with access to a rural freeway must also provide local and regional tourist information.

A freeway service centre must not include:

- Mechanical repairs (other than the emergency repair of vehicles).
- Retail facilities of more than 240 square metres.
- Video hire.
- Post office services or facilities.
- Entertainment facilities, amusement machines or gaming machines.
- The sale, distribution or consumption of alcohol unless associated with a residential hotel/motel.
- Car or truck wash facilities.

A freeway service centre with access to a rural freeway must not include overnight accommodation (other than for a caretaker or site manager).

**Access to freeway service centres**

No vehicular access between a freeway service centre with access to a metropolitan freeway and the local road network may be permitted.
An application to use or develop land for a freeway service centre must be referred to the Roads Corporation in accordance with section 55 of the Act.

A permit must not be granted for a freeway service centre until approval for access to the freeway has been given by the Roads Corporation.

In accordance with section 62(1)(a) of the Act, a permit granted for a freeway service centre must include the condition:

“This permit will expire if one of the following circumstances applies:

- The development is not commenced within two years of the date of this permit.
- The development is not completed within four years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.”

**Metropolitan freeway service centre adjoining a residential zone**

If the site for a freeway service centre with access to a metropolitan freeway adjoins a residential zone:

- A landscape buffer at least 3 metres wide must be provided on the site along the common boundary and must be planted and maintained to the satisfaction of the responsible authority.
- Except for the landscape buffer strip, all of the site not occupied by buildings must be sealed to prevent dust.
- External lights must be directed away from the residential zone to prevent light spill and glare.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

LIVE MUSIC AND ENTERTAINMENT NOISE

Purpose
To recognise that live music is an important part of the State’s culture and economy.
To protect live music entertainment venues from the encroachment of noise sensitive residential uses.
To ensure that noise sensitive residential uses are satisfactorily protected from unreasonable levels of live music and entertainment noise.
To ensure that the primary responsibility for noise attenuation rests with the agent of change.

Application
This clause applies to an application required under any zone of this scheme to use land for, or to construct a building or construct or carry out works associated with:

- a live music entertainment venue.
- a noise sensitive residential use that is within 50 metres of a live music entertainment venue.

This clause does not apply to:

- the extension of an existing dwelling.
- a noise sensitive residential use that is in an area specified in clause 1.0 of the schedule to this clause.

Meaning of terms
In this clause:

- **live music entertainment venue** means:
  - a food and drink premises, nightclub, function centre or residential hotel that includes live music entertainment
  - a rehearsal studio
  - any other venue used for the performance of music and specified in clause 2.0 of the schedule to this clause, subject to any specified condition or limitation.

- **noise sensitive residential use** means a community care accommodation, dependent person's unit, dwelling, residential aged care facility, residential village, retirement village or rooming house.

Requirements to be met
A live music entertainment venue must be designed, constructed and managed to minimise noise emissions from the premises and provide acoustic attenuation measures that would protect a noise sensitive residential use within 50 metres of the venue.

A noise sensitive residential use must be designed and constructed to include acoustic attenuation measures that will reduce noise levels from any:

- indoor live music entertainment venue to below the noise limits specified in State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP N2).
- outdoor live music entertainment venue to below 45dB(A), assessed as an $L_{eq}$ over 15 minutes.

For the purpose of assessing whether the above noise standards are met, the noise measurement point may be located inside a habitable room of a noise sensitive residential use with windows and doors closed (Schedule B1 of SEPP N2 does not apply).
A permit may be granted to reduce or waive these requirements if the responsible authority is satisfied that an alternative measure meets the purpose of this clause.

**Application requirements**

An application must be accompanied by the following information, as appropriate:

- A site analysis, including plans detailing:
  - the existing and proposed layout of the use, buildings or works, including all external windows and doors
  - the location of any doors, windows and open space areas of existing properties in close proximity to the site.

- If the application is associated with a noise sensitive residential use:
  - the location of any live music entertainment venues within 50 metres of the site
  - the days and hours of operation of identified venues.

- If the application is associated with a live music entertainment venue:
  - the location of any noise sensitive residential uses within 50 metres of the site
  - the days and hours of operation of that venue
  - the times during which live music will be performed.

- Details of existing and proposed acoustic attenuation measures.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- the extent to which the siting, layout, design and construction minimise the potential for noise impacts.

- whether existing or proposed noise sensitive residential uses will be satisfactorily protected from unreasonable live music and entertainment noise.

- whether the proposal adversely affects any existing uses.
SCHEDULE TO CLAUSE 53.06 LIVE MUSIC AND ENTERTAINMENT NOISE

1.0 Areas to which Clause 53.06 does not apply

<table>
<thead>
<tr>
<th>Name of area</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

2.0 Other venues to which Clause 53.06 applies

<table>
<thead>
<tr>
<th>Name of venue</th>
<th>Address</th>
<th>Condition or limitation</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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, childcare centre, education centre and hospital)</th>
<th>Minimum distance to land in a residential zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,000 chickens or less</td>
<td>50 metres</td>
<td>200 metres</td>
</tr>
<tr>
<td>More than 1,000 chickens</td>
<td>100 metres</td>
<td>400 metres</td>
</tr>
</tbody>
</table>

Notice of an application

Notice of an application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the Victorian Code for Broiler Farms 2009 (plus 2018 amendments), must be given under Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified in Clause 66.05.

Decision guidelines

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines (June 2018).
USES WITH ADVERSE AMENITY POTENTIAL

Purpose
To define those types of industries and warehouses which if not appropriately designed and located may cause offence or unacceptable risk to the neighbourhood.

Threshold Distance
The threshold distance referred to in the table to this clause is the minimum distance from any part of the land of the proposed use or buildings and works to land (not a road) in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

NOTE 1 of the table: The threshold distance is variable, dependent on the processes to be used and the materials to be processed or stored.

NOTE 2 of the table: An assessment of risk to the safety of people located off the land may be required.

Table to Clause 53.10-1

<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Basic Metal Products</strong></td>
<td></td>
</tr>
<tr>
<td>Production of non-ferrous metals as:</td>
<td></td>
</tr>
<tr>
<td>• aluminium by electrolysis</td>
<td>2,000</td>
</tr>
<tr>
<td>• other non-ferrous metals in amounts:</td>
<td></td>
</tr>
<tr>
<td>- up to 100 tonnes a year</td>
<td>100</td>
</tr>
<tr>
<td>- between 100 &amp; 2,000 tonnes a year</td>
<td>300</td>
</tr>
<tr>
<td>- exceeding 2,000 tonnes a year</td>
<td>500</td>
</tr>
<tr>
<td>Works producing iron or steel products in amounts:</td>
<td></td>
</tr>
<tr>
<td>• up to 1,000,000 tonnes a year</td>
<td>100</td>
</tr>
<tr>
<td>• exceeding 1,000,000 tonnes a year</td>
<td>1,000</td>
</tr>
<tr>
<td><strong>Chemical, Petroleum &amp; Coal Products</strong></td>
<td></td>
</tr>
<tr>
<td>Ammunition, explosives and fireworks production:</td>
<td>1,000</td>
</tr>
<tr>
<td>Biocides production and storage:</td>
<td>1,000</td>
</tr>
<tr>
<td>Briquette production:</td>
<td>300</td>
</tr>
<tr>
<td>Chemical Fertiliser production:</td>
<td>1,000</td>
</tr>
<tr>
<td>Chemical products other than those listed within this group:</td>
<td>300</td>
</tr>
<tr>
<td>Cosmetics and toilet preparations production:</td>
<td>100</td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
</tr>
<tr>
<td>-----------------------------------------------------------------------------------------------------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td>Formaldehyde production:</td>
<td>300</td>
</tr>
<tr>
<td>Industrial gases production:</td>
<td>1,000</td>
</tr>
<tr>
<td>Inks production:</td>
<td>300</td>
</tr>
<tr>
<td>Inorganic industrial chemicals production other than those listed within this group:</td>
<td>1,000</td>
</tr>
<tr>
<td>Organic industrial chemicals production other than those listed within this group:</td>
<td>1,000</td>
</tr>
<tr>
<td>Other petroleum or coal production:</td>
<td>500</td>
</tr>
<tr>
<td>Paints and inks:</td>
<td></td>
</tr>
<tr>
<td>• manufacture</td>
<td>1,000</td>
</tr>
<tr>
<td>• blending and mixing only</td>
<td>300</td>
</tr>
<tr>
<td>Petroleum refinery:</td>
<td>2,000</td>
</tr>
<tr>
<td>Pharmaceutical and veterinary production:</td>
<td>1,000</td>
</tr>
<tr>
<td>Polyester resins production</td>
<td>1,000</td>
</tr>
<tr>
<td>Soap and other detergents production:</td>
<td>300</td>
</tr>
<tr>
<td>Synthetic resins &amp; rubber production other than those listed within this group:</td>
<td>1,000</td>
</tr>
<tr>
<td><strong>Fabricated Metal Products</strong></td>
<td></td>
</tr>
<tr>
<td>Abrasive blast cleaning:</td>
<td></td>
</tr>
<tr>
<td>Boiler makers</td>
<td>100</td>
</tr>
<tr>
<td>Structural or sheet metal production:</td>
<td>500</td>
</tr>
<tr>
<td>Works producing iron or steel products in amounts:</td>
<td></td>
</tr>
<tr>
<td>• up to 1,000,000 tonnes per year</td>
<td>100</td>
</tr>
<tr>
<td>• exceeding 1,000,000 tonnes per year</td>
<td>1,000</td>
</tr>
<tr>
<td><strong>Food, Beverages &amp; Tobacco</strong></td>
<td></td>
</tr>
<tr>
<td>Abattoir:</td>
<td>500</td>
</tr>
<tr>
<td>Bakery (other than one ancillary to a shop):</td>
<td>100</td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
</tr>
<tr>
<td>---------------------------------------------</td>
<td>-----------------------------</td>
</tr>
<tr>
<td>Flour mill:</td>
<td>300</td>
</tr>
<tr>
<td>Food or beverage production other than those listed within this group:</td>
<td>Note 1</td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td>150</td>
</tr>
<tr>
<td>Malt works:</td>
<td>300</td>
</tr>
<tr>
<td>Manufacture of milk products:</td>
<td>300</td>
</tr>
<tr>
<td>Milk depot</td>
<td>100</td>
</tr>
<tr>
<td>Poultry processing works</td>
<td>100</td>
</tr>
<tr>
<td>Production of vegetable oils and fats using solvents:</td>
<td>300</td>
</tr>
<tr>
<td>Seafood processor:</td>
<td>500</td>
</tr>
<tr>
<td>Smallgoods production</td>
<td>100</td>
</tr>
<tr>
<td>Tobacco and cigarette production:</td>
<td>500</td>
</tr>
</tbody>
</table>

**Miscellaneous Manufacturing**

| Fibreglass production:                     | 200                         |       |
| Leather and artificial leather goods production: | 300              |       |
| Leather tanning and dressing:              | 300                         |       |
| Printing and coating works with heated curing ovens: | 500       |       |
| Rendering and casings works:               | 1,000                       |       |
| Rubber production, using either organic solvents or carbon black: | 300  | Note 2 |

**Non-metallic Mineral Products**

<p>| Bitumen batching plant:                     | 500                         |       |
| Cement production in amounts:              |                             |       |
|   - up to 5,000 tonnes a year              | 300                         |       |
|   - between 5,000 &amp; 150,000 tonnes a year  | 500                         |       |
|   - exceeding 150,000 tonnes a year        | 1,000                       |       |</p>
<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clay bricks, tiles and pipe refractories, with a design production rate exceeding 10,000 tonnes a year:</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>Concrete article or stone article production:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Concrete batching plant:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Glass and glass production including glass wool:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Plaster or plaster articles production:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Rock wool manufacture:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td><strong>Other Premises</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Panel beating:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Rural industry handling, processing or packing agricultural produce:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td><strong>Paper &amp; Paper Products:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paper or paper pulp production:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• involving combustion of sulphur or sulphur containing materials</td>
<td>5,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>• from semi-processed materials</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>• from prepared cellulose &amp; rags</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>• by other methods than above</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td><strong>Recreation, Personal &amp; Other Services</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dry cleaning for commercial and institutional customers, or in bulk quantities:</td>
<td>100</td>
<td>Note 2</td>
</tr>
<tr>
<td>Laundry for commercial and institutional customers, or in bulk quantities:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td><strong>Recycling and Resource Recovery</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Advanced resource recovery technology facility</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Combustion, treatment or bio-reaction of waste to produce energy</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Commercial and Industrial materials recycling</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
<td>Notes</td>
</tr>
<tr>
<td>-----------------------------------------------------------------------------------------------------------</td>
<td>----------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Composting and other organic materials recycling.</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>Construction and demolition materials recycling</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>Other resource recovery or recycling operations</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>Refuse and used material storage, sorting and recovery in a transfer station:</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>- Accepting organic wastes</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>- Other</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Sanitary and garbage disposal in landfill</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>Soil conditioning or blending</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>Used metals treatment or processing</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>Used paper and cardboard treatment or processing</td>
<td>Use distances in Paper &amp; Paper Products</td>
<td></td>
</tr>
<tr>
<td>Used plastics treatment or processing</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>Textiles</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carpet backing with latex: 300</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dyeing or finishing of cotton, linen and woollen yarns and textiles: 300</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Production of artificial fibres &amp; textiles:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- cellulose nitrate or viscose fibre, cellophane or artificial rubber: 1,000</td>
<td>Note 2</td>
<td></td>
</tr>
<tr>
<td>- other synthetic fibres and textiles: 500</td>
<td>Note 2</td>
<td></td>
</tr>
<tr>
<td>Rope, cordage and twine production: 100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Treatment or production of textiles:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- using carbon disulphide: 500</td>
<td>Note 2</td>
<td></td>
</tr>
<tr>
<td>- using other substances:  Note 1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wool scouring: 200</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transport and Storage</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Depot for refuse collection vehicles: 100</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
<td>Notes</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>----------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Grain elevators:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Storage of bulk volatile organic compounds in quantities greater than 1,000 tonnes:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Storage of petroleum products and crude oil in tanks exceeding 2,000 tonnes capacity:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• with fixed roofs</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>• with floating roofs</td>
<td>100</td>
<td>Note 2</td>
</tr>
<tr>
<td>Storage of wet-salted or unprocessed hides:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Temporary storage of industrial wastes:</td>
<td>300</td>
<td>Note 2</td>
</tr>
<tr>
<td>Treatment of aqueous waste:</td>
<td>200</td>
<td>Note 2</td>
</tr>
<tr>
<td>Waste incinerator for:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Woodwaste</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>• Plastic or rubber waste</td>
<td>200</td>
<td>Note 2</td>
</tr>
<tr>
<td>• Chemical, biomedical or organic waste</td>
<td></td>
<td>Notes 1, 2</td>
</tr>
</tbody>
</table>

**Wood, Wood Products & Furniture**

| Charcoal production: | |
|----------------------||
| • by the retort process | 500 |
| • other than by the retort process | 1,000 |
| Joinery:              | 100 |
| Sawmill:              | 500 |
| Wood preservation plant: | 100 |
| Wood-fibre or wood-chip products: | 1,500 |
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.
53.12 RACING DOG HUSBANDRY

Purpose
To ensure the use and development of land for racing dog husbandry is consistent with orderly and proper planning.

53.12-1 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.

53.12-2 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.
RESERVE RECOVERY

Purpose
To facilitate the establishment and expansion of a Transfer station and/or a Materials recycling facility in appropriate locations with minimal impact on the environment and amenity of the area.

Application
This clause applies to all land used and developed or proposed to be used and developed for:
- A Transfer station;
- A Materials recycling facility.

Application requirements
An application must be accompanied by the following information:
- A location plan showing the site and surrounding uses including distances to nearby sensitive uses such as residential, hospital or education uses.
- A detailed site plan showing the layout and height of buildings and works, materials, reflectivity, colour, lighting, landscaping, access roads and parking areas.
- Plans or other media showing anticipated views of the facility from sensitive use locations.
- A written report(s) including:
  - Identification of the purpose of the use.
  - A description of the proposal including the materials to be processed, the types of processes to be used and any materials to be stored and handled.
  - Proposed hours of operation.
  - Likely traffic generation including heavy vehicles.
  - Consideration of whether a works approval or licence is required from the Environment Protection Authority.
- An assessment of:
  - Potential amenity impacts such as noise, odour, emissions to air, land or water, vibration, dust, light spill, visual impact.
  - The impact of traffic generation on local roads.

Decision Guidelines
Before deciding on an application, in addition to the Decision Guidelines of Clause 65, the responsible authority must consider:
- The contribution of the proposal to achieving resource recovery targets established by the Victorian Government.
- The impact of the proposal on the amenity of the surrounding area.
- The Statewide Waste and Resource Recovery Infrastructure Plan (Sustainability Victoria, 2015).
- Relevant guidelines applicable to the application including the guideline for *Designing, Constructing and Operating Composting Facilities* (Environmental Protection Authority, 2015), the *Guide to Best Practice for Organics Recovery* (Sustainability Victoria, 2009) and the *Guide to Best Practice at Resource Recovery Centres* (Sustainability Victoria, 2009).
STATEMENT OF UNDERLYING PROVISIONS

Purpose
To specify the planning scheme provisions which would have applied to land reserved for a public purpose pursuant to section 6(2)(i) of the Planning and Environment Act 1987 if the land had not been reserved for that purpose.

Application
In relation to any land identified in the schedule to this clause, the provisions of the planning scheme which would have applied to that land if it had not been reserved for a public purpose are the provisions which are contained in the relevant incorporated document, also identified in the schedule to this clause.

The incorporated document may contain some or all of the provisions which would have applied to the relevant land under this scheme if the land had not been reserved for a public purpose.

The incorporated document may also contain a statement or explanation of the strategic basis for those provisions. Alternatively, the incorporated document may make reference to a separate document, not forming part of the incorporated document, which contains a statement or explanation of the strategic basis for those provisions.
SCHEDULE TO CLAUSE 53.15 STATEMENT OF UNDERLYING PROVISIONS

Incorporated statement

<table>
<thead>
<tr>
<th>Land</th>
<th>Incorporated Document</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land reserved for the Outer Metropolitan</td>
<td>Statement of Underlying Provisions - Land reserved for the Outer Metropolitan Ring</td>
</tr>
<tr>
<td>Ring and the E6 Transport Corridor.</td>
<td>and the E6 Transport Corridor, July 2010 (updated May 2012).</td>
</tr>
</tbody>
</table>
PIG FARM

Purpose
To facilitate the establishment and expansion of pig farms in a manner that is consistent with orderly and proper planning and the protection of the environment.

Application
This clause applies to permit applications to use land or construct a building or construct or carry out works for a pig farm, including to increase the farm capacity of an existing pig farm.

Exemption from notice and review
An application to use land or construct a building or construct or carry out works for a pig farm is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the following requirements are met:

- The number of pigs does not exceed 150 sows or 1,000 Standard Pig Units as calculated in Table 1.
- The outdoor stocking density does not exceed 12 Standard Pig Units per hectare as calculated in Table 1.
- A Nutrient Management Plan demonstrates pigs are kept outdoors on paddocks with:
  - A minimum of 50% ground cover; and
  - Mobile housing and feeding infrastructure that is relocated at least every three months.
- Any area used as a pig range, including associated buildings and works, is setback a minimum distance of:
  - 100 metres from a building used for a sensitive use (accommodation, a child care centre, an education centre or a hospital), and
  - 400 metres from land in a residential zone.

Table 1 Standard Pig Unit conversion factors

<table>
<thead>
<tr>
<th>Pig Class</th>
<th>Mass Range (kg)</th>
<th>Age Range (weeks)</th>
<th>SPU Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gilt</td>
<td>100 – 160</td>
<td>24 – 30</td>
<td>1.8</td>
</tr>
<tr>
<td>Boar</td>
<td>100 – 300</td>
<td>24 – 128</td>
<td>1.6</td>
</tr>
<tr>
<td>Gestating sow</td>
<td>160 – 230</td>
<td>-</td>
<td>1.6</td>
</tr>
<tr>
<td>Lactating sow</td>
<td>160 – 230</td>
<td>-</td>
<td>2.5</td>
</tr>
<tr>
<td>Sucker</td>
<td>1.4 – 8</td>
<td>0 – 4</td>
<td>0.1</td>
</tr>
<tr>
<td>Weaner</td>
<td>8 – 25</td>
<td>4 – 10</td>
<td>0.5</td>
</tr>
<tr>
<td>Grower</td>
<td>24 – 55</td>
<td>10 – 16</td>
<td>1.0</td>
</tr>
<tr>
<td>Finisher</td>
<td>55 – 100</td>
<td>16 – 24</td>
<td>1.6</td>
</tr>
</tbody>
</table>
## 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).

### Pig Class Information

<table>
<thead>
<tr>
<th>Pig Class</th>
<th>Mass Range (kg)</th>
<th>Age Range (weeks)</th>
<th>SPU Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heavy Finisher</td>
<td>100 – 130</td>
<td>24 - 30</td>
<td>1.8</td>
</tr>
</tbody>
</table>

Note: Adapted from the National Environmental Guidelines for Piggeries 2010
RESIDENTIAL AGED CARE FACILITY

Purpose
To facilitate the development of well-designed residential aged care facilities to meet existing and future needs.
To recognise that residential aged care facilities have a different scale and built form to the surrounding neighbourhood.
To ensure residential aged care facilities do not unreasonably impact on the amenity of adjoining dwellings.

Application
This clause applies to an application to construct a building or construct or carry out works for a residential aged care facility in the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Application requirements
An application must be accompanied by:
- A site and context description.
- A design response.
- A landscape plan.

Site and context description
The site and context description may use a site plan, photographs or other techniques and must include:
- Site shape, size, orientation and easements.
- Levels of the site and the difference in levels between the site and surrounding properties.
- The location of existing buildings on the site and on adjacent properties, including the location and height of walls built to the boundary of the site.
- The use of adjacent buildings and land.
- The location of secluded private open space and habitable room windows of adjacent properties which have an outlook to the site within 9 metres.
- Solar access to the site and to adjacent properties.
- Any contaminated soils and filled areas, where known.
- Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
- Street frontage features such as poles, street trees and kerb crossovers.
- Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the site and context description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Design response
The design response must explain how the proposed design:
- Responds to the site and context description.
- Meets the requirements of this clause.
Landscape plan

The landscape plan must include:

- Landscaping of communal open space for the enjoyment of residents and staff.
- Landscaping along the boundaries of the site.
- On-site management of run-off from paved areas.
- Retaining significant trees where possible.

Development requirements

Operation

If there is any inconsistency between a requirement in this clause and a requirement in another provision of this planning scheme, this clause prevails.

Building height

In the Neighbourhood Residential Zone, General Residential Zone and Township Zone the maximum building height must not exceed 16 metres.

In the Mixed Use Zone and Residential Growth Zone the maximum building height should not exceed 16 metres.

Street setback

Walls of buildings should be set back from streets the distance specified in the table:

<table>
<thead>
<tr>
<th>Development context</th>
<th>Minimum setback from front street (metres)</th>
<th>Minimum setback from a side street (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</td>
<td>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>The site is on a corner.</td>
<td>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère.</td>
<td>Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting</td>
</tr>
<tr>
<td>Development context</td>
<td>Minimum setback from front street (metres)</td>
<td>Minimum setback from a side street (metres)</td>
</tr>
<tr>
<td>---------------------</td>
<td>-------------------------------------------</td>
<td>-------------------------------------------</td>
</tr>
<tr>
<td>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>allotment facing the side street or 4 metres, whichever is the lesser.</td>
<td>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</td>
</tr>
</tbody>
</table>

**Side and rear setbacks**

A new building not on or within 200mm of a boundary should be set back from side or rear boundaries by 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Screens, sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.
Walls on boundaries

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports; whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Daylight to existing windows

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.
Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

North-facing windows

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
Overshadowing open space

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Solar panel overshadowing

Buildings should be sited and designed to ensure that the capacity of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced.

Overlooking

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.2 metres above floor level.
• Have fixed, obscure glazing in any part of the window below 1.2 metres above floor level.
• Have permanently fixed external screens to at least 1.2 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.2 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:
• Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
• Permanent, fixed and durable.
• Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

Noise impacts
Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

Daylight to new windows
A window in a habitable room should be located to face:
• An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
• A verandah provided it is open for at least one third of its perimeter, or
• A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Site coverage
The site area covered by buildings should not exceed 80 percent.

Access
Access ways should be designed to:
• Provide direct access to on-site designated areas for car and bicycle parking.
• Provide direct access to the building for emergency vehicles.
• Provide access for service and delivery vehicles to on-site loading bays and storage areas.
• Ensure vehicles can enter and exit a development in a forward direction.
• Provide a carriageway width of at least 5.5 metres and an internal radius of at least 4 metres at a change of direction.

• The number and location of access points from streets to the site and the design of crossovers must be to the requirements of the relevant road authority.

• Shared access ways or car parks should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced by 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the access way.

**Building entry**
The main pedestrian entry to a building should:

• Have convenient access from a street.

• Be sheltered from the weather.

• Have convenient access from on-site car parking.

• Have a designated vehicle standing area suitable for use by a community bus and a disabled parking area should be provided in an area that is convenient for the drop-off and pick-up of residents.

**Communal open space**
Accessible and useable communal open space should be provided for residents and staff.

**Front fence**
A front fence within 3 metres of a street should not exceed:

• 2 metres in height in streets in a Road Category 1; and

• 1.5 metres in height on all other streets.

**Decision guidelines**
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

• The Municipal Planning Strategy and the Planning Policy Framework.

• How the proposed development responds to the site and context description.

• Where the requirements of this clause are not met, the impact on the amenity of the adjoining dwellings.

• The proposed amenity for future residents of the residential aged care facility.

• The effect of overshadowing on an appropriately located existing rooftop solar energy facility on an adjoining lot.
STORMWATER MANAGEMENT IN URBAN DEVELOPMENT

Purpose

To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

Application

This clause applies to an application under a provision of a zone to subdivide land, construct a building, or construct or carry out works, other than the following applications:

- An application under a provision of the Farming Zone, Green Wedge Zone, Green Wedge A Zone, Low Density Residential Zone, Public Conservation and Resource Zone, Road Zone, Rural Activity Zone, Rural Conservation Zone, Rural Living Zone, Urban Floodway Zone or Urban Growth Zone.
- A VicSmart application.
- An application to subdivide land in a residential zone for residential purposes.
- An application to construct or extend a dwelling, fence or residential building in a residential zone.
- An application for development associated with the use of land for agriculture or earth and energy resources industry.
- An application to construct a building or construct or carry out works associated with one dwelling on a lot.
- An application to alter, extend or make structural changes to an existing building provided the gross floor area of the building is not increased by more than 50 square metres.
- An application to construct a building with a gross floor area not exceeding 50 square metres.
- An application to construct or carry out works with an area not exceeding 50 square metres.
- An application to subdivide land into lots each containing an existing building or car parking space.
- An application to construct a building or to construct or carry out works on a lot if all of the following requirements are met:
  - The lot was created in accordance with a permit granted under this planning scheme.
  - The application for that permit was assessed against the requirements of this clause.
- An application for land affected by a development plan or incorporated plan that was approved or incorporated in this planning scheme before the approval date of Amendment VC154.
- An application lodged before the approval date of Amendment VC154.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC154.

Operation

The provisions of this clause contain:

- Objectives. An objective describes the desired outcome to be achieved in the completed development.
- Standards. A standard contains the requirements to meet the objective.
A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative solution meets the objective, the alternative solution may be considered.

53.18-3

Requirements

An application to subdivide land:

- Must meet all of the objectives of Clauses 53.18-4 and 53.18-6.
- Should meet all of the standards of Clauses 53.18-4 and 53.18-6.

An application to construct a building or construct or carry out works:

- Must meet all of the objectives of Clauses 53.18-5 and 53.18-6.
- Should meet all of the standards of Clauses 53.18-5 and 53.18-6.

An application must be accompanied by details of the proposed stormwater management system, including drainage works and retention, detention and discharges of stormwater to the drainage system.

53.18-4

Stormwater management objectives for subdivision

To minimise damage to properties and inconvenience to the public from stormwater.

To ensure that the street operates adequately during major storm events and provides for public safety.

To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

Standard W1

The stormwater management system should be:

- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:

- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
- Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.
For storm events greater than 20% AEP and up to and including 1% AEP standard:

- Provision must be made for the safe and effective passage of stormwater flows.
- All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
- Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria \( da \cdot V_{ave} < 0.35 \text{ m}^2/\text{s} \) (where, \( da = \text{average depth in metres} \) and \( V_{ave} = \text{average velocity in metres per second} \)).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.

**Stormwater management objectives for buildings and works**

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

To ensure that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system.

**Standard W2**

The stormwater management system should be designed to:

- Minimise the impact of chemical pollutants and other toxicants including by, but not limited to, bunding and covering or roofing of storage, loading and work areas.
- Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

**Site management objectives**

To protect drainage infrastructure and receiving waters from sedimentation and contamination.

To protect the site and surrounding area from environmental degradation prior to and during construction of subdivision works.
Standard W3

An application should describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Stormwater.
- Litter, concrete and other construction wastes.
- Chemical contamination.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any relevant water and stormwater management objective, policy or statement set out in this planning scheme.
- The capacity of the site to incorporate stormwater retention and reuse and other water sensitive urban design features.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.
NON-GOVERNMENT SCHOOLS

Purpose
To facilitate new non-government schools.
To facilitate upgrades and extensions to existing non-government schools.

Application
This clause applies to an application under any provision of this scheme for any of the following provided that the proposed use or development is funded, or partly funded, by the Victorian Government's Non-Government Schools Capital Fund:

- Use or development of land for a new primary school or secondary school.
- Construction of a building on land used for a primary school or secondary school provided the combined gross floor area of all new buildings is 5,000 square metres or greater.
- Construction of additional classrooms on land used for a primary school or secondary school.
- An increase of the permitted number of students associated with additional classrooms on land used for a primary school or secondary school.
- Removal or replacement of non-conforming or non-compliant building products on land used for a primary school or secondary school.

This clause does not apply to an application lodged before the approval date of Amendment VC165.

Exemption from notice and review
An application to which Clause 53.19 applies is exempt from the notice requirements of section 52(1)(a), (b), (c) and (d), the decision requirements of section 64(1), (2), and (3), and the review rights of section 82(1) of the Act.
ONE DWELLING ON A LOT

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.
To encourage residential development that provides reasonable standards of amenity for existing and new residents.
To encourage residential development that is responsive to the site and the neighbourhood.

Application
These provisions apply to an application to construct a building or construct or carry out works associated with one dwelling on a lot under the provisions of:

- A Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.
- A Neighbourhood Character Overlay if the land is in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.

Operation
The provisions of this clause contain:

- Objectives. An objective describes the desired outcome to be achieved in the completed development.

- Standards. A standard contains the requirements to meet the objective.
  A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

- Decision guidelines. The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements
A development:

- Must meet all of the objectives of this clause.
- Should meet all of the standards of this clause.

If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a schedule to the zone applies.

If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a requirement of a standard different from a requirement set out in this clause or a requirement in the zone or a schedule to the zone, the requirement in the schedule to the overlay applies.

If the land is included in an overlay, other than a Neighbourhood Character Overlay, and a schedule to the overlay specifies a requirement different from a requirement of a standard set out in this clause or a requirement of a standard set out in the zone or a schedule to the zone, the requirement in the overlay applies.
NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

An application must be accompanied by:

- A neighbourhood and site description.
- A design response.

Neighbourhood and site description

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the neighbourhood:
  - The built form, scale and character of surrounding development including front fencing.
  - Architectural and roof styles.
  - Any other notable features or characteristics of the neighbourhood.

- In relation to the site:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and to surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the neighbourhood and site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Satisfactory neighbourhood and site description

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 54.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

Design response

The design response must explain how the proposed design:
Derives from and responds to the neighbourhood and site description.

Meets the objectives of Clause 54.

Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.
54.02
19/01/2006
VC37

NEIGHBOURHOOD CHARACTER

Neighbourhood character objective
To ensure that the design respects the existing neighbourhood character or contributes to a preferred
neighbourhood character.

To ensure that the design responds to the features of the site and the surrounding area.

Standard A1
The design response must be appropriate to the neighbourhood and the site.

The proposed design must respect the existing or preferred neighbourhood character and respond
to the features of the site.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The neighbourhood and site description.
- The design response.

54.02-1
19/01/2006
VC37

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.

54.02-2
19/01/2006
VC37
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.</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>

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</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.
- The visual impact of the building when viewed from the street and from adjoining properties.
- The value of retaining vegetation within the front setback.
Building height objective
To ensure that the height of buildings respects the existing or preferred neighbourhood character.

Standard A4
The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.
If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.
Changes of building height between existing buildings and new buildings should be graduated.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.
- The design response.
- The effect of the slope of the site on the height of the building.
- The relationship between the proposed building height and the height of existing adjacent buildings.
- The visual impact of the building when viewed from the street and from adjoining properties.

Site coverage objective
To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

Standard A5
The site area covered by buildings should not exceed:
- The maximum site coverage specified in a schedule to the zone, or
- If no maximum site coverage is specified in a schedule to the zone, 60 per cent.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The existing site coverage and any constraints imposed by existing development or the features of the site.
- The site coverage of adjacent properties.
- The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.

Permeability objectives
To reduce the impact of increased stormwater run-off on the drainage system.
To facilitate on-site stormwater infiltration.
Standard A6
The site area covered by pervious surfaces should be at least:

- The minimum area specified in a schedule to the zone; or
- If no minimum area is specified in a schedule to the zone, 20 per cent of the site.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The existing site coverage and any constraints imposed by existing development.
- The capacity of the drainage network to accommodate additional stormwater.
- The capacity of the site to absorb run-off.
- The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.

Energy efficiency protection objectives
To achieve and protect energy efficient dwellings.
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

Standard A7
Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy facility must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the dwelling, if practicable.

Dwellings should be designed so that solar access to north-facing windows is maximised.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and slope of the lot.
- The existing amount of solar access to abutting properties.
- The extent to which an existing rooftop solar energy facility on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy facility on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy facility on an adjoining lot.
- The availability of solar access to north-facing windows on the site.
**Significant trees objectives**

To encourage development that respects the landscape character of the neighbourhood.

To encourage the retention of significant trees on the site.

**Standard A8**

Development should provide for the retention or planting of trees, where these are part of the neighbourhood character.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The health of any trees that were removed or are proposed to be removed.
- Whether a tree was removed to gain a development advantage.
AMENITY IMPACTS

Side and rear setbacks objective

To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard A10

A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Diagram A1 Side and rear setbacks

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.

Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.

Whether the wall abuts a side or rear lane.

**Walls on boundaries objective**

To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

**Standard A11**

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut the boundary:

- For a length more than the distance specified in a schedule to the zone; or
- If no distance is specified in a schedule to the zone, for a length of more than:
  - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
  - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where the slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The extent to which walls on boundaries are part of the neighbourhood character.
- The visual impact of the building when viewed from adjoining properties.
- The impact on the amenity of existing dwellings.
- The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.
- The orientation of the boundary that the wall is being built on.
- The width of the lot.
- The extent to which the slope and retaining walls or fences reduce the effective height of the wall.
- Whether the wall abuts a side or rear lane.
- The need to increase the wall height to screen a box gutter.
Daylight to existing windows objective

To allow adequate daylight into existing habitable room windows.

Standard A12

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.
- The impact on the amenity of existing dwellings.

North-facing windows objective

To allow adequate solar access to existing north-facing habitable room windows.

Standard A13

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metre for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
Diagram A3 North-facing windows

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling.
- The impact on the amenity of existing dwellings.

Overshadowing open space objective
To ensure buildings do not unreasonably overshadow existing secluded private open space.

Standard A14
Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of existing dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling.
The time of day that sunlight is available to the secluded private open space of the existing dwelling.

The effect of a reduction in sunlight on the existing use of the secluded private open space.

**Overlooking objective**

To limit views into existing secluded private open space and habitable room windows.

**Standard A15**

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space and habitable room windows of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other, or
- Have sill heights of at least 1.7 metres above floor level, or
- Have obscure glazing in any part of the window below 1.7 metres above floor level, or
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

**Diagram A4 Overlooking open space**

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of the secluded private open space or habitable room window.
- The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.
- The internal daylight to and amenity of the proposed dwelling.
ON-SITE AMENITY AND FACILITIES

Daylight to new windows objective
To allow adequate daylight into new habitable room windows.

Standard A16
A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether there are other windows in the habitable room which have access to daylight.

Private open space objective
To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard A17
A dwelling should have private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimensions is specified in a schedule to the zone, a dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 40 square metres. At least one part of the private open space should consist of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 3 metres at the side or rear of the dwelling with convenient access from a living room.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability of the private open space, including its size and accessibility.
- The availability of and access to public open space.
- The orientation of the lot to the street and the sun.

Solar access to open space objective
To allow solar access into the secluded private open space of a new dwelling.

Standard A18
The private open space should be located on the north side of the dwelling, if practicable.
The southern boundary of secluded private open space should be set back from any wall on the north of the space at least \((2 + 0.9h)\) metres, where ‘h’ is the height of the wall.
Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the secluded private open space based on the sunlight it will receive.
DETAILED DESIGN

Design detail objective
To encourage design detail that respects the existing or preferred neighbourhood character.

Standard A19
The design of buildings, including:
- Facade articulation and detailing,
- Window and door proportions,
- Roof form, and
- Verandahs, eaves and parapets,
should respect the existing or preferred neighbourhood character.
Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.
- Whether the design is innovative and of a high architectural standard.

Front fences objective
To encourage front fence design that respects the existing or preferred neighbourhood character.

Standard A20
The design of front fences should complement the design of the dwelling and any front fences on adjoining properties.
A front fence within 3 metres of a street should not exceed:
- The maximum height specified in a schedule to the zone, or
- If no maximum height is specified in a schedule to the zone, the maximum height specified in Table A2.

Table A2 Maximum front fence height

<table>
<thead>
<tr>
<th>Street context</th>
<th>Maximum front fence height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Streets in a Road Zone, Category 1</td>
<td>2 metres</td>
</tr>
<tr>
<td>Other streets</td>
<td>1.5 metres</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The setback, height and appearance of front fences on adjacent properties.
- The extent to which slope and retaining walls reduce the effective height of the front fence.
- Whether the fence is needed to minimise noise intrusion.
TWO OR MORE DWELLINGS ON A LOT AND RESIDENTIAL BUILDINGS

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.
To encourage residential development that provides reasonable standards of amenity for existing and new residents.
To encourage residential development that is responsive to the site and the neighbourhood.

Application
Provisions in this clause apply to an application to:

- Construct a dwelling if there is at least one dwelling existing on the lot,
- Construct two or more dwellings on a lot,
- Extend a dwelling if there are two or more dwellings on the lot,
- Construct or extend a dwelling on common property, or
- Construct or extend a residential building,

in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.

The provisions of this clause apply to an application specified above, in the manner set out in the following table.

<table>
<thead>
<tr>
<th>Application type</th>
<th>Applicable clauses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To construct or extend a dwelling (other than a dwelling in or forming part of an apartment development), or</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.

55.01-1

Neighbourhood and site description

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the neighbourhood:
  - The pattern of development of the neighbourhood.
  - The built form, scale and character of surrounding development including front fencing.
  - Architectural and roof styles.
  - Any other notable features or characteristics of the neighbourhood.

- In relation to the site:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - The location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and to surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - The location of local shops, public transport services and public open spaces within walking distance.
  - Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the neighbourhood and site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Satisfactory neighbourhood and site description

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 55.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.
Design response

The design response must explain how the proposed design:

- Derives from and responds to the neighbourhood and site description.
- Meets the objectives of Clause 55.
- Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.
NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE

Neighbourhood character objectives
To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.

To ensure that development responds to the features of the site and the surrounding area.

Standard B1
The design response must be appropriate to the neighbourhood and the site.

The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The neighbourhood and site description.
- The design response.

Residential policy objectives
To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.

Standard B2
An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.

Dwelling diversity objective
To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard B3
Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:
- Dwellings with a different number of bedrooms.
- At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.

Infrastructure objectives
To ensure development is provided with appropriate utility services and infrastructure.
To ensure development does not unreasonably overload the capacity of utility services and infrastructure.

**Standard B4**

Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The capacity of the existing infrastructure.
  - In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
  - If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

**Integration with the street objective**

To integrate the layout of development with the street.

**Standard B5**

Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.

Development should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Development next to existing public open space should be laid out to complement the open space.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
SITE LAYOUT AND BUILDING MASSING

Street setback objective
To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

Standard B6
Walls of buildings should be set back from streets:
- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, the distance specified in Table B1.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table B1 Street setback

<table>
<thead>
<tr>
<th>Development context</th>
<th>Minimum setback from front street (metres)</th>
<th>Minimum setback from a side street (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</td>
<td>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>The site is on a corner.</td>
<td>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</td>
<td>Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 3 metres, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.

- The visual impact of the building when viewed from the street and from adjoining properties.
- The value of retaining vegetation within the front setback.

### Building height objective

To ensure that the height of buildings respects the existing or preferred neighbourhood character.

#### Standard B7

The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.

If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.

Changes of building height between existing buildings and new buildings should be graduated.

#### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.
- The design response.
- The effect of the slope of the site on the height of the building.
- The relationship between the proposed building height and the height of existing adjacent buildings.
- The visual impact of the building when viewed from the street and from adjoining properties.

### Site coverage objective

To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

#### Standard B8

The site area covered by buildings should not exceed:

- The maximum site coverage specified in a schedule to the zone, or
- If no maximum site coverage is specified in a schedule to the zone, 60 per cent.

#### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The existing site coverage and any constraints imposed by existing development or the features of the site.
- The site coverage of adjacent properties.
- The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.
Permeability and stormwater management objectives

To reduce the impact of increased stormwater run-off on the drainage system.
To facilitate on-site stormwater infiltration.
To encourage stormwater management that maximises the retention and reuse of stormwater.

Standard B9

The site area covered by the pervious surfaces should be at least:

- The minimum area specified in a schedule to the zone, or
- If no minimum is specified in a schedule to the zone, 20 percent of the site.

The stormwater management system should be designed to:

- Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The capacity of the site to incorporate stormwater retention and reuse.
- The existing site coverage and any constraints imposed by existing development.
- The capacity of the drainage network to accommodate additional stormwater.
- The capacity of the site to absorb run-off.
- The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.

Energy efficiency objectives

To achieve and protect energy efficient dwellings and residential buildings.
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

Standard B10

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy facility must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.
Developments should be designed so that solar access to north-facing windows is maximised.
**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and slope of the lot.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The extent to which an existing rooftop solar energy facility on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy facility on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy facility on an adjoining lot.

**Open space objective**

To integrate the layout of development with any public and communal open space provided in or adjacent to the development.

**Standard B11**

If any public or communal open space is provided on site, it should:

- Be substantially fronted by dwellings, where appropriate.
- Provide outlook for as many dwellings as practicable.
- Be designed to protect any natural features on the site.
- Be accessible and useable.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for open space in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.

**Safety objective**

To ensure the layout of development provides for the safety and security of residents and property.

**Standard B12**

Entrances to dwellings and residential buildings should not be obscured or isolated from the street and internal accessways.

Planting which creates unsafe spaces along streets and accessways should be avoided.

Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.

**Landscaping objectives**

To encourage development that respects the landscape character of the neighbourhood.
To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.

To provide appropriate landscaping.

To encourage the retention of mature vegetation on the site.

**Standard B13**

The landscape layout and design should:

- Protect any predominant landscape features of the neighbourhood.
- Take into account the soil type and drainage patterns of the site.
- Allow for intended vegetation growth and structural protection of buildings.
- In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
- Provide a safe, attractive and functional environment for residents.

Development should provide for the retention or planting of trees, where these are part of the character of the neighbourhood.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.

Development should meet any additional landscape requirements specified in a schedule to the zone.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Any relevant plan or policy for landscape design in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The location and size of gardens and the predominant plant types in the neighbourhood.
- The health of any trees to be removed.
- Whether a tree was removed to gain a development advantage.

**Access objective**

To ensure the number and design of vehicle crossovers respects the neighbourhood character.

**Standard B14**

The width of accessways or car spaces should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street.

The location of crossovers should maximise the retention of on-street car parking spaces.

The number of access points to a road in a Road Zone should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the neighbourhood character.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and footpath.

Parking location objectives
To provide convenient parking for resident and visitor vehicles.
To protect residents from vehicular noise within developments.

Standard B15
Car parking facilities should:

- Be reasonably close and convenient to dwellings and residential buildings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

Decision guideline
Before deciding on an application, the responsible authority must consider the design response.
AMENITY IMPACTS

Side and rear setbacks objective
To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard B17
A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Diagram B1 Side and rear setbacks

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.
- Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.
- Whether the wall abuts a side or rear lane.

**Walls on boundaries objective**

To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

**Standard B18**

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:

- For a length of more than the distance specified in a schedule to the zone; or
- If no distance is specified in a schedule to the zone, for a length of more than:
  - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
  - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The extent to which walls on boundaries are part of the neighbourhood character.
- The impact on the amenity of existing dwellings.
- The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.
- The orientation of the boundary that the wall is being built on.
- The width of the lot.
- The extent to which the slope and retaining walls or fences reduce the effective height of the wall.
- Whether the wall abuts a side or rear lane.
- The need to increase the wall height to screen a box gutter.

**Daylight to existing windows objective**

To allow adequate daylight into existing habitable room windows.
Standard B19
Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram B2 Daylight to existing windows

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.
- The impact on the amenity of existing dwellings.

North-facing windows objective
To allow adequate solar access to existing north-facing habitable room windows.

Standard B20
If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
Diagram B3 North-facing windows

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling.
- The impact on the amenity of existing dwellings.

**Overshadowing open space objective**

To ensure buildings do not significantly overshadow existing secluded private open space.

**Standard B21**

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of existing dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling.
- The time of day that sunlight will be available to the secluded private open space of the existing dwelling.
- The effect of a reduction in sunlight on the existing use of the existing secluded private open space.

**Overlooking objective**

To limit views into existing secluded private open space and habitable room windows.

**Standard B22**

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.7 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

**Diagram B4 Overlooking open space**

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:
The design response.

The impact on the amenity of the secluded private open space or habitable room window.

The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.

The internal daylight to and amenity of the proposed dwelling or residential building.

**Internal views objective**

To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.

**Standard B23**

Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.

**Noise impacts objectives**

To contain noise sources in developments that may affect existing dwellings.

To protect residents from external noise.

**Standard B24**

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.

Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.
ON-SITE AMENITY AND FACILITIES

Accessibility objective
To encourage the consideration of the needs of people with limited mobility in the design of developments.

Standard B25
The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.

Dwelling entry objective
To provide each dwelling or residential building with its own sense of identity.

Standard B26
Entries to dwellings and residential buildings should:

- Be visible and easily identifiable from streets and other public areas.
- Provide shelter, a sense of personal address and a transitional space around the entry.

Daylight to new windows objective
To allow adequate daylight into new habitable room windows.

Standard B27
A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether there are other windows in the habitable room which have access to daylight.

Private open space objective
To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard B28
A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:

- An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or
- A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or
- A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

The balcony requirements in Clause 55.05-4 do not apply to an apartment development.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability of the private open space, including its size and accessibility.
- The availability of and access to public or communal open space.
- The orientation of the lot to the street and the sun.

### Solar access to open space objective

To allow solar access into the secluded private open space of new dwellings and residential buildings.

**Standard B29**

The private open space should be located on the north side of the dwelling or residential building, if appropriate.

The southern boundary of secluded private open space should be set back from any wall on the north of the space at least \((2 + 0.9h)\) metres, where ‘h’ is the height of the wall.

**Diagram B5 Solar access to open space**

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the secluded private open space based on the sunlight it will receive.

### Storage objective

To provide adequate storage facilities for each dwelling.
Standard B30
Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.
DETAILED DESIGN

Design detail objective
To encourage design detail that respects the existing or preferred neighbourhood character.

Standard B31
The design of buildings, including:
- Facade articulation and detailing,
- Window and door proportions,
- Roof form, and
- Verandahs, eaves and parapets,
should respect the existing or preferred neighbourhood character.
Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.
- Whether the design is innovative and of a high architectural standard.

Front fences objective
To encourage front fence design that respects the existing or preferred neighbourhood character.

Standard B32
The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.
A front fence within 3 metres of a street should not exceed:
- The maximum height specified in a schedule to the zone, or
- If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3.

Table B3 Maximum front fence height

<table>
<thead>
<tr>
<th>Street Context</th>
<th>Maximum front fence height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Streets in a Road Zone, Category 1</td>
<td>2 metres</td>
</tr>
<tr>
<td>Other streets</td>
<td>1.5 metres</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The setback, height and appearance of front fences on adjacent properties.
- The extent to which slope and retaining walls reduce the effective height of the front fence.
- Whether the fence is needed to minimise noise intrusion.

**Common property objectives**

To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.

To avoid future management difficulties in areas of common ownership.

**Standard B33**

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

**Site services objectives**

To ensure that site services can be installed and easily maintained.

To ensure that site facilities are accessible, adequate and attractive.

**Standard B34**

The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.

Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

Bin and recycling enclosures should be located for convenient access by residents.

Mailboxes should be provided and located for convenient access as required by Australia Post.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.
**APARTMENT DEVELOPMENTS**

**Purpose**

Clause 55.07 sets out requirements for an apartment development.

**Energy efficiency objectives**

To achieve and protect energy efficient dwellings and buildings.

To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

To ensure dwellings achieve adequate thermal efficiency.

**Standard B35**

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy facility must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified Table B4 in should not exceed the maximum NatHERS annual cooling load specified in the following table.

**Table B4 Cooling load**

<table>
<thead>
<tr>
<th>NatHERS climate zone</th>
<th>NatHERS maximum cooling load 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 Warmnambool</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 64 Cape Otway</td>
<td>19</td>
</tr>
<tr>
<td>Climate zone 66 Ballarat</td>
<td>23</td>
</tr>
</tbody>
</table>

*Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).*

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and layout of the site.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.
- The extent to which an existing rooftop solar energy facility on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy facility on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy facility on an adjoining lot.

### Communal open space objective

To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.

**Standard B36**

Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.

Communal open space should:

- Be located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.
- Be designed to protect any natural features on the site.
- Maximise landscaping opportunities.
- Be accessible, useable and capable of efficient management.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.
- The useability and amenity of the communal open space based on its size, location, accessibility and reasonable recreation needs of residents.
- The availability of and access to public open space.

### Solar access to communal outdoor open space objective

To allow solar access into communal outdoor open space.

**Standard B37**

The communal outdoor open space should be located on the north side of a building, if appropriate. At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.

Deep soil areas and canopy trees objective
To promote climate responsive landscape design and water management in developments to support thermal comfort and reduce the urban heat island effect.

Standard B38
The landscape layout and design should:

- Be responsive to the site context.
- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration.
- Maximise deep soil areas for planting of canopy trees.
- Integrate planting and water management.

Developments should provide the deep soil areas and canopy trees specified in Table B5.

If the development cannot provide the deep soil areas and canopy trees specified in Table B5, an equivalent canopy cover should be achieved by providing either:

- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.

Table B5 Deep soil areas and canopy trees

<table>
<thead>
<tr>
<th>Site area</th>
<th>Deep soil areas</th>
<th>Minimum tree provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>750 - 1000 square metres</td>
<td>5% of site area (minimum dimension of 3 metres)</td>
<td>1 small tree (6-8 metres) per 30 square metres of deep soil</td>
</tr>
<tr>
<td>1001 - 1500 square metres</td>
<td>7.5% of site area (minimum dimension of 3 metres)</td>
<td>1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil</td>
</tr>
<tr>
<td>1501 - 2500 square metres</td>
<td>10% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
<tr>
<td>&gt;2500 square metres</td>
<td>15% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
</tbody>
</table>

Note: Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.
**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for environmental sustainability in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The suitability of the proposed location and soil volume for canopy trees.
- The ongoing management of landscaping within a development.
- The soil type and drainage patterns of the site.

**Integrated water and stormwater management objectives**
To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.
To facilitate stormwater collection, utilisation and infiltration within the development.
To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

**Standard B39**
Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.
Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.
The stormwater management system should be:

- Designed to 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\text{eq},8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed L\text{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>Test</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 best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- Any relevant waste and recycling objective, policy or statement set out in this scheme.

---

**Functional layout objective**

To ensure dwellings provide functional areas that meet the needs of residents.

**Standard B46**

Bedrooms should:

- Meet the minimum internal room dimensions specified in Table B10.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

**Table B10 Bedroom dimensions**

<table>
<thead>
<tr>
<th>Bedroom type</th>
<th>Minimum width</th>
<th>Minimum depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main bedroom</td>
<td>3 metres</td>
<td>3.4 metres</td>
</tr>
<tr>
<td>All other bedrooms</td>
<td>3 metres</td>
<td>3 metres</td>
</tr>
</tbody>
</table>

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table B11.

**Table B11 Living area dimensions**

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum width</th>
<th>Minimum area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio and 1 bedroom dwelling</td>
<td>3.3 metres</td>
<td>10 sqm</td>
</tr>
<tr>
<td>2 or more bedroom dwelling</td>
<td>3.6 metres</td>
<td>12 sqm</td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and amenity of habitable rooms.

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**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.

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**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.

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**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.
The site and context description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the site:
  - Site shape, size, dimensions and orientation.
  - Levels and contours of the site.
  - Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
  - The siting and use of existing buildings and structures.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Access points.
  - Location of drainage and other utilities.
  - Easements.
  - Any identified natural or cultural features of the site.
  - Significant views to and from the site.
  - Noise and odour sources or other external influences.
  - Soil conditions, including any land affected by contamination, erosion, salinity, acid sulphate soils or fill.
  - Any other notable features or characteristics of the site.
  - Adjacent uses.
  - Any other factor affecting the capacity to develop the site including whether the site is affected by inundation.

- An application for subdivision of 3 or more lots must also describe in relation to the surrounding area:
  - The pattern of subdivision.
  - Existing land uses.
  - The location and use of existing buildings on adjacent land.
  - Abutting street and path widths, materials and detailing.
  - The location and type of significant vegetation.

- An application for subdivision of 60 or more lots must also describe in relation to the surrounding area:
  - Location, distance and type of any nearby public open space and recreational facilities.
  - Direction and distances to local shops and community facilities.
  - Directions and walking distances to public transport routes and stops.
  - Direction and walking distances to existing neighbourhood, major and principal activity centres and major employment areas.
- Existing transport routes, including freeways, arterial roads and streets connecting
  neighbourhoods.
- Local street network including potential connections to adjacent subdivisions.
- Traffic volumes and movements on adjacent roads and streets.
- Pedestrian, bicycle and shared paths identifying whether their primary role is neighbourhood
  or regional access.
- Any places of cultural significance.
- Natural features including trees and other significant vegetation, drainage lines, water
  courses, wetlands, ridgelines and hill tops.
- Proximity of any fire threats.
- Pattern of ownership of adjoining lots.

If in the opinion of the responsible authority a requirement of the site and context description is
not relevant to the assessment of an application, the responsible authority may waive or reduce
the requirement.

**Satisfactory subdivision site and context description**

If the responsible authority decides that the site and context description is not satisfactory, it may
require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an
application until it is satisfied that the site and context description meets the requirements of Clause
56.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of
the Act.

**Subdivision design response**

The design response must explain how the proposed design:

- Derives from and responds to the site and context description.
- Responds to any site and context features for the area identified in a local planning policy or
  a Neighbourhood Character Overlay.
- Responds to any relevant objective, policy, strategy or plan set out for the area in this scheme.
- Meets the relevant objectives of Clause 56.

The design response must include a dimensioned plan to scale showing the layout of the subdivision
in context with the surrounding area. If in the opinion of the responsible authority this requirement
is not relevant to the assessment of an application, it may waive or reduce the requirement.

An application for subdivision of 60 or more lots must also include a plan that meets the
requirements of Standard C2. The plan must also show the:

- Proposed uses of each part of the site.
- Natural features of the site and identify any features proposed to be altered.
- Proposed integrated water management system.
- Proposed staging of the subdivision.
POLICY IMPLEMENTATION

Strategic implementation objective
To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.

Standard C1
An application must be accompanied by a written statement that describes how the subdivision is consistent with and implements any relevant growth area, activity centre, housing, access and mobility, community facilities, open space and recreation, landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy or plan for the area set out in this scheme.
Compact and walkable neighbourhoods objectives

To create compact neighbourhoods that are oriented around easy walking distances to activity centres, schools and community facilities, public open space and public transport.

To allow easy movement through and between neighbourhoods for all people.

Standard C2

A subdivision should implement any relevant growth area or any approved land-use and development strategy, plan or policy for the area set out in this scheme.

An application for subdivision must include a plan of the layout of the subdivision that:

- Meets the objectives (if relevant to the class of subdivision specified in the zone) of:
  - Clause 56.03-2 Activity centres
  - Clause 56.03-3 Planning for community facilities
  - Clause 56.04-1 Lot diversity and distribution
  - Clause 56.06-2 Walking and cycling network
  - Clause 56.06-3 Public transport network
  - Clause 56.06-4 Neighbourhood street network

- Shows the 400 metre street walking distance around each existing or proposed bus stop, 600 metres street walking distance around each existing or proposed tram stop and 800 metres street walking distance around each existing or proposed railway station and shows the estimated number of dwellings within those distances.

- Shows the layout of the subdivision in relation to the surrounding area.

- Is designed to be accessible for people with disabilities.

Activity centre objective

To provide for mixed-use activity centres, including neighbourhood activity centres, of appropriate area and location.

Standard C3

A subdivision should implement any relevant activity centre strategy, plan or policy for the area set out in this scheme.

Subdivision should be supported by activity centres that are:

- Accessible by neighbourhood and regional walking and cycling networks.

- Served by public transport that is connected to the regional public transport network.

- Located at public transport interchange points for the convenience of passengers and easy connections between public transport services.

- Located on arterial roads or connector streets.

- Of appropriate size to accommodate a mix of uses that meet local community needs.

- Oriented to support active street frontages, support street-based community interaction and pedestrian safety.
Planning for community facilities objective

To provide appropriately located sites for community facilities including schools, libraries, preschools and childcare, health services, police and fire stations, recreation and sports facilities.

Standard C4

A subdivision should:

- Implement any relevant regional and local community facility strategy, plan or policy for the area set out in this scheme.
- Locate community facilities on sites that are in or near activity centres and public transport.

School sites should:

- Be integrated with the neighbourhood and located near activity centres.
- Be located on walking and cycling networks.
- Have a bus stop located along the school site boundary.
- Have student drop-off zones, bus parking and on-street parking in addition to other street functions in abutting streets.
- Adjoin the public open space network and community sporting and other recreation facilities.
- Be integrated with community facilities.
- Be located on land that is not affected by physical, environmental or other constraints.

Schools should be accessible by the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.

Primary schools should be located on connector streets and not on arterial roads.

New State Government school sites must meet the requirements of the Department of Education and Training and abut at least two streets with sufficient widths to provide student drop-off zones, bus parking and on-street parking in addition to other street functions.

Built environment objective

To create urban places with identity and character.

Standard C5

The built environment should:

- Implement any relevant urban design strategy, plan or policy for the area set out in this scheme.
- Provide living and working environments that are functional, safe and attractive.
- Provide an integrated layout, built form and urban landscape.
- Contribute to a sense of place and cultural identity.

An application should describe the identity and character to be achieved and the elements that contribute to that identity and character.

Neighbourhood character objective

To design subdivisions that respond to neighbourhood character.

Standard C6

Subdivision should:
- Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Respond to and integrate with the surrounding urban environment.
- Protect significant vegetation and site features.
LOT DESIGN

Lot diversity and distribution objectives
To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.
To provide higher housing densities within walking distance of activity centres.
To achieve increased housing densities in designated growth areas.
To provide a range of lot sizes to suit a variety of dwelling and household types.

Standard C7
A subdivision should implement any relevant housing strategy, plan or policy for the area set out in this scheme.
Lot sizes and mix should achieve the average net residential density specified in any zone or overlay that applies to the land or in any relevant policy for the area set out in this scheme.
A range and mix of lot sizes should be provided including lots suitable for the development of:
- Single dwellings.
- Two dwellings or more.
- Higher density housing.
- Residential buildings and Retirement villages.
Unless the site is constrained by topography or other site conditions, lot distribution should provide for 95 per cent of dwellings to be located no more than 400 metre street walking distance from the nearest existing or proposed bus stop, 600 metres street walking distance from the nearest existing or proposed tram stop and 800 metres street walking distance from the nearest existing or proposed railway station.
Lots of 300 square metres or less in area, lots suitable for the development of two dwellings or more, lots suitable for higher density housing and lots suitable for Residential buildings and Retirement villages should be located in and within 400 metres street walking distance of an activity centre.

Lot area and building envelopes objective
To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.

Standard C8
An application to subdivide land that creates lots of less than 300 square metres should be accompanied by information that shows:
- That the lots are consistent or contain building envelope that is consistent with a development approved under this scheme, or
- That a dwelling may be constructed on each lot in accordance with the requirements of this scheme.
Lots of between 300 square metres and 500 square metres should:
- Contain a building envelope that is consistent with a development of the lot approved under this scheme, or
If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope.

If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.

Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope.

A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:

- The objectives of the relevant standards are met, and
- The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act.

Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:

- The building envelope must meet Standards A10 and A11 of Clause 54 in relation to the adjoining lot, and
- The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.

Lot dimensions and building envelopes should protect:

- Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.
- Existing or proposed easements on lots.
- Significant vegetation and site features.

Solar orientation of lots objective
To provide good solar orientation of lots and solar access for future dwellings.

Standard C9
Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.

Lots have appropriate solar orientation when:

- The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.
- Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north.
- Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.

Street orientation objective
To provide a lot layout that contributes to community social interaction, personal safety and property security.
**Standard C10**

Subdivision should increase visibility and surveillance by:

- Ensuring lots front all roads and streets and avoid the side or rear of lots being oriented to connector streets and arterial roads.
- Providing lots of 300 square metres or less in area and lots for 2 or more dwellings around activity centres and public open space.
- Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries.
- Providing roads and streets along public open space boundaries.

**Common area objectives**

To identify common areas and the purpose for which the area is commonly held.

To ensure the provision of common area is appropriate and that necessary management arrangements are in place.

To maintain direct public access throughout the neighbourhood street network.

**Standard C11**

An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:

- The common area to be owned by the body corporate, including any streets and open space.
- The reasons why the area should be commonly held.
- Lots participating in the body corporate.
- The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.
URBAN LANDSCAPE

Integrated urban landscape objectives
To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.

To incorporate natural and cultural features in the design of streets and public open space where appropriate.

To protect and enhance native habitat and discourage the planting and spread of noxious weeds.

To provide for integrated water management systems and contribute to drinking water conservation.

Standard C12
An application for subdivision that creates streets or public open space should be accompanied by a landscape design.

The landscape design should:

- Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme.

- Create attractive landscapes that visually emphasise streets and public open spaces.

- Respond to the site and context description for the site and surrounding area.

- Maintain significant vegetation where possible within an urban context.

- Take account of the physical features of the land including landform, soil and climate.

- Protect and enhance any significant natural and cultural features.

- Protect and link areas of significant local habitat where appropriate.

- Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space.

- Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread into the surrounding environment.

- Ensure landscaping supports surveillance and provides shade in streets, parks and public open space.

- Develop appropriate landscapes for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas.

- Provide for walking and cycling networks that link with community facilities.

- Provide appropriate pathways, signage, fencing, public lighting and street furniture.

- Create low maintenance, durable landscapes that are capable of a long life.

- The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.

Public open space provision objectives
To provide a network of quality, well-distributed, multi-functional and cost-effective public open space that includes local parks, active open space, linear parks and trails, and links to regional open space.

To provide a network of public open space that caters for a broad range of users.

To encourage healthy and active communities.
To provide adequate unencumbered land for public open space and integrate any encumbered land with the open space network.

To ensure land provided for public open space can be managed in an environmentally sustainable way and contributes to the development of sustainable neighbourhoods.

**Standard C13**

The provision of public open space should:

- Implement any relevant objective, policy, strategy or plan (including any growth area precinct structure plan) for open space set out in this scheme.
- Provide a network of well-distributed neighbourhood public open space that includes:
  - Local parks within 400 metres safe walking distance of at least 95 percent of all dwellings. Where not designed to include active open space, local parks should be generally 1 hectare in area and suitably dimensioned and designed to provide for their intended use and to allow easy adaptation in response to changing community preferences.
  - Additional small local parks or public squares in activity centres and higher density residential areas.
  - Active open space of at 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) wide with no parking spaces to be provided. Appropriately signed.</td>
</tr>
<tr>
<td>Verge width(^4)</td>
<td>No verge required.</td>
</tr>
<tr>
<td>Kerbing(^5)</td>
<td>None</td>
</tr>
<tr>
<td>Footpath provision</td>
<td>None</td>
</tr>
<tr>
<td>Cycle path provision</td>
<td>None</td>
</tr>
</tbody>
</table>

Access Place
A minor street providing local residential access with shared traffic, pedestrian and recreation use, but with pedestrian priority.

<table>
<thead>
<tr>
<th>Traffic volume(^1)</th>
<th>300vpd to 1000vpd</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>
**Kerbing**

Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.

**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</th>
<th>1000vdp to 2000vdp</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed</td>
<td>30kph</td>
</tr>
<tr>
<td>Carriageway width &amp; parking provision within street reservation</td>
<td>5.5m wide with 1 hard standing verge parking space per 2 lots.</td>
</tr>
<tr>
<td>Verge width</td>
<td>4m minimum each side</td>
</tr>
<tr>
<td>Kerbing</td>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
<tr>
<td>Footpath provision</td>
<td>1.5m wide footpaths on both sides.</td>
</tr>
</tbody>
</table>

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</th>
<th>2000vdp to 3000vdp</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed</td>
<td>40kph</td>
</tr>
<tr>
<td>Carriageway width &amp; parking provision within street reservation</td>
<td>7m-7.5m wide with parking on both sides of carriageway</td>
</tr>
<tr>
<td>Verge width</td>
<td>4.5m minimum each side</td>
</tr>
<tr>
<td>Kerbing</td>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
<tr>
<td>Footpath provision</td>
<td>1.5m wide footpaths on both sides.</td>
</tr>
</tbody>
</table>

Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre.
Be offset a minimum distance of 1m from the kerb.

**Cycle path provision**
Carriageway designed as a shared zone and appropriately signed.

**Connector Street - Level 1**
A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

<table>
<thead>
<tr>
<th>Traffic volume¹</th>
<th>3000 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed²</td>
<td>50 kph² reduced to 40 kph at schools and 20 kph at pedestrian and cycle crossing points.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Carriageway width³, cycle lane provision, parking provision and bus stops within street reservation</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.5m minimum lane width in each direction of travel.</td>
</tr>
<tr>
<td>4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections.</td>
</tr>
<tr>
<td>For on-street cycling, increase the minimum clear carriageway in each direction by:</td>
</tr>
<tr>
<td>– 0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or</td>
</tr>
<tr>
<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>– 1.7m where a dedicated 1.7m wide bicycle lane is marked on the carriageway.</td>
</tr>
<tr>
<td>An additional dedicated parking lane or indented parking within the verge must be provided where street parking is required. A parking lane width of 2.3m is required where parallel parking is provided.</td>
</tr>
<tr>
<td>Bus stops at the kerbside, not indented within the verge.</td>
</tr>
</tbody>
</table>

| Verge width⁴ | 4.5m minimum each side. |
| Kerbing⁵ | Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area. |

| Footpath provision |
| 1.5m wide footpaths on both sides. |
| Footpath widened to a minimum 2.0m in the vicinity of a school, shop, public transport stop or other activity centre. |
| Footpaths offset a minimum distance of 1m from the kerb. |

**Connector Street - Level 2**
A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

<table>
<thead>
<tr>
<th>Traffic volume¹</th>
<th>3,000 vpd to 7,000 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed²</td>
<td>60 kph³ or 50km/h reduced to 40kph at schools.</td>
</tr>
</tbody>
</table>
### Carriageway width, cycle lane provision, parking provision and bus stops within street reservation

- 3.5m minimum lane width in each direction of travel.
- 4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections.
- 7.0m minimum carriageway width in each direction of travel where there are two lanes in each direction separated by a non-trafficable central medium.
- 8.0m minimum carriageway width at approaches to and departures from roundabouts and T-intersections where there are two lanes in each direction separated by an non-trafficable central medium.
- For on-street cycling, increase the minimum clear carriageway in each direction by:
  - 0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or
  - 1.7m where a dedicated 1.7m wide dedicated bicycle lane is marked on the carriageway
  - 0.3m where there are two trafficable lanes in each direction separated by a non-trafficable central median and the carriageways are shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or
  - 0.5m where there are two trafficable lanes in each direction separated by a non-trafficable central median and a 1.7m wide dedicated bicycle lane is marked on the carriageway.
- An additional dedicated parking lane or indented parking within the verge must be provided where street parking is required. A parking lane width of 2.3m is required where parallel parking is provided.
- Bus stops located at the kerbside, not indented within the verge.

### Verge width

- 6m minimum each side (plus central median).

### Kerbing

- Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.

### Footpath and cycle path provision

- 1.5m wide footpath on each side and 1.7m bicycle lanes on the carriageway; or
- 2.5m wide shared foot and cycle path on both sides and no dedicate bicycle lanes marked on the carriageway.
- Footpaths widened to a minimum of 2.0m in the vicinity of a school, shop, public transport stop or other activity centre.
- Footpaths or shared foot and cycle paths offset a minimum distance of 1m from the kerb.

### Arterial Road

<table>
<thead>
<tr>
<th>Traffic volume</th>
<th>Greater than 7000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed</td>
<td>Arterial road design as required by the relevant roads authority.</td>
</tr>
<tr>
<td>Carriageway width &amp; parking provision within street reservation</td>
<td>Arterial road design as required by the relevant roads authority.</td>
</tr>
</tbody>
</table>
Verge width$^a$  Arterial road design as required by the relevant roads authority.

Kerbing$^b$  Arterial road design as required by the relevant roads authority.

Footpath & cycle path provision  3m wide shared path on each side or as otherwise required by the relevant roads authority.

**Key to Table C1**

1. Indicative maximum traffic volume for 24-hour period. These volumes depend upon location. Generation rates may vary between existing and newly developing areas.

2. Target speed is the desired speed at which motorists should travel. This is not necessarily the design speed and is not greater than the marked legal speed limit.

3. Width is measured from kerb invert to kerb invert. Widening may be required at bends to allow for wider vehicle paths using appropriate Australian Standards for on street and off-street parking but should not negate the function of bends serving as slow points.

4. Verge width includes footpaths. Additional width may be required to accommodate a bicycle path.

5. Where drainage is not required a flush pavement edge treatment can be used. Layback kerbs are preferred for safety reasons. Upright kerbs may be considered for drainage purposes or in locations where on-street parking should be clearly defined and parking within the verge is not desired.

6. Turning requirements to access and egress parking on abutting lots may require additional carriageway width. The recommended carriageway width of 5.5m will provide adequate access to a standard 3.5m wide single garage built to the property line.

7. 50kph is the default urban speed limit in Victoria.

8. Target speed must not exceed the legal speed limit.
INTEGRATED WATER MANAGEMENT

Drinking water supply objectives
To reduce the use of drinking water.
To provide an adequate, cost-effective supply of drinking water.

Standard C22
The supply of drinking water must be:
- Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.
- Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.

Reused and recycled water objective
To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.

Standard C23
Reused and recycled water supply systems must be:
- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health and Human Services.
- Provided to the boundary of all lots in the subdivision where required by the relevant water authority.

Waste water management objective
To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.

Standard C24
Waste water systems must be:
- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority.
- Consistent with any relevant approved domestic waste water management plan.

Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.

Stormwater management objectives
To minimise damage to properties and inconvenience to residents from stormwater.
To ensure that the street operates adequately during major storm events and provides for public safety.
To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.
To encourage stormwater management that maximises the retention and reuse of stormwater.
To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.
Standard C25

The stormwater management system must be:

- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:

- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
- Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.

For storm events greater than 20% AEP and up to and including 1% AEP standard:

- Provision must be made for the safe and effective passage of stormwater flows.
- All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
- Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria \( d \times V_{ave} < 0.35 \text{ m}^2/\text{s} \) (where, \( d \) = average depth in metres and \( V_{ave} \) = average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.
SITE MANAGEMENT

Site management objectives
To protect drainage infrastructure and receiving waters from sedimentation and contamination.
To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.
To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.

Standard C26
A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:
- Erosion and sediment.
- Dust.
- Run-off.
- Litter, concrete and other construction wastes.
- Chemical contamination.
- Vegetation and natural features planned for retention.

Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.
**UTILITIES**

**Shared trenching objectives**
To maximise the opportunities for shared trenching.
To minimise constraints on landscaping within street reserves.

**Standard C27**
Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.

**Electricity, telecommunications and gas objectives**
To provide public utilities to each lot in a timely, efficient and cost effective manner.
To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.

**Standard C28**
The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.

Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.

The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.

Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.

**Fire hydrants objective**
To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.

**Standard C29**
Fire hydrants should be provided:

- A maximum distance of 120 metres from the rear of the each lot.
- No more than 200 metres apart.

Hydrants and fire plugs must be compatible with the relevant fire service equipment. Where the provision of fire hydrants and fire plugs does not comply with the requirements of standard C29, fire hydrants must be provided to the satisfaction of the relevant fire authority.

**Public lighting objective**
To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.
To provide pedestrians with a sense of personal safety at night.
To contribute to reducing greenhouse gas emissions and to saving energy.
Standard C30

Public lighting should be provided to streets, footpaths, public telephones, public transport stops and to major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles.

Public lighting should be designed in accordance with the relevant Australian Standards.

Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.
APARTMENT DEVELOPMENTS

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To encourage apartment development that provides reasonable standards of amenity for existing and new residents.
To encourage apartment development that is responsive to the site and the surrounding area.

Application
Provisions in this clause apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, if:

- The apartment development is five or more storeys, excluding a basement, and is in the General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone, or
- The apartment development is in the Commercial 1 Zone, Commercial 3 Zone, Special Use Zone, Comprehensive Development Zone, Capital City Zone, Docklands Zone, Priority Development Zone or Activity Centre Zone.

Operation
The provisions of this clause contain:

- **Objectives.** An objective describes the desired outcome to be achieved in the completed development.

- **Standards.** A standard contains the requirements to meet the objective.
  A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

- **Decision guidelines.** The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements
A development:

- Must meet all of the objectives of this clause.

- Should meet all of the standards of this clause.

If a zone or a schedule to a zone, or a schedule to an overlay specifies a requirement different from a requirement of a standard set out in Clause 58 (excluding Clause 58.04-1), the requirement in Clause 58 applies.

For Clause 58.04-1 (Building setback):

- If a zone or a schedule to a zone specifies a building setback requirement different from a requirement set out in Clause 58.04-1, the building setback requirement in the zone or a schedule to the zone applies.

- If the land is included in an overlay and a schedule to the overlay specifies a building setback requirement different from the requirement set out Clause 58.04-1 or a requirement set out in the zone or a schedule to the zone, the requirement for building setback in the overlay applies.
Application requirements

An application must be accompanied by:

- An urban context report.
- A design response.

Urban context report

The urban context report may use a site plan, photographs or other techniques and must include:

An accurate description of:

- Site shape, size, orientation and easements.
- Levels and contours of the site and the difference in levels between the site and surrounding properties.
- The location and height of existing buildings on the site and surrounding properties.
- The use of surrounding buildings.
- The location of private open space of surrounding properties and the location of trees, fences and other landscape elements.
- Solar access to the site and to surrounding properties.
- Views to and from the site.
- Street frontage features such as poles, street trees and kerb crossovers.
- The location of local shops, public transport services and public open spaces within walking distance.
- Movement systems through and around the site.
- Any other notable feature or characteristic of the site.

An assessment of the characteristics of the area including:

- Any environmental features such as vegetation, topography and significant views.
- The pattern of subdivision.
- Street design and landscape.
- The pattern of development.
- Building form, scale and rhythm.
- Connection to the public realm.
- Architectural style, building details and materials.
- Off-site noise sources.
- The relevant NatHERS climate zones (as identified in Clause 58.03-1).
- Social and economic activity.
- Any other notable or cultural characteristics of the area.

Satisfactory urban context report

If the responsible authority decides that the urban context report is not satisfactory, it may require more information from the applicant under Section 54 of the Act.
The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the urban context report meets the requirements of Clause 58.01-2 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

**Design response**

The design response must explain how the proposed design:

- Responds to any relevant planning provision that applies to the land.
- Meets the objectives of Clause 58.
- Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme.
- Derives from and responds to the urban context report.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.
URBAN CONTEXT

Urban context objectives
To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.
To ensure that development responds to the features of the site and the surrounding area.

Standard D1
The design response must be appropriate to the urban context and the site.
The proposed design must respect the existing or preferred urban context and respond to the features of the site.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.

Residential policy objectives
To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.
To support higher density residential development where development can take advantage of public and community infrastructure and services.

Standard D2
An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.

Dwelling diversity objective
To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard D3
Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.

Infrastructure objectives
To ensure development is provided with appropriate utility services and infrastructure.
To ensure development does not unreasonably overload the capacity of utility services and infrastructure.
**Standard D4**

Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The capacity of the existing infrastructure.

- In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.

- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

**Integration with the street objective**

To integrate the layout of development with the street.

**Standard D5**

Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.

Development should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Development next to existing public open space should be laid out to complement the open space.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.

- The design response.
SITE LAYOUT

Energy efficiency objectives

To achieve and protect energy efficient dwellings and buildings.

To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

To ensure dwellings achieve adequate thermal efficiency.

Standard D6

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.

### Table D1 Cooling load

<table>
<thead>
<tr>
<th>NatHERS climate zone</th>
<th>NatHERS maximum cooling load MJ/M² per annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Climate zone 21 Melbourne</td>
<td>30</td>
</tr>
<tr>
<td>Climate zone 22 East Sale</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 27 Mildura</td>
<td>69</td>
</tr>
<tr>
<td>Climate zone 60 Tullamarine</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 62 Moorabbin</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 63 Warnambool</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 64 Cape Otway</td>
<td>19</td>
</tr>
<tr>
<td>Climate zone 66 Ballarat</td>
<td>23</td>
</tr>
</tbody>
</table>

*Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).*

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and layout of the site.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.
Communal open space objective

To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.

Standard D7

Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.

Communal open space should:

- Be located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.

- Be designed to protect any natural features on the site.
- Maximise landscaping opportunities.
- Be accessible, useable and capable of efficient management.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.
- The useability and amenity of the communal open space based on its size, location, accessibility and reasonable recreation needs of residents.
- The availability of and access to public open space.

Solar access to communal outdoor open space objective

To allow solar access into communal outdoor open space.

Standard D8

The communal outdoor open space should be located on the north side of a building, if appropriate. At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.

Safety objective

To ensure the layout of development provides for the safety and security of residents and property.

Standard D9

Entrances to dwellings should not be obscured or isolated from the street and internal accessways.
Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways.

Private spaces within developments should be protected from inappropriate use as public thoroughfares.

**Decision guideline**
Before deciding on an application, the responsible authority must consider the design response.

**Landscaping objectives**
To encourage development that respects the landscape character of the area.

To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.

To provide appropriate landscaping.

To encourage the retention of mature vegetation on the site.

To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect.

**Standard D10**
The landscape layout and design should:

- Be responsive to the site context.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site and integrate planting and water management.
- Allow for intended vegetation growth and structural protection of buildings.
- In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
- Provide a safe, attractive and functional environment for residents.
- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site stormwater infiltration.
- Maximise deep soil areas for planting of canopy trees.

Development should provide for the retention or planting of trees, where these are part of the urban context.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.

Development should provide the deep soil areas and canopy trees specified in Table D2.
If the development cannot provide the deep soil areas and canopy trees specified in Table D2, an equivalent canopy cover should be achieved by providing either:

- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.
Table D2 Deep soil areas and canopy trees

<table>
<thead>
<tr>
<th>Site area</th>
<th>Deep soil areas</th>
<th>Minimum tree provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>750 - 1000 square metres</td>
<td>5% of site area (minimum dimension of 3 metres)</td>
<td>1 small tree (6-8 metres) per 30 square metres of deep soil</td>
</tr>
<tr>
<td>1001 - 1500 square metres</td>
<td>7.5% of site area (minimum dimension of 3 metres)</td>
<td>1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil</td>
</tr>
<tr>
<td>1501 - 2500 square metres</td>
<td>10% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
<tr>
<td>&gt;2500 square metres</td>
<td>15% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
</tbody>
</table>

Note: Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for landscape character and environmental sustainability in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The location and size of gardens and the predominant plant types in the area.
- The health of any trees to be removed.
- The suitability of the proposed location and soil volume for canopy trees.
- The ongoing management of landscaping within the development.
- The soil type and drainage patterns of the site.

Access objective
To ensure the number and design of vehicle crossovers respects the urban context.

Standard D11
The width of accessways or car spaces should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street. The location of crossovers should maximise the retention of on-street car parking spaces. The number of access points to a road in a Road Zone should be minimised. Developments must provide for access for service, emergency and delivery vehicles.
**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- The design response.
- The impact on the streetscape.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and footpath.

**Parking location objectives**
To provide convenient parking for resident and visitor vehicles.
To protect residents from vehicular noise within developments.

**Standard D12**
Car parking facilities should:
- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.
Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

**Decision guideline**
Before deciding on an application, the responsible authority must consider the design response.

**Integrated water and stormwater management objectives**
To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.
To facilitate stormwater collection, utilisation and infiltration within the development.
To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

**Standard D13**
Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.
Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.
The stormwater management system should be:
- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- Any relevant water and stormwater management objective, policy or statement set out in this scheme.
- The design response.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.
AMENITY IMPACTS

Building setback objectives
To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area.
To allow adequate daylight into new dwellings.
To limit views into habitable room windows and private open space of new and existing dwellings.
To provide a reasonable outlook from new dwellings.
To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.

Standard D14
The built form of the development must respect the existing or preferred urban context and respond to the features of the site.
Buildings should be set back from side and rear boundaries, and other buildings within the site to:
- Ensure adequate daylight into new habitable room windows.
- Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.
- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.
- Ensure the dwellings are designed to meet the objectives of Clause 58.

Decision Guidelines
Before deciding on an application, the responsible authority must consider:
- The purpose of the zone and/or overlay that applies to the land.
- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.
- The relationship between the proposed building setback and the building setbacks of existing adjacent buildings, including the interface with laneways.
- The extent to which the proposed dwellings are provided with reasonable daylight access through the layout of rooms and the number, size, location and orientation of windows.
- The impact of overlooking on the amenity of existing and proposed dwellings.
- The existing extent of overlooking into existing dwellings and private open space.
- Whether the development meets the objectives of Clause 58.

Internal views objective
To limit views into the private open space and habitable room windows of dwellings within a development.

Standard D15
Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.

Decision guideline
Before deciding on an application, the responsible authority must consider the design response.
Noise impacts objectives

To contain noise sources in developments that may affect existing dwellings.
To protect residents from external and internal noise sources.

Standard D16

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.
The layout of new dwellings and buildings should minimise noise transmission within the site.
Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.
New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.
Buildings within a noise influence area specified in Table D3 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.
Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table D3 Noise influence area

<table>
<thead>
<tr>
<th>Noise source</th>
<th>Noise influence area</th>
</tr>
</thead>
<tbody>
<tr>
<td><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>Roads</td>
<td></td>
</tr>
<tr>
<td>Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume</td>
<td>300 metres from the nearest trafficable lane</td>
</tr>
<tr>
<td><strong>Railways</strong></td>
<td></td>
</tr>
<tr>
<td>Railway servicing passengers in Victoria</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight outside Metropolitan Melbourne</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight in Metropolitan Melbourne</td>
<td>135 metres from the centre of the nearest track</td>
</tr>
</tbody>
</table>

Note: The noise influence area should be measured from the closest part of the building to the noise source.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether it can be demonstrated that the design treatment incorporated into the development meets the specified noise levels or an acoustic report by a suitably qualified consultant submitted with the application.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
\begin{itemize}
  \item Whether the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.
  \item Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
\end{itemize}
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:</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 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 usability 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 usability, functionality and location of storage facilities provided for the dwelling.
**DETAILED DESIGN**

**Common property objectives**
To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.

To avoid future management difficulties in areas of common ownership.

**Standard D21**
Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

**Site services objectives**
To ensure that site services can be installed and easily maintained.

To ensure that site facilities are accessible, adequate and attractive.

**Standard D22**
The design and layout of dwellings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.

Mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

Mailboxes should be provided and located for convenient access as required by Australia Post.

**Decision guideline**
Before deciding on an application, the responsible authority must consider the design response.

**Waste and recycling objectives**
To ensure dwellings are designed to encourage waste recycling.

To ensure that waste and recycling facilities are accessible, adequate and attractive.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

**Standard D23**
Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
  - Adequate in size, durable, waterproof and blend in with the development.
  - Adequately ventilated.
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.

- Adequate facilities for bin washing. These areas should be adequately ventilated.

- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.

- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.

- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.

- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.

- Any relevant waste and recycling objective, policy or statement set out in this scheme.
INTERNAL AMENITY

Functional layout objective
To ensure dwellings provide functional areas that meet the needs of residents.

Standard D24
Bedrooms should:

- Meet the minimum internal room dimensions specified in Table D7.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Table D7 Bedroom dimensions

<table>
<thead>
<tr>
<th>Bedroom type</th>
<th>Minimum width</th>
<th>Minimum depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main bedroom</td>
<td>3 metres</td>
<td>3.4 metres</td>
</tr>
<tr>
<td>All other bedrooms</td>
<td>3 metres</td>
<td>3 metres</td>
</tr>
</tbody>
</table>

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D8.

Table D8 Living area dimensions

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum width</th>
<th>Minimum area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio and 1 bedroom dwelling</td>
<td>3.3 metres</td>
<td>10 sqm</td>
</tr>
<tr>
<td>2 or more bedroom dwelling</td>
<td>3.6 metres</td>
<td>12 sqm</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and amenity of habitable rooms.

Room depth objective
To allow adequate daylight into single aspect habitable rooms.

Standard D25
Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability, functionality and amenity of the dwelling based on layout, siting, size and orientation of habitable rooms.
- Any overhang above habitable room windows that limits daylight access.

### Windows objective

To allow adequate daylight into new habitable room windows.

**Standard D26**

Hitable rooms should have a window in an external wall of the building. A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.

The secondary area should be:
- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:
- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability and amenity of the dwelling based on layout, siting, size and orientation of habitable rooms.

### Natural ventilation objectives

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

**Standard D27**

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:
- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:
- The design response.
- The size, orientation, slope and wind exposure of the site.
- The extent to which the orientation of the building and the layout of dwellings maximises opportunities for cross ventilation.

- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
REALIGN THE COMMON BOUNDARY BETWEEN TWO LOTS

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.

- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, car parking area, driveways, storage areas, loading areas and private open space.
  - The location of any easements on the subject land.
  - The location of the approved stormwater discharge point.
  - The location and details of any significant vegetation.
  - The location of any street trees, poles, pits or other street furniture.
  - Existing and proposed vehicle access to the lots.
  - Any abutting roads.
  - The location of the existing and proposed common boundary between the lots and the proposed size and shape of the realigned lots.
  - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.

- If the land is in more than one ownership, the consent of the owners of the land.

- If common property is proposed, an explanation of why the common property is required.

- A written statement that describes:
  - The existing use of the land and its possible future development.
  - The reason for the realignment of the common boundary.
  - For land in an overlay, how the proposal responds to any statement of significance, objectives or requirements specified in the schedule to the overlay.

- If the land is in an area where reticulated sewerage is not provided, a plan which shows the location of any existing effluent disposal area for each lot or a land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

- If the land is in a residential zone and the realignment of the common boundary will result in a vacant lot, information that shows that the vacant lot meets the requirements of Standard C8 of Clause 56.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Respond to and integrate with the surrounding urban or rural environment.
  - Protect significant vegetation.
  - Appropriately accommodate any existing or proposed easements on the lots.
- Protect solar access for existing and any future dwellings on the lots.
- Appropriately accommodate any existing waste storage areas, loading bays and vehicle standing areas on the site.
- Appropriately accommodate private open space.
- Appropriately accommodate the provision of utility services to each lot.
- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
- Appropriately accommodate the siting of buildings having regard to the risk of spread of fire.
- Appropriately accommodate the existing use and possible future development of the land.

- Whether the provision of common property is appropriate for the purpose for which the land is to be commonly held.
- If the land is in a residential zone and the realignment of the common boundary will result in a vacant lot, the objective and standard of Clause 56.04-2.
- The statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.
- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.
SUBDIVISION OF BUILDINGS AND CAR PARKING SPACES

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A copy of the relevant planning permit and approved plans for the development.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, car parking areas and private open space.
  - The location, shape and size of the proposed lots to be created.
  - The location of any easements on the subject land.
  - The location and details of any significant vegetation.
  - The location of the approved stormwater discharge point.
  - Any abutting roads.
  - The location of any street trees, poles, pits and other street furniture.
  - Existing and proposed vehicle access to the lots.
  - Any loading bays and vehicle standing areas.
  - Any waste storage areas.
  - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.
- For the subdivision of existing buildings and car parking spaces, a copy of the occupancy permit or a certificate of final inspection for the development.
- For the subdivision of land into two lots with an approved development currently under construction, evidence that the construction has commenced.
- If common property is proposed, an explanation of why the common property is required.
- If the land is in an area where reticulated sewerage is not provided, a plan which shows the location of any existing effluent disposal area for each lot or a land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- For land in an overlay, a written statement that describes how the proposal responds to any statement of significance, objectives or requirements specified in the schedule to the overlay.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Are consistent with the approved plans and conditions of any relevant planning permit for the development.
  - Are consistent with the layout of existing buildings and car parking spaces on the land.
  - Appropriately accommodate any existing waste storage areas.
  - Appropriately accommodate any existing loading bay and vehicle storage area.
- Appropriately accommodate significant vegetation.
- Appropriately accommodate existing or proposed easements on the lots.
- Appropriately accommodate the provision of utility services to each lot.
- Appropriately accommodate the siting of buildings having regard to safety and the risk of spread of fire.

  - If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
  - For the subdivision of existing buildings and car parking spaces, whether each new lot, other than common property, contains an existing building, part of an existing building or a car parking space.
  - Whether the provision and location of common property is appropriate for the purpose for which the land is to be commonly held.
  - Whether any public open space contribution is required under Clause 53.01 of this scheme or under Section 18 of the Subdivision Act 1988.
  - The statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.
  - Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.
FRONT FENCE IN A RESIDENTIAL ZONE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of the title for the subject land and a copy of any registered restrictive covenant.
- A plan drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location, length, height and design of the proposed fence including details of materials.
  - The location, height and design of any existing front fence on adjoining and nearby properties including details of materials.
- A photograph of the site and adjoining and nearby properties along the street frontage.
- The reason for the proposed height.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Whether the setback, height and design of the proposed fence are:
  - Appropriate to the neighbourhood character and the site.
  - Consistent with any relevant neighbourhood character objective or policy set out in the scheme.
  - Appropriate with the setback, height and appearance of front fences on adjoining and nearby properties.
  - Complement the design of the dwelling.
- The extent to which slope and retaining walls reduce the effective height of the proposed fence.
- Whether the proposed fence is needed to minimise noise intrusion.
- The reason for the proposed height.
BUILDINGS AND WORKS IN A ZONE (EXCEPT A RURAL ZONE)

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A description of the use of the land and the proposed buildings and works.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and use of buildings and works on adjoining land.
  - Relevant ground levels.
  - Any contaminated soils and filled areas, where known.
  - The layout of existing and proposed buildings and works.
  - All existing and proposed driveways, car parking, bicycle parking and loading areas.
  - Existing and proposed landscape areas.
  - All external storage and waste treatment areas.
  - The location of easements and services.
- Elevation drawings to scale showing the height, colour and materials of all proposed buildings and works.
- A photograph of the building or area affected by the proposal.
- A written statement describing the proposal and if relevant:
  - The built form and character of adjoining and nearby buildings.
  - The heritage character of any adjoining heritage places.
  - Ground floor street frontages, including visual impacts and pedestrian safety.
- A written statement describing whether the proposed buildings and works meet:
  - The number of car parking spaces required under Clause 52.06 or in the schedule to Clause 45.09.
  - Any development requirement specified in the zone or the schedule to the zone.
- Any relevant requirement in an approved development plan or incorporated plan for the land.
- Any other information specified in the schedule to the zone.
- For land in a residential zone, a written statement, plan or diagram showing how the proposal meets:
  - The requirements in the following standards of Clause 54:
    - A10 Side and rear setbacks.
    - A11 Walls on boundaries.
    - A12 Daylight to existing windows.
    - A13 North-facing windows.
    - A14 Overshadowing open space.
- A15 Overlooking.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard the schedule to the zone applies.

**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant urban design and built form policy set out in the scheme.
- Whether the movement of pedestrians and cyclists, and vehicles providing for supplies and waste removal are appropriately accommodated.
- Whether the design complements the built form of the surrounding properties and the streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- Whether the land and building have availability of and connection to services.
- Whether the proposed development adversely impacts the amenity of the land and the locality including existing dwellings on adjoining sites.
- Whether the proposed development appropriately provides for landscaping.
- Whether the proposed development adversely affects solar access to existing open spaces and public places.
- Whether the proposal meets the car parking requirements specified in Clause 52.06 or in the schedule to the Parking Overlay.
- Whether the proposal meets the maximum building height specified in the schedule to the zone.
- Whether the proposal meets any relevant requirements specified in the zone or the schedule to the zone.
- Whether the proposal is consistent with any relevant approved development plan or incorporated plan.
- The objectives set out in the schedule to the zone.
- Whether the proposal provides adequate vehicle loading and unloading facilities.
- For land in a residential zone:
  - Whether the proposed development is consistent with any neighbourhood character objectives set out in the schedule to the zone.
  - Whether the development is compatible with residential use.
  - The scale and intensity of the development.
  - The design, height, setback and appearance of the proposed buildings and works.
BUILDINGS AND WORKS IN AN OVERLAY

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.

- A plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location, height and design of the proposed buildings and works including details of materials.
  - The location of any existing buildings, including fences and trees.
  - For land in a Neighbourhood Character Overlay, any buildings proposed to be demolished.

- For land in a Neighbourhood Character Overlay, a written description of the proposal including:
  - The built form and character of adjoining and nearby buildings.
  - How the proposal responds to the key features and objectives specified in the schedule to the overlay.
  - If demolition is proposed, the reason for the demolition.
  - How the proposal meets the requirements of Clause 54.02-1, 54.02-2, 54.03-1, 54.03-2, 54.03-3, 54.03-4, 54.04-1, 54.04-2, 54.04-3, 54.04-4, 54.06-1, 54.06-2, including any Clause 54 modification specified in the schedule to the overlay.

- For land in a Design and Development Overlay, a written description of the proposal including:
  - How the proposal responds to the design objectives specified in a schedule to the overlay.
  - How the proposal meets the requirements specified in a schedule to the overlay.
  - The built form and character of adjoining and nearby buildings.

- A photograph of the building or area affected by the proposal.

- For land in an Erosion Management Overlay, information showing:
  - The extent of any proposed earthworks.
  - The means proposed to stabilise disturbed areas.

- For an application under the Salinity Management Overlay, written advice including plan references and any conditions from the referral authority demonstrating that the referral authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the buildings and works will adversely affect that significance or the objectives.

- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.

- For an application in a Salinity Management Overlay, any comments from the relevant referral authority.
- For an application in a Neighbourhood Character Overlay, the relevant objectives, standards and decision guidelines of Clause 54.
- Any relevant decision guideline specified in the overlay and the schedule to the overlay.
**REMOVE, DESTROY OR LOP A TREE**

### Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- If the tree to be removed, destroyed or lopped is identified as a significant tree in a schedule to the overlay, a report prepared by an arborist.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape, size and slope of the site.
  - The location of the tree to be removed, destroyed or lopped.
  - The location and type of other significant vegetation on the site.
  - The location, species and height of any significant trees on the site that have been removed or approved to be removed in the past 3 years.
- A written statement that describes:
  - The species, height and trunk girth of the tree to be removed, destroyed or lopped.
  - The reason the tree is to be removed, destroyed or lopped.
  - If provision is to be made to replace the tree elsewhere on the land.
  - If the tree is to be lopped, the extent of lopping proposed.
  - Any impacts on the significance of the area.
- A photograph of the tree to be removed, destroyed or lopped.

### Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the proposal will adversely affect that significance or the objectives.
- Whether the tree proposed to be removed, destroyed or lopped contributes to the significance of the area and whether the proposal will adversely affect that significance.
- Whether the removal or lopping of the tree is needed because of the health of the tree.
- Whether the lopping of the tree will adversely affect the health, appearance or significance of the tree.
- Whether the removal of the tree will contribute to soil erosion, slippage or salinisation.
- Whether the removal or lopping of the tree is needed to create a defendable space to reduce the risk of bushfire to life and property.
- If the tree is a native tree, its role in conserving flora and fauna and whether the proposal will adversely affect the conservation of flora and fauna of the area.
- Whether provision is made to plant a new tree elsewhere on the land.
- The reasons for removing the tree including the health of the tree to be removed.
- The cumulative impact of the number of trees that have been removed or been approved for removal in the past 3 years.
- Any relevant decision guideline specified in the overlay or the schedule to the overlay.
APPLICATIONS UNDER A HERITAGE OVERLAY

Information requirements
An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, including fences and trees.
  - The location, height and design of the proposed building or works including details of proposed materials.
  - Any buildings to be demolished.
  - An elevation of the proposed building.
  - The size and design of any proposed sign, including details of the supporting structure and any proposed illumination.
  - The location, style, size, colour and materials of any proposed solar energy facility (that is visible from the street frontage or any nearby public park), including details of the supporting structure.
- A written description of the proposal including:
  - Any impacts on the significance of the heritage place.
  - How the proposal responds to any relevant local heritage policy set out in the scheme.
  - If lopping of a tree is proposed, the reason for the lopping, the extent of lopping and an arborist report.
- The proposed colour schedule and nature of any materials and finishes.
- A photograph of the area affected by the proposal including any building, outbuilding, fence or tree which may be affected by the proposal.
- A photograph of the subject site and adjoining properties along the street frontage.
- If subdivision is proposed, the location, shape and size of the proposed lots to be created.
- If a sign is proposed:
  - The location, size and design of the proposed sign on the site or building.
  - The location and size of existing signage on the site including details of any signs to be retained or removed.
- If a solar energy facility is proposed that is visible from the street frontage or any nearby public park:
  - Measures proposed to minimise the visibility of the facility and protect the structural integrity of heritage features.

Decision guidelines
In assessing an application the responsible authority must consider as appropriate:

General
- The significance of the heritage place and whether the proposal will adversely affect that significance.
- Any applicable statement of significance, heritage study and any applicable conservation policy.
- Whether the proposal will adversely affect the character or appearance of the building or heritage place.
- Whether the proposal meets any relevant local heritage policy set out in the scheme.

Demolition
- Whether the outbuilding to be demolished contributes to the significance, character or appearance of the building or heritage place.

Buildings and works
- Whether the location, bulk, form and appearance of the proposed building or works will adversely affect the significance of the building or heritage place.
- Whether the proposed building or works will affect the health or appearance of a tree which is the subject of a Heritage Overlay.

Alterations
- Whether the proposed alterations will restore or reconstruct original fabric which has been removed or damaged.
- Whether the proposed alterations will adversely affect the significance, character and appearance of the heritage place.

Fences
- Whether the fence proposed to be demolished contributes to the significance, character and appearance of the building or heritage place.
- Whether the proposed fence, including its style, height and materials, is appropriate to the building or heritage place.

Trees
- Whether the proposed lopping will adversely affect the health, appearance or significance of the tree.

Subdivision
- Whether the proposed subdivision retains the significant setting (landscapes, landscape features and views) of the heritage place.
- Whether the proposed subdivision respects the rhythm and spacing of buildings in the streetscape.
- Whether the proposed subdivision will result in a new boundary fence, wall or structure that adversely affects the setting of the heritage place.

Signage
- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.
APPLICATIONS UNDER A SPECIAL BUILDING OVERLAY

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - The layout, size and use of existing and proposed buildings and works, including floor plan layout and vehicle parking areas.
  - Setbacks between existing and proposed buildings and site boundaries.
  - Natural surface levels of the site to Australian Height Datum.
  - Floor and surface levels of any existing and proposed buildings and works to Australian Height Datum.
  - Cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.
  - If subdivision is proposed, the location, shape and size of the proposed lots to be created.
- If a referral to the floodplain management authority is required, written advice, including endorsed plans of the proposal and any conditions, from the relevant floodplain management authority demonstrating that the floodplain management authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Clauses 13.01 and 13.03 of the Planning Policy Framework.
- Whether the proposal is consistent with any local floodplain development plan for the area incorporated into this scheme.
- If a referral to the floodplain management authority is required, any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The flood risk including:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessways.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
SIGNS

Information requirements

An application must be accompanied by the following information, as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A site context report, using a site plan, photographs or other methods to accurately describe:
  - The location of the proposed sign on the site or building and distance from property boundaries.
  - The location and size of existing signs on the site including details of any signs to be retained or removed.
  - The location and form of existing signs on adjoining properties and in the locality.
  - The location of closest traffic control signs.
  - Identification of any view lines or vistas that could be affected by the proposed sign.
- The dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width and depth of the total sign structure including the method of support and any associated structures such as safety devices and service platforms.
- The colour, lettering style and materials of the proposed sign.
- The size of the proposed display (total display area including all sides of a multi-sided sign).

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant local advertising policy set out in the scheme.
- Whether the proposal will impact the character of the area including:
  - Natural environment, heritage, waterway, open space and rural landscape values.
  - The desired future character of the area.
  - The cumulative impact of signs on the character of an area.
  - The need to avoid visual disorder or clutter of signs.
- Whether the proposal will impact views and vistas including:
  - Important views from the public realm.
  - Significant public views.
  - Views to existing signs.
- Whether the proportion, scale and form of the proposed sign relates to the site, building, streetscape, setting or landscape including:
  - The position of the proposed sign, including if it protrudes above existing buildings or landscape and natural elements.
  - Screening of unsightly elements.
  - The number, scale and location of existing signs.
  - The ability to rationalise or simplify the number of signs.
  - The ability to include landscaping to reduce the visual impact of the proposed sign structure.
- The extent to which the proposed sign requires the removal of vegetation.

- Whether the proposed sign is consistent with any outdoor advertising theme.

- Whether there is a need for identification and the opportunities for adequate identification on the site or locality.

- Whether the proposed sign will adversely impact road safety.
CAR PARKING

Information requirements
An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - The location of existing buildings.
  - All car parking spaces and access lanes.
  - Allocation of car parking spaces to different uses or tenancies, if applicable.
  - Landscaping and sensitive water design treatments.
- A written statement that describes:
  - The proposed use of the site, number of employees and patrons and hours of operation.
  - The previous use of the site.
  - The site and floor area to be occupied.
  - The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.
  - The total number of car parking spaces provided.
  - The likely impact of a reduction in car parking on the amenity of the area and on the area’s existing car parking.

Decision guidelines
In assessing an application the responsible authority must consider as appropriate:

- Whether the reduction of the car parking requirement is consistent with any relevant local planning policy or incorporated plan.
- The objectives contained in the schedule to the Parking Overlay.
- Whether there is availability of alternative car parking in the locality including:
  - Efficiencies gained from the consolidation of shared car parking spaces.
  - Public car parks intended to serve the land.
  - On street parking in non-residential zones.
  - Streets in residential zones specifically managed for non-residential parking.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- Whether there is any car parking deficiency associated with the existing use of the land.
- Whether there is any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.
- Whether fewer car parking spaces will impact local amenity, including pedestrian amenity and the amenity of nearby residential areas.
- Whether there is a need to create safe, functional and attractive parking areas.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the use.
- The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.
- On street parking in residential zones in the locality of the land that is intended to be for residential use.
- The future growth and development of any nearby activity centre.
- Local traffic management in the locality of the land.
- Access to or provision of alternative transport modes to and from the land.
- Whether any car parking spaces to be provided meet the design standards of Clause 52.06.
- Any relevant decision guideline specified in a schedule to the Parking Overlay.
TWO LOT SUBDIVISION IN A RURAL ZONE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings and associated works.
  - The location, shape and size of the proposed lots to be created.
  - The location of any easements on the subject land.
  - The location of any significant vegetation, waterways and wetlands.
  - The location of the approved stormwater discharge point and effluent disposal areas.
  - Any abutting roads.
  - Existing and proposed vehicle access to the lots.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Are consistent with the layout of existing buildings and associated works on the land.
  - Appropriately accommodate significant vegetation.
  - Appropriately accommodate existing or proposed easements on the lots.
  - Appropriately accommodate the provision of utility services to each lot.
  - Appropriately accommodate existing and proposed vehicle access to the lots.

- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.

- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.

- Any Regional Catchment Strategy applying to the land.

- If the land is in an overlay, statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.

- Whether any public open space contribution is required under Clause 53.01 of this scheme or under Section 18 of the Subdivision Act 1988.
BUILDINGS AND WORKS IN A RURAL ZONE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A description of the use of the land and the proposed buildings and works.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location of any waterway or wetlands.
  - The location and use of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All existing and proposed driveways, car parking and loading areas.
  - Existing and proposed landscape areas.
  - All external storage and waste treatment areas.
- Elevation drawings to scale showing the height, colour and materials of all proposed buildings and works.
- A photograph of the building or area affected by the proposal.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, character and appearance of the area, landscape features, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- Whether the proposal will have an adverse impact on adjoining and nearby land uses.
- The need to protect amenity of existing residents.
- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses.
- The likely environmental impact on the natural physical features and biodiversity of the area, including the need to retain vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
- The capability of the land to accommodate the proposed development.
- Whether the development will support and enhance agricultural production.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The impact of the proposal on any wetlands or waterways.
- Any integrated land management plan prepared for the site.
- Whether the development will require traffic management measures.
- For buildings and works associated with a dwelling:
  - Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
  - Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, nose, odour, use of chemicals and farm machinery, traffic and hours of operation.
  - Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
  - The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.
EXTENSION TO ONE DWELLING ON A LOT IN A RESIDENTIAL ZONE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A site plan, drawn to scale and fully dimensioned showing:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Any other notable features of the site.
  - In relation to the neighbourhood:
    - The built form, scale and character of surrounding development.
    - Architectural and roof styles.
    - Any other notable features or characteristics of the neighbourhood.
- A site and layout plan, drawn to scale and fully dimensioned showing:
  - Site shape, size, orientation, easements and site levels.
  - Adjoining roads.
  - The location and use of buildings and works on adjoining land.
  - The layout and use of existing buildings being retained and all proposed buildings, including finished floor levels.
  - All existing and proposed driveways and crossovers.
  - Existing and proposed landscape and open space areas.
  - All external storage, waste areas and services.
- An elevation plan, drawn to scale showing the height, colour and materials of the proposed extension.
- Photographs of the building or area affected by the proposal.
- A written statement, plan or diagram demonstrating how the proposal meets:
  - The garden area requirement specified in the zone.
  - The requirements in the following standards of Clause 54:
- A10 Side and rear setbacks.
- A11 Walls on boundaries.
- A12 Daylight to existing windows.
- A13 North-facing windows.
- A14 Overshadowing open space.
- A15 Overlooking.

- The objectives and requirements in the following standards of Clause 54:
  - Clause 54.02-1 Neighbourhood character objective and standard A1.
  - Clause 54.03-3 Site coverage objective and standard A5.
  - Clause 54.03-4 Permeability objectives and standard A6.
  - Clause 54.03-5 Energy efficiency protection objectives and standard A7.
  - Clause 54.03-6 Significant trees objectives and standard A8.
  - Clause 54.05-1 Daylight to new windows objective and standard A16.
  - Clause 54.05-2 Private open space objective and standard A17.
  - Clause 54.05-3 Solar access to open space objective and Standard A18.
  - Clause 54.06-1 Design detail objective and Standard A19.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies.

**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- The following objectives, standards and decision guidelines of Clause 54:
  - Clause 54.02-1 Neighbourhood character objective and standard A1.
  - Clause 54.03-3 Site coverage objective and standard A5.
  - Clause 54.03-4 Permeability objective and standard A6.
  - Clause 54.03-5 Energy efficiency protection objective and standard A7.
  - Clause 54.03-6 Significant trees objective and standard A8.
  - Clause 54.05-1 Daylight to new windows objective and standard A16.
  - Clause 54.05-2 Private open space objective and standard A17.
  - Clause 54.05-3 Solar access to open space objective and Standard A18.
  - Clause 54.06-1 Design detail objective and Standard A19.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies.
LOCAL VICSMART APPLICATIONS

The schedule to this clause may specify classes of application that are VicSmart applications to which Clause 71.06 applies. A class of application specified must not be a class of VicSmart application specified in another provision of this planning scheme.

The classes of VicSmart application are specified in three tables:

- Table 1 specifies classes VicSmart application under a zone.
- Table 2 specifies classes VicSmart application under an overlay.
- Table 3 specifies classes VicSmart application under a particular provision.

Each table in the schedule is divided into four columns:

- Column 1 specifies the name or class of zone or overlay or name of particular provision.
- Column 2 specifies the development.
- Column 3 specifies the provision of the planning scheme that contains the permit requirement applicable to the development.
- Column 4 specifies the information requirements and decision guidelines in Clauses 59.01 to 59.14 or the schedule to Clause 59.16 applicable to the class of VicSmart application.

Subject to Clause 71.06, an application under a provision specified in Column 3 for a use or development specified in Column 2 is a class of VicSmart application and must be assessed against the provision specified in Column 4.
### Table 1 Classes of local VicSmart application under zone provisions

<table>
<thead>
<tr>
<th>Name of zone or class of zone</th>
<th>Class of application</th>
<th>Permit requirement provision</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Table 2 Classes of local VicSmart application under overlay provisions

<table>
<thead>
<tr>
<th>Name of overlay or class of overlay</th>
<th>Class of application</th>
<th>Permit requirement provision</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Table 3 Classes of local VicSmart application under Particular Provisions

<table>
<thead>
<tr>
<th>Name of particular provision</th>
<th>Class of application</th>
<th>Permit requirement provision</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL 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.
62.02 BUILDINGS AND WORKS

Clauses 62.02-1 and 62.02-2 set out exemptions from permit requirements in this scheme relating to the construction of a building or the construction or carrying out of works. These exemptions do not apply to the removal, destruction or lopping of trees and the removal of vegetation. Exemptions for vegetation removal are set out in Clause 62.02-3.

62.02-1 Buildings and works not requiring a permit

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- Buildings or works which provide for fire protection under relevant legislation.
- Emergency works undertaken by, or on behalf of, a municipality, public authority or utility service provider in the exercise of any power conferred on them under any Act.
- Buildings or works with an estimated cost of $1,000,000 or less carried out by or on behalf of a municipality.
- Maintenance works carried out by a municipality or public authority to prevent or alleviate flood damage.
- An anemometer located on a site for three years or less.
- Buildings and works associated with a use on adjoining land or street trading if authorised under a local law.
- Gardening.
- Buildings and works associated with a minor utility installation.
- Power lines and electrical sub-stations associated with an Energy generation facility or Geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157.
- Buildings or works which are a modification necessary to comply with a direction under the Dangerous Goods Act 1985 or the Occupational Health and Safety Act 2004 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.
- Buildings and works associated with a telecommunications facility if the requirements of Clause 52.19 are met.
- Buildings and works associated with a dam if a licence is required to construct the dam or to take and use water from the dam under the Water Act 1989.
- Buildings and works associated with a carnival or circus if the requirements of A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997 are met.
- Buildings and works associated with apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
- A temporary portable classroom associated with an education centre located on a site for three years or less.
- A temporary shed or temporary structure for construction purposes, or a temporary portable land sales office located on the land for sale.
- A children’s cubbyhouse.
- External lighting normal to a dwelling.
- The construction, alteration, removal or demolition of an observational bore where a licence has been issued for those works under Part 5 of the Water Act 1989.
Any works associated with the use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.

A crop support or protection structure associated with horticulture, including a trellis, cloche, net and shadecloth. It does not include a structure with a solid roof or solid wall such as a glass house or igloo.

An annexe attached to a movable caravan located on land used for a camping and caravan park.

Works associated with geotechnical testing or service proving.

Buildings and works associated with the use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.

The construction of or putting up for display a sign consistent with the requirements of Clause 52.05-10.

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.
LAND USED FOR MORE THAN ONE USE

If land is used for more than one use and one is not ancillary to the other, each use must comply with this scheme.
LAND USED IN CONJUNCTION WITH ANOTHER USE

If a provision of this scheme provides that a use of land must be used ‘in conjunction with’ another use of the land:

- there must be an essential association between the two uses; and
- the use must have a genuine, close and continuing functional relationship in its operation with the other use.
**SUBDIVISION OF LAND IN MORE THAN ONE ZONE**

If a provision of this scheme provides that a permit is required to subdivide land and the land is in more than one zone a permit may be granted even if one of the lots does not comply with the minimum lot size requirements of a zone.

**Permit Requirement**

A permit may be granted to create one lot smaller than specified in the scheme if all of the following are met:

- The lot to be subdivided is in more than one zone and cannot comply with the minimum lot area specified in the scheme.

- The proposed subdivision does not create lots where any lot extends into more than one zone. This does not apply to any lots created for the following purposes:
  - To comply with the requirements of the Urban Floodway Zone.
  - To provide access to a road.

- The remainder of the proposed lots must comply with the minimum lot area specified in the scheme.
DECISION GUIDELINES

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.
APPROVAL OF AN APPLICATION OR PLAN

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

This clause does not apply to a VicSmart application.
APPROVAL OF AN APPLICATION TO SUBDIVIDE LAND

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any body corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

This clause does not apply to a VicSmart application.
REFERRAL AND NOTICE PROVISIONS

Scope

These provisions set out the types of applications which must be referred under Section 55 of the Act or for which notice must be given under Section 52(1)(c) of the Act. The provisions do not apply to the seeking of advice about an application or where a responsible authority may choose to give notice under another sub-section of Section 52(1) of the Act.

These provisions also specify when a plan must be referred under Section 8(1)(a) of the Subdivision Act 1988.

Referrals

Applications of the kind listed in Clauses 66.01, 66.02, 66.03 and 66.04 must be referred to the person or body specified as a referral authority in accordance with Section 55 of the Act.

Any requirement for referral under this or another clause does not apply if in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the referral authority, or the referral authority has considered the proposal for which the application is made within the past three months and has stated in writing that it does not object to the granting of the permit for the proposal.

Notice

Notice of an application of the kind listed below in Clauses 66.05 and 66.06 must be given in accordance with Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified.

Any requirement for notice under this or another clause does not apply if, in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the person or body to be notified.
**SUBDIVISION REFERRALS**

An application of the kind listed in the table below must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To subdivide land other than:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A boundary realignment.</td>
<td>The relevant water, drainage or sewerage authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- The subdivision of an existing building already connected to services.</td>
<td>The relevant electricity supply or distribution authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A two lot subdivision.</td>
<td>The relevant gas supply authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- The subdivision of land into lots each containing an existing dwelling or car parking space.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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 <em>Land Act 1958</em></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 <em>Heritage Act 2017</em></td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

Note: A subdivision which does not require referral under Clause 66.01 must be referred if it is listed as a requirement under any other provision of Clause 66.

**Mandatory conditions for subdivision permits**

A permit for subdivision must contain the following conditions:

The owner of the land must enter into an agreement with:

- a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider’s requirements and relevant legislation at the time; and

- a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Before the issue of a Statement of Compliance for any stage of the subdivision under the *Subdivision Act 1988*, the owner of the land must provide written confirmation from:

- a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider’s requirements and relevant legislation at the time; and
• a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

This requirement does not apply to a permit granted to:

• Subdivide land in a rural zone, public land zone, Urban Floodway Zone or Special Use Zone if the responsible authority is satisfied that connection to telecommunication services is not warranted.

• Realign the common boundary between two lots (boundary realignment).

• Subdivide an existing building already connected to telecommunication services.

A permit granted to subdivide land in a manner that does not require referral under Clause 66.01 must contain the following conditions:

• The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority’s requirements and relevant legislation at the time.

• All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.

• The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

This requirement does not apply to a permit granted to subdivide land into lots each containing an existing dwelling or car parking space.

Referrals under the Subdivision Act – certification of plans

For the purpose of Section 8(1)(a) of the Subdivision Act 1988 referral of a plan is required if:

• A referral is required by a permit issued under this scheme. The plan must be referred to the relevant referral authority.

• A plan creates, varies or removes an easement or restriction likely to be of interest to a referral authority. The plan must be referred to the relevant referral authority.

• The only access to a lot on a plan is over Crown land and the Minister administering the Land Act 1958 has not consented or provision has not been made for a road to be reserved or proclaimed. The plan must be referred to that Minister.

• In the opinion of the Council the plan may affect existing sewerage, water, drainage or other works. The plan must be referred to the referral authority responsible for those works.
USE AND DEVELOPMENT REFERRALS

An application of the kind listed in the tables below must be referred to the person or body specified as the referral authority. The tables below specify whether the referral authority is a determining referral authority or a recommending referral authority.

### Works approval or licence

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>For a use or development requiring any of the following:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Works approval in accordance with Section 19A of the Environment Protection Act 1970.</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A licence to discharge or emit waste in accordance with Section 20 of the Environment Protection Act 1970.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Amendment of a licence under Section 20A of the Environment Protection Act 1970.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Native vegetation

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To remove, destroy or lop native vegetation 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 <a href="https://www.environment.gov.au/business/conservation-factsheets">Catchment and Land Protection Act 1994</a>, the relevant water authority under the <a href="https://www.environment.gov.au/business/conservation-factsheets">Water Act 1989</a> and the Secretary to the Department administering the <a href="https://www.environment.gov.au/business/conservation-factsheets">Catchment and Land Protection Act 1994</a></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>
<tr>
<td>This does not apply to an application for a sign, fence, roadworks or unenclosed building or works ancillary to a dwelling.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Timber production

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for timber production by establishing a plantation.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <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></td>
<td></td>
</tr>
</tbody>
</table>

Industry or warehouse

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use land for an industry or warehouse for a purpose listed in the table to Clause 53.10 shown with a Note 1 or if the threshold distance is not to be met.</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To use land for an industry or warehouse for a purpose listed in the table to Clause 53.10 shown with a Note 2 and if any of the following apply:</td>
<td>The Victorian WorkCover Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>– A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kind of application</td>
<td>Referral authority</td>
<td>Type of referral authority</td>
</tr>
<tr>
<td>---------------------</td>
<td>--------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>A notification is required under the Occupational Health and Safety Regulations 2007.</td>
<td>A licence is required under the Dangerous Goods (Explosives) Regulations 2011.</td>
<td>A licence is required under Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture.</td>
</tr>
<tr>
<td>To construct a building or construct or carry out works on land used for an industry or warehouse for a purpose listed in the table to Clause 53.10 and shown with a Note 2 if the area of the buildings and works will increase by more than 25 per cent and any of the following apply:</td>
<td>The Victorian WorkCover Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>A licence is required under the Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Stone Extraction

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for stone extraction.</td>
<td>Secretary to the Department administering the <em>Heritage Act 1995.</em></td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Secretary to the Department administering the <em>Mineral Resources (Sustainable Development) Act 1990.</em></td>
<td></td>
<td></td>
</tr>
<tr>
<td>To use or develop land for stone extraction on Crown land or land abutting Crown land, other than a government road.</td>
<td>Secretary to the Department administering the <em>Land Act 1958, Crown Land (Reserves) Act 1978, National Parks Act 1975 and Forests Act 1958.</em></td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To use or develop land for stone extraction:</td>
<td>Secretary to the Department administering the <em>Catchment and Land Protection Act 1994.</em></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>
<td></td>
</tr>
</tbody>
</table>
### Kind of application

<table>
<thead>
<tr>
<th>Description</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>- On land where the use or development involves the removal or destruction of native vegetation if the total area to be cleared is 10 hectares or greater.</td>
<td>Secretary to the Department administering the <em>Flora and Fauna Guarantee Act 1988</em></td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- On land which has been identified in this scheme as being subject to high erosion risk or areas identified as being subject to salinity management.</td>
<td>Secretary to the Department administering Section 201 of the <em>Water Act 1989</em></td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- To use or develop land for stone extraction:</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- In areas with communities or taxa listed or critical habitat determined under the <em>Flora and Fauna Guarantee Act 1988</em>.</td>
<td>Roads Corporation</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>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- To use or develop land for stone extraction on land which has been identified in this scheme as flood prone.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- On land which abuts a local road which intersects with a road declared as a freeway or an arterial road under the <em>Road Management Act 2004</em> and if the development is expected to increase traffic movement at the intersection of the local road and the declared road by ten percent or more.</td>
<td>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 <em>Road Management Act 2004</em>. This does not apply to a development which generates less than one hundred commercial trips per day, with roadworks at the entrance to the site built in accordance with the requirements of the Roads Corporation and the declared road is not a freeway.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
### Geothermal energy extraction

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for geothermal energy extraction.</td>
<td>Secretary to the Department administering the <em>Geothermal Energy Resources Act 2005</em></td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Greenhouse gas sequestration

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for greenhouse gas sequestration.</td>
<td>Secretary to the Department administering the <em>Greenhouse Gas Geological Sequestration Act 2008</em></td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Integrated Public Transport Planning

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>An application to subdivide land, to construct a building or to construct or carry out works for any of the following:</td>
<td>Head, Transport for Victoria</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>• A residential development comprising 60 or more dwellings or lots.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• A residential building comprising 60 or more lodging rooms.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• A residential village comprising 60 or more dwellings.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• A retirement village comprising 60 or more dwellings or lots.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• A new retail premises of 4000 or more square metres of leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• An increase of more than 1000 square metres to the leasable floor area of an existing retail premises which is 4000 or more square metres leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• An office development of 10,000 or more square metres of leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• A place of assembly comprising 400 or more seats or 600 or more square metres of gross floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• An education centre.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• A major sports and recreation facility.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Any alteration or development of public transport infrastructure or stops, unless undertaken for the Head, Transport for Victoria.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

This does not apply to:

- Buildings and works associated with an existing place of assembly, education centre, major sports and recreation facility or retirement village.
- A development consistent with an adopted Structure Plan that has been prepared in consultation with and endorsed by the Head, Transport for Victoria.
### Declared irrigation districts

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>An application to use or develop land for a renewable energy facility located within an irrigation district declared under Part 6A of the Water Act 1989.</td>
<td>Secretary to the Department administering the Water Act 1989.</td>
<td>Recommending referral authority</td>
</tr>
</tbody>
</table>
REFERRAL OF PERMIT APPLICATIONS UNDER OTHER STATE STANDARD PROVISIONS

An application of the kind listed in the table below, where the planning scheme includes the specified clause, must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 36.03-5 (PCRZ)</td>
<td>An application for the use or development of an Emergency services facility.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 37.03-5 (UFZ)</td>
<td>An application under the zone within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>An application under the zone outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 37.07-5 (UGZ)</td>
<td>An application under the zone within Metropolitan Melbourne.</td>
<td>Victorian Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>An application under the zone outside Metropolitan Melbourne.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 44.02-8 (SMO)</td>
<td>An application under the overlay and any site capability report.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 44.03-6 (FO)</td>
<td>An application under the overlay within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>An application under the overlay outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 44.04-7 (LSIO)</td>
<td>An application under the overlay within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>An application under the overlay outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 44.05-6 (SBO)</td>
<td>An application under the overlay within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause</td>
<td>Kind of application</td>
<td>Referral authority</td>
<td>Type of referral authority</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>--------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>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>
<td></td>
</tr>
<tr>
<td>An application to construct a building or carry out works associated with a dwelling.</td>
<td>Relevant fire authority</td>
<td>Recommending referral authority</td>
<td></td>
</tr>
</tbody>
</table>
| 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. | | |
<p>| An application to subdivide land. | Relevant fire authority | Recommending referral authority |
| An application under the overlay other than an application to construct a building or carry out works associated with a dwelling or an application to subdivide land. | Relevant fire authority | Determining referral authority |
| An application of the kind specified in a schedule to the overlay. | Referral authority specified in a schedule to the overlay | Determining referral authority |
| An application under the overlay. | Acquiring authority specified in the schedule to the overlay | Determining referral authority |
| An application under the overlay. | Roads Corporation | Determining referral authority |
| An application to display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the Road Management Act 2004. | Roads Corporation | Determining referral authority |
| An application under the Clause in association with a bar, hotel or nightclub that is to operate after 1am. | Victorian Commission for Gambling and Liquor Regulation | Determining referral authority |</p>
<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 52.29</td>
<td>An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or an arterial road under the <em>Road Management Act 2004</em>, land owned by the Roads Corporation for the purpose of a road, or land in a PAO if the Roads Corporation is the acquiring authority for the land, subject to exemptions specified in the clause.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>Any other application under the Clause.</td>
<td>Owner of, or the acquiring authority for, the adjacent land in the Road Zone, Category 1 or the PAO</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 53.05-1</td>
<td>An application to use or develop land for a Freeway service centre.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

In addition to the referral requirements of Clause 66.01, 66.02 and 66.03, an application of the kind listed in the schedule to this clause must be referred to the referral authority specified in the schedule. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

If a local provision of the scheme specifies a person or body as a referral authority for a kind of application or contains a referral requirement, and that specification or requirement is not included in the schedule to this clause, it is not a referral requirement under section 55 of the Act.
SCHEDULE TO CLAUSE 66.04 REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

### Referral of permit applications under local provisions

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 5.0 of Schedule 3 to Clause 42.01 (ESO)</td>
<td>An application required under Schedule 3 to Clause 42.01.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 5.0 of Schedule 4 to Clause 42.01 (ESO)</td>
<td>An application required under Schedule 4 to Clause 42.01.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 5.0 of Schedule 5 to Clause 42.01 (ESO)</td>
<td>An application required under Schedule 5 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 6.0 of Schedule 5 to Clause 42.01 (UGZ)</td>
<td>An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land in a local town centre</td>
<td>Metropolitan Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 6.0 of Schedule 4 to Clause 42.01 (UGZ)</td>
<td>An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land in a local town centre</td>
<td>Metropolitan Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 2.8 of Schedule 7 to Clause 42.01 (UGZ)</td>
<td>An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land in a major town centre</td>
<td>Growth Areas Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 2.9 of Schedule 7 to Clause 42.01 (UGZ)</td>
<td>An application to subdivide land, or construct a building or carry out works in the Westcott Parade Precinct</td>
<td>Melbourne Water</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 2.7 of Schedule 9 to Clause 42.01 (UGZ)</td>
<td>An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land identified as ‘Mt Atkinson Major Town Centre Urban Design Framework Extent’ on Plan 6 of the Mt Atkinson &amp; Tarneit Plains Precinct Structure Plan</td>
<td>Victorian Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause</td>
<td>Kind of application</td>
<td>Referral authority</td>
<td>Type of referral authority</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>Clause 2.7 of Schedule 9 to 37.07 (UGZ)</td>
<td>An application to use land, or to construct a building on land, identified within the ‘Quarry Sensitive Use Buffer’ on Plan 11 of the Mt Atkinson &amp; Tarneit Plains Precinct Structure Plan</td>
<td>Secret to the Department administering the Mineral Resources (Sustainable Development) Act 1990</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 2.0 of Schedule 4 to 43.02 (DDO)</td>
<td>An application to construct a building or construct or carry out works</td>
<td>Environment Protection Authority Victoria</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 3.0 of Schedule 4 to 43.02 (DDO)</td>
<td>An application for subdivision</td>
<td>Environment Protection Authority Victoria</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Schedule 11 to 37.07 (UGZ)</td>
<td>An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land identified on Plan 5 in the incorporated Plumpton Precinct Structure Plan as ‘Plumpton Major Town Centre’ and ‘Plumpton Local Town Centre’</td>
<td>Victorian Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Schedule 12 to 37.07 (UGZ)</td>
<td>An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land identified on Plan 5 of the Kororoit Precinct Structure Plan as the ‘Kororoit Local Town Centre’ and ‘Deanside Local Town Centre’.</td>
<td>Victorian Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Schedule 6 to 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>
</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. | The Secretary of the Department administering the Mineral Resources (Sustainable Development) Act 1990 |
| Clause 52.21 | An application to construct, use or illuminate a private tennis court under any provision of this scheme. | The owners and occupiers of adjoining and opposite properties |
| Clause 52.27 | An application in association with a bar, hotel or nightclub that is to operate after 1am. | Chief Commissioner of Victoria Police |
| Clause 53.09 | An application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the Victorian Code for Broiler Farms 2009. | Environment Protection Authority |
| Clause 67.02 | An application for a permit which, except for the provisions of Clause 67, would be made to the Minister in accordance with Section 96 of the Act. This does not apply to an application for a sign or advertisement, or to remove, destroy or lop native vegetation under Clause 52.17 of this scheme | The owners and occupiers of adjoining land  
The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust |
| Clause 67.03 | An application for a permit to remove, destroy or lop native vegetation under Clause 52.17, which, except for the provisions of Clause 67, would be made to the Minister in accordance with Section 96 of the Act. This does not apply if the application is of a kind which must be referred to the Secretary under Section 55 of the Act. | The Secretary to the Department administering the Flora and Fauna Guarantee Act 1988 |
NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

In addition to the notice requirements of Clause 66.05, notice of an application of the kind specified in the schedule to this clause must be given to the person or body specified in the schedule. If a local provision of the scheme specifies a notice requirement and that requirement is not included in the schedule to this clause, it is not a notice requirement under Section 52(1)(c) of the Act.
### Notice of permit applications under local provisions

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Person or body to be notified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 5.0 of Schedule 9 to Clause 37.07 (UGZ9)</td>
<td>Any application for use or development of the type listed in this clause, within the ‘high pressure gas transmission pipeline measurement length’ shown on Plan 11 Utilities in the incorporated Mt Atkinson &amp; Tarneit Plains Precinct Structure Plan.</td>
<td>Any owner or operator of the high pressure gas transmission pipeline.</td>
</tr>
<tr>
<td>Schedule 11 to Clause 37.07 (UGZ)</td>
<td>An application to use land or construct a building or carry out works associated with any of the following uses within the ‘high pressure gas transmission pipeline measurement length’ shown on Plan 11 Utilities in the incorporated Plumpton Precinct Structure Plan.</td>
<td>The licensee and/or operator of the Derrimutto to Sunbury pipeline and Truganina to Plumpton transmission gas pipeline.</td>
</tr>
<tr>
<td>Schedule 11 to Clause 37.07 (UGZ)</td>
<td>An application to use land or construct a building or carry out works associated with any of the following uses within the ‘city gate measurement length’ shown on Plan 11 Utilities in the incorporated Plumpton Precinct Structure Plan.</td>
<td>The licensee and/or operator of the Plumpton Gas City Gate.</td>
</tr>
<tr>
<td>Schedule 12 to Clause 37.07 (UGZ)</td>
<td>An application to use land or construct a building or carry out works associated with any of the following uses within the ‘high pressure gas transmission pipeline measurement length’ shown on Plan 11 Utilities in the incorporated Kororoit Precinct Structure Plan.</td>
<td>The licensee and/or operator of the Derrimutto to Sunbury pipeline and Truganina to Plumpton transmission gas pipeline.</td>
</tr>
<tr>
<td>Clause</td>
<td>Kind of application</td>
<td>Person or body to be notified</td>
</tr>
<tr>
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<tr>
<td></td>
<td>• Accommodation (other than dwelling and dependent persons unit)</td>
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<td>• Child care centre</td>
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<td></td>
<td>• Cinema based entertainment facility</td>
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<td>• Corrective institution</td>
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<td>• Place of assembly</td>
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<td>• Service station</td>
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</tr>
<tr>
<td>Schedule 12 to Clause 37.07 (UGZ)</td>
<td>An application to use land or construct a building or carry out works associated with any of the following uses within the 'city gate measurement length' shown on Plan 11 Utilities in the incorporated Kororoit Precinct Structure Plan.</td>
<td>The licensee and/or operator of the Plumpton Gas City Gate.</td>
</tr>
<tr>
<td></td>
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<td></td>
<td>• Service station</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, stone extraction, hospital, industry, leisure and recreation, office, residential village, retail premises or service station.

Class 2

Development of land for -

A Class 1 use, demolition of a building or works, lighting and floodlighting of a recreation facility or building, sign or advertisement or subdivision.

Class 3

Any other use or development.
NOTICE REQUIREMENTS

In accordance with Section 52(1)(c) of the Act, notice must be given to:

- The owners and occupiers of adjoining land.
- The National Trust of Australia (Victoria), if the application relates to land on which there is a building classified by the Trust.

This does not apply to an application:

- For a sign or advertisement.
- To remove, destroy or lop native vegetation under Clause 52.17 of this scheme.
- If a permit is only required under any of the following overlays:
  - Salinity Management Overlay
  - Floodway Overlay
  - Land Subject to Inundation Overlay
  - Special Building Overlay
  - Bushfire Management Overlay
NOTICE REQUIREMENTS - NATIVE VEGETATION

In accordance with Section 52(1)(c) of the Act, notice of an application to remove, destroy or lop native vegetation under Clause 52.17 of this scheme must be given to the Secretary to the Department administering the *Flora and Fauna Guarantee Act 1988*.

This does not apply if the application is of a kind which must be referred to the Secretary under Section 55 of the Act.
NOTICE EXEMPTION

In accordance with Section 52(4) of the Act, an application for a sign or advertisement on land managed, occupied or owned by the responsible authority is exempt from the notice requirement of Clause 52(1)(a) of the Act.
OPERATIONAL PROVISIONS

This section sets out provisions about the operation, administration and enforcement of this planning scheme, the meaning of terms used in this planning scheme, and other matters.
**OPERATION OF THE MUNICIPAL PLANNING STRATEGY**

**Municipal Planning Strategy**

The Municipal Planning Strategy at Clause 02 sets out the vision for the future development of the municipality and sets the strategic directions about how the municipality is expected to change through the implementation of planning policy and the planning scheme.

A planning authority must take into account the Municipal Planning Strategy when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Municipal Planning Strategy when it makes a decision under this planning scheme.

**Relationship to the Municipal Strategic Statement**

For the purposes of section 12A(3) of the Act, the Municipal Strategic Statement is:

- A Municipal Strategic Statement at Clause 21.
- Where Clause 21 is not included in this scheme:
  - The Municipal Planning Strategy at Clause 02.
  - Local provisions in the Planning Policy Framework at Clauses 10 to 19.
  - A schedule to Clause 74.01.

**Transitional**

If this planning scheme includes a Municipal Strategic Statement at Clause 21, the provisions of Clauses 23.01 and 23.02 apply.
OPERATION OF THE PLANNING POLICY FRAMEWORK

Purpose of the Planning Policy Framework
The Planning Policy Framework provides a context for spatial planning and decision making by planning and responsible authorities. The Planning Policy Framework is dynamic and will be built upon as planning policy is developed and refined, and changed as the needs of the community change.

The Planning Policy Framework seeks to ensure that the objectives of planning in Victoria (as set out in section 4 of the Act) are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

Operation
The Planning Policy Framework sets out the planning policies that form part of this planning scheme. It comprises Clauses 10 to 19.

A planning policy applies to all land subject to this planning scheme unless the policy specifies otherwise.

A planning policy provides guidance for decision making and can help the community to understand how the responsible authority will consider a proposal.

The consistent application of planning policy over time should achieve a desired outcome.

A planning authority must take into account the Planning Policy Framework when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Planning Policy Framework when it makes a decision under this planning scheme. This does not apply to policy guidelines and policy documents.

Policy guidelines
A planning policy may include policy guidelines. Policy guidelines indicate how objectives can be met and how strategies can be implemented.

A responsible authority must take a relevant policy guideline into account when it makes a decision under this planning scheme, but is not required to give effect to it. If the responsible authority is satisfied that an alternative approach meets the objective, the alternative may be considered.

Policy documents
A planning policy may include reference to a policy document. A policy document may be an incorporated, background and other document.

A background document listed in the table or the schedule to Clause 72.08 that applies to Clauses 10 to 19 is a policy document for applicable planning policies.

Integrated decision making
Society has various needs and expectations such as land for settlement, protection of the environment, economic wellbeing, various social needs, proper management of resources and infrastructure. Planning aims to meet these needs and expectations by addressing aspects of economic, environmental and social wellbeing affected by land use and development.

Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.
Planning authorities should identify the potential for regional impacts in their decision making and coordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources.

**Transitional**

If this planning scheme includes a Municipal Strategic Statement at Clause 21 and local planning policies at Clause 22, the provisions of Clauses 23.01, 23.02 and 23.03 apply. To the extent of any inconsistency, Clauses 23.02 and 23.03 prevail over this clause.
**OPERATION OF ZONES**

In each zone and schedule to a zone which contains a table of uses, the controls over the use of land are divided into three sections.

### 71.03-1 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.

### 71.03-2 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.

### 71.03-3 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.
71.05
OPERATION OF PARTICULAR PROVISIONS

The requirements of particular provisions apply to the specified categories of use and development and other matters in addition to any provisions which apply due to any other provision of this planning scheme.
OPERATION OF VICSMART APPLICATIONS AND PROCESS

VicSmart applications

Any provision of this planning scheme may specify:

- Classes of application that are VicSmart applications to which Clause 71.06 applies.
- Information requirements for each class of VicSmart application.
- Decision guidelines for each class of VicSmart application.

An application is a VicSmart application if all of the following requirements are met:

- The application is in a class or classes specified in a provision of this planning scheme.
- A permit is required only under the provisions of this planning scheme that are specified as a VicSmart application, and not under any other provision of this planning scheme.
- Nothing authorised by the grant of a permit would result in a breach of a registered restrictive covenant.
- If the application requires referral to a referral authority under Clause 66, the referral requirements in Clause 71.06-2 are met.

VicSmart process

Despite any other provision of this planning scheme:

- A VicSmart application is exempt from the requirements of the Act and planning scheme specified in this clause.
- The responsible authority must assess a VicSmart application in accordance with the requirements of this clause.

If there is any inconsistency between the requirements of this clause and another provision of this planning scheme, this clause prevails.

Referral requirements

If an application requires referral to a referral authority under Clause 66:

- The application must have been considered by the referral authority within the past 3 months of the application being made to the responsible authority.
- The referral authority must have stated in writing that it does not object to the granting of the permit for the proposal.

Information requirements

A VicSmart application must be accompanied by the information requirements specified for the relevant class of application. The information requirements of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, do not apply unless the information requirements for the relevant class of application specify otherwise.

If in the opinion of the responsible authority an information requirement is not relevant to the evaluation of a VicSmart application, the responsible authority may waive or reduce the information requirement.

Exemption from notice and review

A VicSmart application is exempt from:

- The notice requirements of section 52(1)(a), (b), (c) and (d) of the Act.
- The decision requirements of section 64(1), (2) and (3) of the Act.
- The review rights of section 82(1) of the Act.
Matters to be considered

In deciding a VicSmart application, the responsible authority:

- Must only consider the decision guidelines specified for the relevant class of application.
- Is exempt from considering the following matters:
  - The requirements of section 60(1)(b), (c), (e) and (f) and (1A) (b) to (h) and (j) of the Act.
  - The Municipal Planning Strategy and Planning Policy Framework unless the decision guidelines for the relevant class of application specify otherwise.
  - The decision guidelines of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, unless the decision guidelines for the relevant class of application specify otherwise.
  - The decision guidelines in Clause 65.
- In deciding an application for review in relation to a VicSmart application, the Tribunal is exempt from the matters specified in section 84B(2)(b) to (g) and (i) to (ja) of the Act.

Decision guidelines

Before deciding a VicSmart application, the responsible authority must consider the decision guidelines specified for the relevant class of application unless in the opinion of the responsible authority a decision guideline is not relevant to the evaluation of the application.
ADMINISTRATION AND ENFORCEMENT OF THIS PLANNING SCHEME
RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

The responsible authority for the administration and enforcement of this planning scheme or a provision of this planning scheme is specified in this clause and the schedule to this clause.

The person nominated under section 198(1)(a) of the Act or the responsible authority under section 198(1)(b) of the Act, to whom a person may apply for a planning certificate, is specified in the schedule to this clause.

Minister is responsible authority

The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for a:

- Renewable energy facility with an installed capacity of 1 megawatt or greater.
- Utility installation used to store, transmit or distribute electricity generated by a renewable energy facility with an installed capacity of 1 megawatt or greater.
- Primary school or secondary school to which Clause 53.19 applies.

with the exception of the following:

- in relation to permits for the use and development of land for a wind energy facility issued prior to 2 April 2015 under Division 1 of Part 4 of the Act, the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.

- in relation to permits for the use and development of land for a wind energy facility issued prior to 2 April 2015 under Division 6 of Part 4 of the Act, the Council is the responsible authority for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, subject to the operation of section 97H of the Act.

- in relation to applications lodged, or permits issued, for the use and development of land for a renewable energy facility (other than a wind energy facility) under Division 1 of Part 4 of the Act prior to the approval date of Amendment VC161, the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.

- in relation to applications lodged, or permits issued, for the use and development of land for a utility installation used to store, transmit or distribute electricity generated by a renewable energy facility, under Division 1 of Part 4 of the Act prior to the approval date of Amendment VC161, the Council is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and for matters required by the permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority.
SCHEDULE TO CLAUSE 72.01 RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

1.0

Responsible authority for administering and enforcing this planning scheme:

The Melton 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 scheme in respect of the “Regional Rail Link Project Section 2 Incorporated Document, March 2015”.
- Clause 51.01 of the scheme in respect of the “Regional Rail Link Project Section 1 Incorporated Document, March 2015”.
- Any other provision of the scheme as it applies to the use or development of land authorised by the Victorian Government for the Regional Rail Link Project.
- Clause 51.01 of the scheme in respect of the “Calder Park Train Stabling and Maintenance Yards Incorporated Document, September 2012”.
- Clause 51.01 of the scheme in respect of the “Palmers Road Upgrade Project (Western Freeway to Calder Freeway) Incorporated Document, June 2017”.
- The Ballarat Line Upgrade Incorporated Document, August 2018 and any other provision of the scheme as it applies to the use or development of land for the purpose of the Ballarat Line Upgrade.
- The “Ballarat Line Upgrade - Toolern Station Incorporated Document, January 2018” and any other provision of the scheme as it applies to the use or development of land for the purpose of Toolern Station.
- 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.

3.0

Person or responsible authority for issuing planning certificates:

Minister for Planning.

4.0

Responsible authority for VicSmart applications:

The Chief Executive Officer of the Melton 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 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 Melton.
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, 1HO, 1ESO, 1BMO
- 2, 2HO, 2ESO, 2MAEO, 2BMO
- 3, 3DCPO, 3HO, 3ESO, 3DPO, 3MAEO
- 4, 4HO, 4ESO, 4DPO, 4PAO, 4BMO
- 5, 5HO, 5ESO, 5DPO, 5DCPO, 5BMO
- 6, 6HO, 6ESO, 6DCPO
- 7, 7DCPO, 7DPO, 7ESO, 7HO, 7PAO
- 8, 8DCPO, 8EAO, 8ESO, 8HO, 8IPO, 8PAO
- 9, 9DCPO, 9DPO, 9ESO, 9IPO, 9SLO, 9HO, 9LSIO, 9PAO, 9MAEO
- 10, 10HO, 10ESO, 10DPO, 10DCPO, 10IPO, 10LSIO, 10SBO, 10MAEO, 10PAO,
- 11, 11HO, 11ESO, 11DDO, 11IPO, 11DPO
- 12, 12DCPO, 12DDO, 12DPO, 12ESO, 12HO, 12IPO, 12PAO, 12SLO, 12BMO
- 13, 13DCPO, 13DDO, 13EAO, 13ESO, 13HO, 13ICPO, 13IPO, 13LSIO, 13PAO, 13RO, 13SLO
- 14, 14HO, 14ESO, 14DDO, 14DPO, 14IPO, 14LSIO, 14SBO, 14PAO
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>
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<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>
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<tr>
<td>Australian Standard AS2890.2-2002 Parking facilities: Off-street commercial vehicle facilities, Standards Australia 2002</td>
<td>VC77</td>
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<tr>
<td>Australian/New Zealand Standard AS/NZS1158.3.1:1999, Road lighting, Part 3.1: Pedestrian Area (Category P) lighting – Performance and installation design requirements. Standards Australia/Standards New Zealand 1999</td>
<td>VC12</td>
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<tr>
<td>Building in bushfire-prone areas - CSIRO &amp; Standards Australia (SAA HB36-1993), May 1993</td>
<td>NPS1</td>
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<tr>
<td>Code of Practice for Bushfire Management on Public Land, 2012</td>
<td>VC101</td>
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<tr>
<td>Code of Practice for Timber Production 2014</td>
<td>VC101</td>
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<tr>
<td>Construction Techniques for Sediment Pollution Control, Environment Protection Authority May 1991</td>
<td>NPS1</td>
</tr>
<tr>
<td>Design Vehicles and Turning Path Templates, Austroads, 1995 (AP-34/95)</td>
<td>VC12</td>
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<tr>
<td>Growth Area Framework Plans, Department of Sustainability and Environment, September 2006</td>
<td>VC41</td>
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<tr>
<td>Guide to Road Design, Part 6A: Pedestrian and Cycle Paths, Austroads</td>
<td>VC77</td>
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<tr>
<td>Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management (Publication 891.4, Environment Protection Authority, 2016)</td>
<td>VC132</td>
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<td>Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning 2017)</td>
<td>VC138</td>
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<tr>
<td>Local Government Planning Guide for Dry Land Salinity - Department Conservation and Natural Resources, 1995</td>
<td>NPS1</td>
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<td>Pavement Design - A Guide to the Structural Design of Road Pavements, Austroads, (AP-17/92)</td>
<td>VC12</td>
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<tr>
<td>Planning requirements for racing dog keeping and training (Department of Environment, Land, Water and Planning, August 2017)</td>
<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>
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<td>Private Tennis Court Development Code of Practice – Revision 1, March 1999</td>
<td>VC5</td>
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<tr>
<td>Victorian Code for Broiler Farms 2009 (plus 2018 amendments)</td>
<td>VC60</td>
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<td>Victorian Code for Cattle Feedlots, August 1995</td>
<td>NPS1</td>
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<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>
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<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

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<tr>
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<tr>
<td>Australian Standard AS2021-2015, Acoustics – Aircraft Noise Intrusion – Building</td>
<td>VC107</td>
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<td>Siting and Construction, Standards Australia Limited, 2015</td>
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<td>Ballarat Line Upgrade Incorporated Document, August 2018</td>
<td>GC95</td>
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<td>Ballarat Line Upgrade - Toolern Station Incorporated Document, January 2018</td>
<td>C194</td>
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<td>Calder Park Train Stabling and Maintenance Yards Incorporated Document, September</td>
<td>C125</td>
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<td>2012</td>
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<tr>
<td>Caroline Springs Town Centre Comprehensive Development Plan August 2000</td>
<td>C14</td>
</tr>
<tr>
<td>Chartwell Restructure Allotment Plan (August 1992)</td>
<td>NPS1</td>
</tr>
<tr>
<td>Conditions for use of Lots 1&amp;2 LP30733K, Plumpton Road for rock crushing</td>
<td>C9</td>
</tr>
<tr>
<td>Conditions for use of south-west corner of Greigs Road and Mount Cottrell Road,</td>
<td>C13</td>
</tr>
<tr>
<td>Melton, Crown Portions 1 and 2, Section 11, Parish of Pywheetjorrk for Extractive</td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td></td>
</tr>
<tr>
<td>Design and Siting Guidelines for Rural Zones, Melton Shire Council, 1996</td>
<td>NPS1</td>
</tr>
<tr>
<td>Diggers Rest Development Contributions Plan, March 2012 (Amended September 2017)</td>
<td>C181</td>
</tr>
<tr>
<td>Diggers Rest Native Vegetation Precinct Plan, March 2012</td>
<td>C121</td>
</tr>
<tr>
<td>Diggers Rest Precinct Structure Plan, March 2012 (Amended September 2017)</td>
<td>C181</td>
</tr>
<tr>
<td>Eynesbury Station Incorporated Plan, September 2001</td>
<td>C20</td>
</tr>
<tr>
<td>Eynesbury Township Stages 5, 6 and 13 Native Vegetation Removal and Offset</td>
<td>C176</td>
</tr>
<tr>
<td>Requirements, May 2017</td>
<td></td>
</tr>
<tr>
<td>Fibre Optic Project, Integrated Approval Requirements, December 2002</td>
<td>VC17</td>
</tr>
<tr>
<td>Guidelines for the Preparation of Environmental Management Plans in Melton’s</td>
<td>NPS1</td>
</tr>
<tr>
<td>Rural Areas, Melton Shire Council, 1996</td>
<td></td>
</tr>
<tr>
<td>HO110 Kerr Farm Site 1780-1882 Boundary Road, Mt Cottrell Incorporated Plan (2009)</td>
<td>C71</td>
</tr>
<tr>
<td>HO112 65-543 Greigs Road, Truganina Incorporated Plan (2009)</td>
<td>C71</td>
</tr>
<tr>
<td>HO128 Stoneleigh Homestead Complex, 196 Sinclairs Road, Rockbank – Statement of</td>
<td>C147</td>
</tr>
<tr>
<td>Significance, June 2016</td>
<td></td>
</tr>
<tr>
<td>House at 344-384 Exford Road, Weir Views (SPI: 3iPS422772): Statement of</td>
<td>C199melt</td>
</tr>
<tr>
<td>Significance, April 2019.</td>
<td></td>
</tr>
<tr>
<td>Kororoit Precinct Structure Plan, December 2017 (Amended April 2019)</td>
<td>C203melt</td>
</tr>
<tr>
<td>Melbourne Metro Rail Project: Upgrades to the Rail Network Incorporated Document,</td>
<td>GC96</td>
</tr>
<tr>
<td>May 2018</td>
<td></td>
</tr>
<tr>
<td>Melton Cemetery Incorporated Plan (2008)</td>
<td>C73</td>
</tr>
<tr>
<td>Melton Dry Stone Wall Study Volume 3 – Statements of Significance, February 2016</td>
<td>C100</td>
</tr>
<tr>
<td>Melton North Precinct Structure Plan Development Contributions Plan, May 2010</td>
<td>GC75</td>
</tr>
<tr>
<td>(Amended June 2017)</td>
<td></td>
</tr>
<tr>
<td>Melton North Precinct Structure Plan, May 2010</td>
<td>C83</td>
</tr>
<tr>
<td>Melton Tourist Precinct Local Area Development Plan – February 1998</td>
<td>C4</td>
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</tbody>
</table>

MELTON PLANNING SCHEME

SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME
<table>
<thead>
<tr>
<th>Name of document</th>
<th>Introduced by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mount Cottrell Class A Recycled Water Storage Facility, Incorporated Document,</td>
<td>C138</td>
</tr>
<tr>
<td>March 2015</td>
<td></td>
</tr>
<tr>
<td>Mt Atkinson &amp; Tarneit Plains Infrastructure Contributions Plan, July 2018</td>
<td>C197</td>
</tr>
<tr>
<td>Mt Atkinson &amp; Tarneit Plains Precinct Structure Plan, June 2017</td>
<td>C162</td>
</tr>
<tr>
<td>Outer Suburban Arterial Roads - Western Package Incorporated Document, June 2017</td>
<td>GC74</td>
</tr>
<tr>
<td>Palmers Road and Robinsons Road Upgrade (Sayers Road to Western Freeway,</td>
<td>C81</td>
</tr>
<tr>
<td>Truganina) Incorporated Document, July 2012</td>
<td></td>
</tr>
<tr>
<td>Palmers Road Upgrade Project (Western Freeway to Calder Freeway) Incorporated</td>
<td>C187</td>
</tr>
<tr>
<td>Document, June 2017</td>
<td></td>
</tr>
<tr>
<td>Paynes Road Precinct Structure Plan, February 2016</td>
<td>C161</td>
</tr>
<tr>
<td>Plumpton &amp; Kororoit Infrastructure Contributions Plan, July 2018 (Amended</td>
<td>C195melt</td>
</tr>
<tr>
<td>October 2019)</td>
<td></td>
</tr>
<tr>
<td>Plumpton Precinct Structure Plan, December 2017 (Amended April 2019)</td>
<td>C203melt</td>
</tr>
<tr>
<td>Rail Gauge Standardisation Project, Integrated Approval Requirements, December</td>
<td>VC17</td>
</tr>
<tr>
<td>2002</td>
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<tr>
<td>Ravenhall Concrete Segment Manufacturing Facility Incorporated Document, June 2018</td>
<td>C196</td>
</tr>
<tr>
<td>Regional Fast Rail Project, Integrated Approval Requirements, December 2002</td>
<td>VC17</td>
</tr>
<tr>
<td>Rail Infrastructure Projects Ballarat Rail Corridor Deviation: Fibre Optic Project,</td>
<td>C40</td>
</tr>
<tr>
<td>Integrated Approval Requirements (August 2003)</td>
<td></td>
</tr>
<tr>
<td>Rail Infrastructure Projects Ballarat Rail Corridor Deviation: Regional Fast Rail</td>
<td>C40</td>
</tr>
<tr>
<td>Project, Integrated Approval Requirements (August 2003)</td>
<td></td>
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<tr>
<td>RDAV Rockbank Facility Incorporated Document, July 2013</td>
<td>C151</td>
</tr>
<tr>
<td>Regional Rail Link Project Section 1 Incorporated Document, March 2015</td>
<td>GC26</td>
</tr>
<tr>
<td>Regional Rail Link Project Section 2 Incorporated Document, March 2015</td>
<td>GC26</td>
</tr>
<tr>
<td>Robinsons Road Employment Area South Native Vegetation Precinct Plan, February 2011</td>
<td>C65</td>
</tr>
<tr>
<td>Rockbank Development Contributions Plan, August 2016</td>
<td>C145</td>
</tr>
<tr>
<td>Rockbank Precinct Structure Plan, August 2016</td>
<td>C145</td>
</tr>
<tr>
<td>Rockbank North Development Contributions Plan, March 2012</td>
<td>C120</td>
</tr>
<tr>
<td>Rockbank North Native Vegetation Precinct Plan, March 2012</td>
<td>C120</td>
</tr>
<tr>
<td>Rockbank North Precinct Structure Plan, March 2012</td>
<td>C120</td>
</tr>
<tr>
<td>Shire of Melton Heritage Study Stage 2: Volume 6- Statements of Significance,</td>
<td>C71</td>
</tr>
<tr>
<td>March 2009</td>
<td></td>
</tr>
<tr>
<td>Small Lot Housing Code, August 2014</td>
<td>GC22</td>
</tr>
<tr>
<td>Statement of Significance – 161 Bulmans Road, Melton West, May 2011</td>
<td>C113</td>
</tr>
<tr>
<td>Statement of Underlying Provisions - Land reserved for the Outer Metropolitan Ring</td>
<td>C128</td>
</tr>
<tr>
<td>and the E6 Transport Corridor, July 2010 (updated May 2012)</td>
<td></td>
</tr>
<tr>
<td>Staughton Infant Grave: Statement of Significance, April 2018</td>
<td>C199melt</td>
</tr>
<tr>
<td>Sunbury Electrification Project Incorporated Document February 2010</td>
<td>C96</td>
</tr>
<tr>
<td>Taylors Hill West Precinct Structure Plan (including the Taylors Hill West Native</td>
<td>C178</td>
</tr>
<tr>
<td>Vegetation Precinct Plan) May 2010 (Amended December 2016)</td>
<td></td>
</tr>
<tr>
<td>Name of document</td>
<td>Introduced by:</td>
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<tr>
<td>---------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Taylors Hill West Development Contributions Plan, July 2010 (Amended June 2017)</td>
<td>GC75</td>
</tr>
<tr>
<td>Toolern Park Precinct Structure Plan, August 2014</td>
<td>C122</td>
</tr>
<tr>
<td>Toolern Park Development Contributions Plan, August 2014 (Amended June 2017)</td>
<td>GC75</td>
</tr>
<tr>
<td>Toolern Precinct Structure Plan (including Toolern Native Vegetation Precinct Plan), July 2011 (Amended December 2015)</td>
<td>C161</td>
</tr>
<tr>
<td>Toolern Development Contributions Plan, July 2011 (Amended December 2015)</td>
<td>C161</td>
</tr>
<tr>
<td>Water for a Growing West Project Incorporated Document, July 2014</td>
<td>GC18</td>
</tr>
<tr>
<td>Western Highway Realignment (Melton to Bacchus Marsh) Incorporated Document, December 2009</td>
<td>C94</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:

29 July 1999
EFFECT OF THIS PLANNING SCHEME

Land may be used or developed only in accordance with this planning scheme.

Land must not be developed unless the land as developed can be used in accordance with this planning scheme.

If this planning scheme allows a particular use of land, it may be developed for that use provided all requirements of the scheme are met.
DETERMINATION OF BOUNDARIES

If a boundary in this planning scheme is not precisely shown on a planning scheme map or is not otherwise defined, the certificate issuing authority must determine the boundary if asked to do so and must notify the applicant within 60 days.
BACKGROUND DOCUMENTS

The documents listed in the table and the schedule to this clause are background documents. The table and the schedule to this clause must specify the amendment that listed the background document and may specify the clause of this planning scheme that the background document relates to.

A background document may:

- Have informed the preparation of, or an amendment to, this planning scheme.
- Provide information to explain the context within which a provision has been framed.
- Assist the understanding of this planning scheme.

A background document does not form part of this planning scheme.

A background document may be referenced elsewhere in this planning scheme without being listed in the table or schedule to this clause.

**Table to Clause 72.08**

<table>
<thead>
<tr>
<th>Name of background document</th>
<th>Amendment number - clause reference</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Central Highlands Regional Growth Plan (Victorian Government,</em></td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td><em>2014).</em></td>
<td></td>
</tr>
<tr>
<td><em>G21 Regional Growth Plan (Geelong Region Alliance, 2013).</em></td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td><em>Gippsland Regional Growth Plan (Victorian Government, 2014).</em></td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td><em>Great South Coast Regional Growth Plan (Victorian Government,</em></td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td><em>2014).</em></td>
<td></td>
</tr>
<tr>
<td><em>Hume Regional Growth Plan (Victorian Government, 2014).</em></td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td><em>Loddon Mallee North Regional Growth Plan (Victorian Government,</em></td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td><em>2014).</em></td>
<td></td>
</tr>
<tr>
<td><em>Loddon Mallee South Regional Growth Plan (Victorian Government,</em></td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td><em>2014).</em></td>
<td></td>
</tr>
<tr>
<td><em>Wimmera Southern Mallee Regional Growth Plan (Victorian</em></td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td><em>Government, 2014).</em></td>
<td></td>
</tr>
<tr>
<td><em>Plan Melbourne 2017-2050: Metropolitan Planning Strategy</em></td>
<td>VC134 Clauses 10 to 19</td>
</tr>
<tr>
<td><em>(Department of Environment, Land, Water and Planning, 2017).</em></td>
<td></td>
</tr>
</tbody>
</table>
Background documents

<table>
<thead>
<tr>
<th>Name of background document</th>
<th>Amendment number - clause reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>


MEANING OF TERMS

A term used in this planning scheme has its ordinary meaning unless that term is defined:

- In this planning scheme; or

- In the *Planning and Environment Act 1987* or the *Interpretation of Legislation Act 1984*, in which case the term has the meaning given to it in those Acts unless it is defined differently in this scheme.
GENERAL TERMS

The following table lists general terms which may be used in this planning scheme. A term listed in the first column, under the heading "General term", has the meaning set out beside that term in the second column, under the heading "Definition".

<table>
<thead>
<tr>
<th>General term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural production</td>
<td>Any form of primary production of renewable commodities. It does not include Stone extraction, Mineral extraction, or timber production from native forest.</td>
</tr>
<tr>
<td>Anemometer</td>
<td>A wind measuring device.</td>
</tr>
<tr>
<td>Apartment</td>
<td>A dwelling located above the ceiling level or below the floor level of another dwelling and is part of a building containing two or more dwellings.</td>
</tr>
<tr>
<td>Approval date</td>
<td>The date this scheme began, or the date of notice in the Victoria Government Gazette of approval of an amendment to this scheme.</td>
</tr>
<tr>
<td>Basement</td>
<td>A storey below ground level, or that projects no more than 1.2 metres above ground level.</td>
</tr>
<tr>
<td>Building height</td>
<td>The vertical distance from natural ground level to the roof or parapet at any point.</td>
</tr>
<tr>
<td>Carriageway</td>
<td>The area of a street reserve which is provided for the movement or parking of vehicles. It is determined by the invert of a kerb and channel and the point adjacent to the pavement edge for kerb (only) and edge strips.</td>
</tr>
<tr>
<td>Central Highlands region</td>
<td>The area covered by the Ararat, Ballarat, Golden Plains, Hepburn, Moorabool and Pyrenees planning schemes.</td>
</tr>
<tr>
<td>Clear to the sky</td>
<td>An unroofed area or area roofed with material that transmits 90 per cent of light.</td>
</tr>
<tr>
<td>Defendable space</td>
<td>An area of land around a building where vegetation is modified and managed to reduce the effects of flame contact and radiant heat associated with bushfire.</td>
</tr>
<tr>
<td>Deflection angle</td>
<td>The angle between two tangent sections of a carriageway.</td>
</tr>
<tr>
<td>Design speed</td>
<td>The speed fixed for the design and correlation of the geometric features of a carriageway that influence vehicle operation. It is the speed which is not exceeded by 85 per cent of vehicles.</td>
</tr>
<tr>
<td>Domestic services normal to a dwelling</td>
<td>A domestic appliance or apparatus that is normal to and services a dwelling. It includes disabled access ramps and handrails, an air conditioner, cooling or heating system, a hot water service, security systems and cameras, shade sails, a barbeque, downpipes and flues, a skylight, security screens, and the like.</td>
</tr>
<tr>
<td>Earthworks</td>
<td>Land forming, laser grading, levee banks, raised access roads and tracks, building pads, storage embankments, channel banks and drain banks and associated structures.</td>
</tr>
<tr>
<td>Frontage</td>
<td>The road alignment at the front of a lot. If a lot abuts two or more roads, the one to which the building, or proposed building, faces.</td>
</tr>
<tr>
<td>Gaming</td>
<td>The playing of a gaming machine.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Gaming machine</td>
<td>Has the same meaning as it has in the Gambling Regulation Act 2003.</td>
</tr>
<tr>
<td>Garden area</td>
<td>Any area on a lot with a minimum dimension of 1 metre that does not include:</td>
</tr>
<tr>
<td></td>
<td>a) a dwelling or residential building, except for:</td>
</tr>
<tr>
<td></td>
<td>- an eave, fascia or gutter that does not exceed a total width of 600mm;</td>
</tr>
<tr>
<td></td>
<td>- a pergola;</td>
</tr>
<tr>
<td></td>
<td>- unroofed terraces, patios, decks, steps or landings less than 800mm in height;</td>
</tr>
<tr>
<td></td>
<td>- a basement that does not project above ground level;</td>
</tr>
<tr>
<td></td>
<td>- any outbuilding that does not exceed a gross floor area of 10 square metres; and</td>
</tr>
<tr>
<td></td>
<td>- domestic services normal to a dwelling or residential building;</td>
</tr>
<tr>
<td></td>
<td>b) a driveway; or</td>
</tr>
<tr>
<td></td>
<td>c) an area set aside for car parking.</td>
</tr>
<tr>
<td>Geelong G21 region</td>
<td>The area covered by the Colac Otway, Golden Plains, Greater Geelong, Queenscliffe and Surf Coast planning schemes.</td>
</tr>
<tr>
<td>Gippsland region</td>
<td>The area covered by the Bass Coast, Baw Baw, East Gippsland, Latrobe, South Gippsland and Wellington planning schemes.</td>
</tr>
<tr>
<td>Great South Coast region</td>
<td>The area covered by the Corangamite, Glenelg, Moyne, Southern Grampians and Warrnambool planning schemes.</td>
</tr>
<tr>
<td>Gross floor area</td>
<td>The total floor area of a building, measured from the outside of external walls or the centre of party walls, and includes all roofed areas.</td>
</tr>
<tr>
<td>Ground level</td>
<td>The natural level of a site at any point.</td>
</tr>
<tr>
<td>Habitable room</td>
<td>Any room of a dwelling or residential building other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, lobby, photographic darkroom, clothes drying room and other space of a specialised nature occupied neither frequently nor for extended periods.</td>
</tr>
<tr>
<td>High quality productive</td>
<td>Land which is used for animal husbandry or crop raising, and is capable of continuing to sustain agricultural production, and:</td>
</tr>
<tr>
<td>agricultural land</td>
<td>a) is of prime, or very good, agricultural quality, having regard to soil type, growing season, and availability of infrastructure, and is of sufficient extent to support agricultural activities on an economically viable scale; or</td>
</tr>
<tr>
<td></td>
<td>b) has been identified through a regional, sub-regional, or local study as being of particularly good quality and strategic significance for agriculture in the regional or local context.</td>
</tr>
<tr>
<td>Hume region</td>
<td>The area covered by the Alpine, Benalla, Greater Shepparton, Indigo, Mansfield, Mitchell, Moira, Murrindindi, Strathbogie, Towong, Wangaratta and Wodonga planning schemes.</td>
</tr>
<tr>
<td>Land capability assessment</td>
<td>The assessment of the physical ability of the land to sustain specific uses having regard to its management, and without long term on-site detriment to the environment.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>-----------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Leasable floor area</td>
<td>That part of the net floor area able to be leased. It does not include public or common tenancy areas, such as malls, verandahs, or public conveniences.</td>
</tr>
<tr>
<td>Loddon Mallee North region</td>
<td>The area covered by the Buloke, Campaspe, Gannawarra, Mildura and Swan Hill planning schemes.</td>
</tr>
<tr>
<td>Loddon Mallee South region</td>
<td>The area covered by the Central Goldfields, Greater Bendigo, Loddon, Macedon Ranges and Mount Alexander planning schemes.</td>
</tr>
<tr>
<td>Lot</td>
<td>A part (consisting of one or more pieces) of any land (except a road, a reserve, or common property) shown on a plan, which can be disposed of separately and includes a unit or accessory unit on a registered plan of strata subdivision and a lot or accessory lot on a registered cluster plan.</td>
</tr>
<tr>
<td>Mean building height</td>
<td>The vertical distance between the mean ground level and the finished roof height at its highest point.</td>
</tr>
<tr>
<td>Mean ground level</td>
<td>One half the sum of the highest and lowest levels along ground level of the outer surface of all external building walls.</td>
</tr>
<tr>
<td>Metropolitan Melbourne</td>
<td>The area covered by the Banyule, Bayside, Boroondara, Brimbank, Cardinia, Casey, Darebin, Frankston, Glen Eira, Greater Dandenong, Hobsons Bay, Hume, Kingston, Knox, Manningham, Maribyrnong, Maroondah, Melbourne, Melton, Monash, Moonee Valley, Moreland, Mornington Peninsula, Nillumbik, Port of Melbourne, Port Phillip, Stonnington, Whitehorse, Whittlesea, Wyndham, Yarra and Yarra Ranges Planning Schemes and the area within the urban growth boundary in the Mitchel 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>
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</tr>
<tr>
<td>Prostitution</td>
<td>The provision by one person to or for another person (whether or not of a different sex) of sexual services in return for payment or reward.</td>
</tr>
<tr>
<td>Public land manager</td>
<td>The Minister, government department, public authority or municipal council having responsibility for the care or management of public land. In relation to Crown land reserved under an Act and managed or controlled by a committee of management, other than Parks Victoria or a municipal council, it means the Minister administering that Act and does not include the committee of management.</td>
</tr>
<tr>
<td>Radio mast</td>
<td>A mast, for radio transmission or reception in a dwelling, that is: \n  a) with antenna, more than 14 metres above the ground; \n  b) if attached to a building, with antenna, more than 5 metres above the roof line; \n  c) including antenna, wider than 6 metres; or \n  d) excluding antenna, wider than 50 centimetres at any point exceeding 3 metres above the ground.</td>
</tr>
<tr>
<td>Retail</td>
<td>The sale of goods or materials, in any quantity or manner, other than by wholesale.</td>
</tr>
<tr>
<td>Secluded private open space</td>
<td>That part of private open space primarily intended for outdoor living activities which enjoys a reasonable amount of privacy.</td>
</tr>
<tr>
<td>Setback</td>
<td>The minimum distance from any allotment boundary to a building.</td>
</tr>
<tr>
<td>Sexual services</td>
<td>Has the same meaning as it has in the <em>Sex Work Act 1994</em>.</td>
</tr>
<tr>
<td>Site coverage</td>
<td>The proportion of a site covered by buildings.</td>
</tr>
<tr>
<td>Stone</td>
<td>Basalt, freestone, granite, limestone, sandstone, or other building stone, or rock, ordinarily used for building, manufacturing, road making, or construction; or clay (not fine clay, bentonite, or kaolin), earth, gravel, quartz (not quartz crystals), sand, soil, slate, or other similar material.</td>
</tr>
<tr>
<td>Storey</td>
<td>That part of a building between floor levels. If there is no floor above, it is the part between the floor level and ceiling. It may include an attic, basement, built over car parking area, and mezzanine.</td>
</tr>
<tr>
<td>Stormwater</td>
<td>The net increase in run-off from urban development due to water not being able to seep into the ground because of impervious surfaces, such as roofs and roads.</td>
</tr>
<tr>
<td>Street leg length</td>
<td>The distance between street intersections or junctions, or points and locations where vehicles must slow down, usually to a maximum speed of 20 kilometres per hour.</td>
</tr>
<tr>
<td>Street reserve</td>
<td>Land set aside for a street pavement and verge.</td>
</tr>
<tr>
<td>Sustainable agriculture</td>
<td>The use of farming practices and systems which maintain or enhance: \n  a) the economic viability of agricultural production; \n  b) the natural resource base; and \n  c) other ecosystems which are influenced by agricultural activities.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Telecommunications line</strong></td>
<td>A wire, cable, optic fibre, tube, conduit, waveguide or other physical medium used, or to be used, as a continuous artificial guide for or in connection with carrying communications by means of guided electromagnetic energy.</td>
</tr>
<tr>
<td><strong>Telecommunications network</strong></td>
<td>A system or series of systems that carries, or is capable of carrying, communications by means of guided and unguided electromagnetic energy.</td>
</tr>
<tr>
<td><strong>Telecommunications tower</strong></td>
<td>A tower, pole or mast used as part of a Telecommunications network.</td>
</tr>
<tr>
<td><strong>Tenement</strong></td>
<td>Land comprised in: a) a lot which does not adjoin another lot in the same ownership; or b) lots in the same ownership and which adjoin each other. Lots are considered to adjoin each other if they are separated only by a stream, stream reserve, or unmade or unused government road or rail reserve.</td>
</tr>
<tr>
<td><strong>Utility service provider</strong></td>
<td>A person, other than a public authority or municipal council, having responsibility under an Act for the generation, transmission, distribution or supply of electricity, gas, power, telecommunications, water supply, drainage or sewerage services.</td>
</tr>
<tr>
<td><strong>Verge</strong></td>
<td>The part of the street reserve between the carriageway and the boundary of adjacent lots or other limit to the street reserve. It may accommodate public utilities, a footpath, indented parking, stormwater flows, street lighting poles and planting.</td>
</tr>
<tr>
<td><strong>Wall height</strong></td>
<td>The vertical distance between the top of the eaves at the wall line, parapet or flat roof (not including a chimney), whichever is the highest, and the natural ground level.</td>
</tr>
<tr>
<td><strong>Wholesale</strong></td>
<td>The sale of goods or materials, to be sold by others.</td>
</tr>
<tr>
<td><strong>Wimmera Southern Mallee region</strong></td>
<td>The area covered by the Hindmarsh, Horsham, Northern Grampians, West Wimmera and Yarriambiack planning schemes.</td>
</tr>
</tbody>
</table>
**SIGN TERMS**

The following table lists terms which may be used in this planning scheme in relation to signs. A term listed in the first column, under the heading "Sign term", has the meaning set out beside that term in the second column, under the heading "Definition".

<table>
<thead>
<tr>
<th>Sign term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Above-verandah sign</strong></td>
<td>A sign above a verandah or, if no verandah, that is more than 3.7 metres above pavement level, and which projects more than 0.3 metre outside the site.</td>
</tr>
<tr>
<td><strong>Display area</strong></td>
<td>The area of that part of a sign used to display its content, including borders, surrounds and logo boxes.</td>
</tr>
<tr>
<td></td>
<td>It does not include safety devices, platforms and lighting structures.</td>
</tr>
<tr>
<td></td>
<td>If the sign does not move or rotate, the area is one side only.</td>
</tr>
<tr>
<td><strong>Animated sign</strong></td>
<td>A sign that can move, contains moving or scrolling parts, changes its message, flashes, or has a moving or flashing border.</td>
</tr>
<tr>
<td><strong>Bed and breakfast sign</strong></td>
<td>A sign at a dwelling that advertises bed and breakfast accommodation in the dwelling.</td>
</tr>
<tr>
<td><strong>Bunting sign</strong></td>
<td>An advertisement that consists of bunting, streamers, flags, windvanes, or the like.</td>
</tr>
<tr>
<td><strong>Business identification sign</strong></td>
<td>A sign that provides business identification information about a business or industry on the land where it is displayed.</td>
</tr>
<tr>
<td></td>
<td>The information may include the name of the business or building, the street number of the business premises, the nature of the business, a business logo or other business identification information.</td>
</tr>
<tr>
<td><strong>Direction sign</strong></td>
<td>A sign not exceeding 0.3 square metre that directs vehicles or pedestrians.</td>
</tr>
<tr>
<td></td>
<td>It does not include a sign that contains commercial information.</td>
</tr>
<tr>
<td><strong>Electronic sign</strong></td>
<td>A sign that can be updated electronically. It includes screens broadcasting still or moving images.</td>
</tr>
<tr>
<td><strong>Floodlit sign</strong></td>
<td>A sign illuminated by external lighting provided for that purpose.</td>
</tr>
<tr>
<td><strong>High-wall sign</strong></td>
<td>A sign on the wall of a building so that part of it is more than 10 metres above the ground.</td>
</tr>
<tr>
<td><strong>Home based business sign</strong></td>
<td>A sign at a dwelling that advertises a home based business carried on in the dwelling, or on the land around the dwelling.</td>
</tr>
<tr>
<td><strong>Internally illuminated sign</strong></td>
<td>A sign illuminated by internal lighting or which contains lights or illuminated tubes arranged as an advertisement.</td>
</tr>
<tr>
<td><strong>Major promotion sign</strong></td>
<td>A sign which is 18 square metres or greater that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.</td>
</tr>
<tr>
<td><strong>Panel sign</strong></td>
<td>A sign with an advertisement area exceeding 10 square metres.</td>
</tr>
<tr>
<td><strong>Pole sign</strong></td>
<td>A sign:</td>
</tr>
<tr>
<td></td>
<td>a) on a pole or pylon that is not part of a building or another structure;</td>
</tr>
<tr>
<td></td>
<td>b) that is no more than 7 metres above the ground;</td>
</tr>
<tr>
<td>Sign term</td>
<td>Definition</td>
</tr>
<tr>
<td>-----------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>c) with an advertisement area not exceeding 6 square metres; and d) that has a clearance under it of at least 2.7 metres.</td>
<td></td>
</tr>
<tr>
<td>Promotion sign</td>
<td>A sign of less than 18 square metres that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.</td>
</tr>
<tr>
<td>Reflective sign</td>
<td>A sign finished with material specifically made to reflect external light.</td>
</tr>
<tr>
<td>Sign</td>
<td>Includes a structure specifically built to support or illuminate a sign.</td>
</tr>
<tr>
<td>Sky sign</td>
<td>A sign: a) on or above the roof of a building, but not a verandah; b) fixed to the wall of a building and which projects above the wall; or c) fixed to a structure (not a building) so that part of it is more than 7 metres above the ground.</td>
</tr>
</tbody>
</table>
LAND USE TERMS

The table to this clause lists terms which may be used in this planning scheme in relation to the use of land. A term describing a use or activity in relation to land which is not listed in the table must not be characterised as a separate use of land if the term is obviously or commonly included within one or more of the terms listed in the table.

Meaning of terms

A term listed in the first column, under the heading "Land use term", has the meaning set out beside that term in the second column, under the heading "Definition".

No definition of listed term indicates ordinary meaning

A term listed in the first column, under the heading "Land use term", which does not have a meaning set out beside that term in the second column, under the heading "Definition", has its ordinary meaning.

Terms which specifically include other listed terms

A term listed in the first column, under the heading "Land use term", which has other terms listed beside it in the third column, under the heading "Includes", includes any term so listed in the third column and any term included within that term in the third column, but does not include any other term listed in the first column.

A term listed in the first column which has other terms listed beside it in the third column may also include other terms which are not listed in the first column.

All terms listed in the third column are also listed in the first column.

Terms which do not specifically include other listed terms

If a term listed in the first column, under the heading "Land use term", does not have any term listed beside it in the third column, under the heading "Includes", that term does not include any term listed in the first column.

However, a term listed in the first column which does not have any term listed beside it in the third column may include other terms which are not listed in the first column.

Terms which are included within other listed terms

A term listed in the first column, under the heading "Land use term", which has a term listed beside it in the fourth column, under the heading "Included in", is included within the term so listed in the fourth column and any term which includes that term in the fourth column.

All terms listed in the fourth column are also listed in the first column.

Terms which are not included within other listed terms

If a term listed in the first column, under the heading "Land use term", does not have a term listed beside it in the fourth column, under the heading "Included in", that term is not included within any other term listed in the first column.

Table to Clause 73.03

<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
<td>Land used to slaughter animals, including birds. It may include the processing of animal products.</td>
<td></td>
<td>Rural industry</td>
</tr>
<tr>
<td>Accommodation</td>
<td>Land used to accommodate persons.</td>
<td>Camping and caravan park</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------------------</td>
<td>-------------------------------------------------</td>
</tr>
<tr>
<td>Corrective institution</td>
<td></td>
<td></td>
<td>Corrective institution</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td></td>
<td></td>
<td>Corrective institution</td>
</tr>
<tr>
<td>Dwelling</td>
<td></td>
<td></td>
<td>Corrective institution</td>
</tr>
<tr>
<td>Group accommodation</td>
<td></td>
<td></td>
<td>Corrective institution</td>
</tr>
<tr>
<td>Host farm</td>
<td></td>
<td></td>
<td>Corrective institution</td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
<td></td>
<td>Corrective institution</td>
</tr>
<tr>
<td>Residential building</td>
<td></td>
<td></td>
<td>Corrective institution</td>
</tr>
<tr>
<td>Residential village</td>
<td></td>
<td></td>
<td>Corrective institution</td>
</tr>
<tr>
<td>Retirement village</td>
<td></td>
<td></td>
<td>Corrective institution</td>
</tr>
<tr>
<td>Shop</td>
<td>Adult sex product shop: Land used to sell or hire sexually explicit material, including: a) publications classified as restricted under the Classification (Publications, Films and Computer Games) (Enforcement) Act 1995; and b) materials and devices (other than contraceptives and medical treatments) used in conjunction with sexual behaviour.</td>
<td>Shop</td>
<td>Shop</td>
</tr>
<tr>
<td>Animal husbandry</td>
<td>Agriculture: Land used to: a) propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables; b) keep, breed, board, or train animals, including livestock, and birds; or c) propagate, cultivate, rear, or harvest living resources of the sea or inland waters.</td>
<td>Animal husbandry</td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Aquaculture</td>
<td></td>
<td></td>
<td>Aquaculture</td>
</tr>
<tr>
<td>Crop raising</td>
<td></td>
<td></td>
<td>Crop raising</td>
</tr>
<tr>
<td>Airport</td>
<td></td>
<td>Transport terminal</td>
<td>Transport terminal</td>
</tr>
<tr>
<td>Amusement park</td>
<td></td>
<td>Outdoor recreation facility</td>
<td>Outdoor recreation facility</td>
</tr>
<tr>
<td>Amusement parlour</td>
<td>Amusement parlour: A building that contains: a) three or more coin, card, or token operated amusement machines;</td>
<td>Place of assembly</td>
<td>Place of assembly</td>
</tr>
</tbody>
</table>
Included in

<table>
<thead>
<tr>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Definitions</td>
<td>Land use term</td>
</tr>
<tr>
<td></td>
<td>b) one or more coin, card, or token operated amusement machines with more than one screen or console that can be played by three or more people simultaneously; or</td>
</tr>
<tr>
<td></td>
<td>c) two or more coin, card, or token operated billiard, snooker, or pool tables.</td>
</tr>
<tr>
<td></td>
<td>It does not include coin, card, or token operated children's rides, amusement machines if there is the ability to receive a monetary reward, or premises used for a Bar or Hotel.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Animal husbandry</th>
<th>Land used to keep, breed, board, or train animals, including birds.</th>
<th>Animal production</th>
<th>Agriculture</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Animal training</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Apiculture</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Domestic animal husbandry</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Horse husbandry</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Racing dog husbandry</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Animal production</th>
<th>Land used to keep or breed farm animals for the production of livestock, eggs, fibre, meat, milk or other animal products.</th>
<th>Grazing animal production</th>
<th>Animal husbandry</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Intensive animal production</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pig farm</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Poultry farm</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Poultry hatchery</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Animal training | Land used to train animals, other than domestic animals, horses, or racing dogs. | Animal husbandry | |

| Apiculture | Land used to keep honeybee hives and to extract honey or other bee hive products. | Animal husbandry | |

| Aquaculture | Land used to keep or breed aquatic animals, or cultivate or propagate aquatic plants. | Agriculture | |

<p>| Art and craft centre | Land used to manufacture, display, and sell, works of art or craft, such as handicrafts, paintings, and sculptures. | |</p>
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art gallery</td>
<td>Land used to display works of art, including ceramics, furniture, glass, paintings, screen based art, sculptures, and textiles.</td>
<td></td>
<td>Exhibition centre</td>
</tr>
<tr>
<td>Bank</td>
<td></td>
<td></td>
<td>Office</td>
</tr>
<tr>
<td>Bar</td>
<td>Land used to sell liquor for consumption on the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td>Beauty salon</td>
<td>A dwelling used, by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td></td>
<td></td>
<td>Dwelling</td>
</tr>
<tr>
<td>Betting agency</td>
<td>Land used for gambling by wagering, and where there is the ability to receive a monetary reward.</td>
<td></td>
<td>Gambling premises</td>
</tr>
<tr>
<td>Boat and caravan</td>
<td>Land used to store boats, caravans, or vehicle-towed boat trailers.</td>
<td>Shop</td>
<td>Store</td>
</tr>
<tr>
<td>Boat launching facility</td>
<td>Land used to launch boats into the water and to retrieve boats from the water.</td>
<td>Boat ramp slipway</td>
<td>Recreational boat facility</td>
</tr>
<tr>
<td>Boat ramp</td>
<td></td>
<td></td>
<td>Boat launching facility</td>
</tr>
<tr>
<td>Bottle shop</td>
<td>Land used to sell packaged liquor for consumption off the premises.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Broiler farm</td>
<td>Land used to keep broiler chickens for the production of meat.</td>
<td></td>
<td>Poultry farm</td>
</tr>
<tr>
<td>Brothel</td>
<td>Land made available for prostitution by a person carrying on the business of providing prostitution services at the business’s premises.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bus terminal</td>
<td></td>
<td></td>
<td>Transport terminal</td>
</tr>
<tr>
<td>Camping and caravan</td>
<td>Land used to allow accommodation in caravans, cabins, tents, or the like.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>park</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>---------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------------------------</td>
<td>--------------------------------------</td>
</tr>
<tr>
<td>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</td>
<td></td>
</tr>
<tr>
<td>Car wash</td>
<td></td>
<td>Caravan sales</td>
<td>Service industry</td>
</tr>
<tr>
<td>Cattle feedlot</td>
<td>Land used for a cattle feedlot as defined by the Victorian Code for Cattle Feedlots 1995.</td>
<td></td>
<td>Intensive animal production</td>
</tr>
<tr>
<td>Cemetery</td>
<td>Land used to dispose of human remains by burial. It may include funeral chapels or the like.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child care centre</td>
<td>Land used to care for five or more children who are not permanently resident on the land.</td>
<td>Kindergarten</td>
<td>Education centre</td>
</tr>
<tr>
<td>Cinema</td>
<td>Land used to provide screen based entertainment or information to the public.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td>Land used to provide screen based entertainment or information to the public, in association with the provision of meals or sporting, amusement, entertainment, leisure or retail facilities.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Circus</td>
<td>Land used, by performers, to provide entertainment such as acrobatic feats, tricks of skill, and exhibiting animals.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Commercial display area</td>
<td>Land used only to display goods.</td>
<td></td>
<td>Warehouse</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Land used to provide accommodation and care services. It includes permanent, temporary</td>
<td></td>
<td>Residential building</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------------------------------</td>
<td>------------------------------</td>
</tr>
<tr>
<td>Conference centre</td>
<td>Function centre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>Land used to prepare and sell food and drink for immediate consumption, where substantial provision is made for consumption both on and off the premises.</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td>Convenience shop</td>
<td>A building with a leasable floor area of no more than 240 square metres, used to sell food, drinks, and other convenience goods. It may also be used to hire convenience goods.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Corrective institution</td>
<td>Land used to hold and reform persons committed to it by the courts, such as a prison, remand centre, and other type of detention facility.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Crematorium</td>
<td>Land used to cremate human remains. It may include funeral chapels or the like.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Crop raising</td>
<td>Land used to propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables.</td>
<td>Horticulture</td>
<td>Agriculture</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rice growing</td>
<td></td>
</tr>
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<td></td>
<td></td>
<td>Timber production</td>
<td></td>
</tr>
<tr>
<td>Dance studio</td>
<td></td>
<td>Indoor recreation facility</td>
<td></td>
</tr>
<tr>
<td>Data centre</td>
<td></td>
<td>Utility installation</td>
<td></td>
</tr>
<tr>
<td>Department store</td>
<td></td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>A movable building on the same lot as an existing dwelling and used to provide accommodation for a person dependent on a resident of the existing dwelling.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Display home centre</td>
<td>One or more buildings constructed as a dwelling, but used for display, to encourage people to buy or construct similar dwellings. It may include a sales office.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dog breeding</td>
<td></td>
<td>Domestic animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</tr>
<tr>
<td>Domestic animal boarding</td>
<td>Land used to board domestic animals, such as boarding kennels and a cattery. It includes domestic animal day care.</td>
<td>Dog breeding</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: a) a kitchen sink; b) food preparation facilities; c) a bath or shower; and d) a toilet and wash basin. It includes outbuildings and works normal to a dwelling.</td>
<td>Bed and breakfast</td>
<td>Accommodation</td>
</tr>
<tr>
<td>Education centre</td>
<td>Land used for education.</td>
<td>Child care centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Employment training centre</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Primary school</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Tertiary institution</td>
<td></td>
</tr>
<tr>
<td>Earth and energy resources industry</td>
<td>Land used for the exploration, removal or processing of natural earth or energy resources. It includes any activity incidental to this purpose including the construction and use of temporary accommodation.</td>
<td>Greenhouse gas sequestration</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Greenhouse gas sequestration exploration</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Geothermal energy exploration</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Geothermal energy extraction</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td>Electoral office</td>
<td>An office used for electioneering by a candidate in a local, State, or Federal Government election.</td>
<td>Mineral exploration</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>Mineral extraction</td>
<td></td>
</tr>
<tr>
<td>Employment training centre</td>
<td></td>
<td>Petroleum exploration</td>
<td></td>
</tr>
<tr>
<td>Energy generation facility</td>
<td>Land used to generate energy for use off site other than geothermal energy extraction. It includes any building or other structure or thing used in or in connection with the generation of energy.</td>
<td>Petroleum extraction</td>
<td></td>
</tr>
<tr>
<td>Equestrian supplies</td>
<td></td>
<td>Stone exploration</td>
<td></td>
</tr>
<tr>
<td>Exhibition centre</td>
<td>Land used to display works of art, artefacts, or historical, cultural, or other like works or artefacts.</td>
<td>Stone extraction</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>Land used to prepare and sell food and drink for immediate consumption on, or off, the premises.</td>
<td>Renewable energy facility</td>
<td>Restricted 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>Waste-to-energy facility</td>
<td></td>
</tr>
</tbody>
</table>

**Office**

**Education centre**

**Renewable energy facility**

**Art gallery**

**Museum**

**Place of assembly**

**Retail premises**

**Convenience restaurant**

**Hotel**

**Restaurant**

**Take away food premises**
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freezing and cool storage</td>
<td>Land used to store, sell, and distribute fuel.</td>
<td>Liquid fuel depot</td>
<td>Store</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Solid fuel depot</td>
<td></td>
</tr>
<tr>
<td>Fuel depot</td>
<td>Land used, by arrangement, to cater for conferences, private functions,</td>
<td>Conference centre</td>
<td>Warehouse</td>
</tr>
<tr>
<td></td>
<td>and in which food and drink may be served. It may include entertainment</td>
<td>Reception centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td>and dancing.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Function centre</td>
<td>Land used to organise and conduct funerals, memorial services, or the</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td></td>
<td>like. It includes the storage and preparation of bodies for burial or</td>
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<td></td>
</tr>
<tr>
<td></td>
<td>cremation.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Funeral parlour</td>
<td>Land used to organise and conduct funerals, memorial services, or the</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>like. It includes the storage and preparation of bodies for burial or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>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</td>
<td>Betting agency</td>
<td>Retail premises</td>
</tr>
<tr>
<td></td>
<td>ability to receive a monetary reward.</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</td>
<td></td>
<td>Gambling premises</td>
</tr>
<tr>
<td></td>
<td>receive a monetary reward.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Garden supplies</td>
<td>Land used to sell and distribute garden supplies such as sand, soil,</td>
<td></td>
<td>Landscape gardening supplies</td>
</tr>
<tr>
<td></td>
<td>railway sleepers, screenings, rock, and the like.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Geothermal energy exploration</td>
<td>Land used for geothermal energy exploration in accordance with the</td>
<td></td>
<td>Earth and energy resources</td>
</tr>
<tr>
<td></td>
<td>Geothermal Energy Resources Act 2005.</td>
<td></td>
<td>industry</td>
</tr>
<tr>
<td>Geothermal energy extraction</td>
<td>Land used for geothermal energy extraction in accordance with the</td>
<td></td>
<td>Earth and energy resources</td>
</tr>
<tr>
<td></td>
<td>Geothermal Energy Resources Act 2005.</td>
<td></td>
<td>industry</td>
</tr>
<tr>
<td>Golf course</td>
<td></td>
<td></td>
<td>Outdoor recreation facility</td>
</tr>
<tr>
<td>Golf driving range</td>
<td></td>
<td></td>
<td>Outdoor recreation facility</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td>Land used for animal production where the animals’ food is obtained</td>
<td></td>
<td>Animal production</td>
</tr>
<tr>
<td></td>
<td>by directly grazing, browsing or foraging plants growing on the land.</td>
<td></td>
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<td></td>
<td>It includes:</td>
<td></td>
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</tbody>
</table>
emergency, seasonal and supplementary feeding;

- the incidental penning, feeding and housing of animals for weaning or other husbandry purposes.

In this definition:

**Emergency feeding** means providing feed to animals when an emergency event such as a flood, bushfire or biosecurity event, restricts or prevents the animals from grazing, browsing or foraging plants growing on the land;

**Seasonal feeding** means providing feed to animals when seasonal conditions, including drought, restrict or prevent the animals from grazing, browsing or foraging plants growing on the land;

**Supplementary feeding** means providing feed to animals to supplement the food the animals obtain by directly grazing, browsing or foraging plants growing on the land.

<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenhouse gas sequestration</td>
<td>Land used for greenhouse gas substance injection and monitoring in accordance with the <em>Greenhouse Gas Geological Sequestration Act 2008</em>.</td>
<td>Earth and energy resources</td>
<td>Earth and energy resources</td>
</tr>
<tr>
<td>Greenhouse gas sequestration</td>
<td>Land used for the exploration of greenhouse gas sequestration formations in accordance with the <em>Greenhouse Gas Geological Sequestration Act 2008</em>.</td>
<td>resources</td>
<td>resources industry</td>
</tr>
<tr>
<td>exploration</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Group accommodation</td>
<td>Land, in one ownership, containing a number of dwellings used to accommodate persons away from their normal place of residence.</td>
<td>Accommodation</td>
<td></td>
</tr>
<tr>
<td>Hairdresser</td>
<td></td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td>Hall</td>
<td></td>
<td>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Helicopter landing site</td>
<td>Land used for the take-off and landing of a helicopter, with or without a permanent landing pad,</td>
<td></td>
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</tr>
<tr>
<td>Land use term</td>
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</tr>
<tr>
<td>but without permanent facilities for the assembly and distribution of goods or passengers.</td>
<td></td>
<td></td>
<td>Textual content</td>
</tr>
<tr>
<td>Heliport</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>Transport terminal</td>
</tr>
<tr>
<td>Horse husbandry</td>
<td>Land used to keep, breed, board or train horses.</td>
<td>Horse riding school</td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Horse riding school</td>
<td></td>
<td>Horse stables</td>
<td>Horse husbandry</td>
</tr>
<tr>
<td>Horse stables</td>
<td></td>
<td></td>
<td>Horse husbandry</td>
</tr>
<tr>
<td>Horticulture</td>
<td>Land used to propagate, cultivate, or harvest flowers, fruit, vegetables, vines, or the like.</td>
<td>Market garden</td>
<td>Crop raising</td>
</tr>
<tr>
<td>Hospital</td>
<td>Land used to provide health services (including preventative care, diagnosis, medical and surgical treatment, and counselling) to persons admitted as in-patients. It may include the care or treatment of out-patients.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td>An agricultural property used to provide accommodation for persons, away from their normal place of residence, to experience living on land used for agricultural purposes.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Hotel</td>
<td>Land used to sell liquor for consumption on and off the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>A building used for indoor leisure, recreation, or sport.</td>
<td>Dancing studio</td>
<td>Minor sports and recreation facility</td>
</tr>
<tr>
<td>Industry</td>
<td>Land used for any of the following operations: a) any process of manufacture;</td>
<td>Materials recycling</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Refuse disposal</td>
<td></td>
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<td></td>
<td></td>
<td>Transfer station</td>
<td></td>
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<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</tr>
<tr>
<td>b) dismantling or breaking up of any article;</td>
<td></td>
<td>Research and development centre</td>
<td></td>
</tr>
<tr>
<td>c) treating waste materials;</td>
<td></td>
<td>Rural industry</td>
<td></td>
</tr>
<tr>
<td>d) winning clay, gravel, rock, sand, soil, stone, or other materials (other than Mineral, stone, or soil extraction);</td>
<td></td>
<td>Service industry</td>
<td></td>
</tr>
<tr>
<td>e) laundering, repairing, servicing or washing any article, machinery, or vehicle, other than on-site work on a building, works, or land; or</td>
<td></td>
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</tr>
<tr>
<td>f) any process of testing or analysis.</td>
<td></td>
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<tr>
<td>If on the same land as any of these operations, it also includes:</td>
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<tr>
<td>a) storing goods used in the operation or resulting from it;</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>b) providing amenities for people engaged in the operation;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) selling by wholesale, goods resulting from the operation; and</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) accounting or administration in connection with the operation.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>If Materials recycling, goods resulting from the operation may be sold by retail.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Informal outdoor recreation</td>
<td>Land open to the public and used by non-paying persons for leisure or recreation, such as a cycle track, park, picnic or barbecue area, playground, plaza, and walking or jogging track.</td>
<td>Minor sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td>Intensive animal production</td>
<td>Land used for animal production where the animals’ food is imported from outside the immediate building, enclosure, paddock or pen. It does not include:</td>
<td>Cattle feedlot Intensive dairy farm Animal production</td>
<td></td>
</tr>
<tr>
<td>an abattoir or sale yard; or</td>
<td></td>
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</tr>
<tr>
<td>grazing animal production, pig farm, poultry farm or poultry hatchery.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intensive dairy farm</td>
<td>Land used for intensive animal production where cattle are kept or bred for the production of milk.</td>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td>Jetty</td>
<td></td>
<td>Marina</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
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</tr>
<tr>
<td>Kindergarten</td>
<td></td>
<td></td>
<td>Child care centre</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></td>
<td>Shop</td>
</tr>
<tr>
<td>Leisure and recreation</td>
<td>Land used for leisure, recreation, or sport.</td>
<td>Major sports and recreation facility; Minor sports and recreation facility; Motor racing track</td>
<td>Leisure and recreation</td>
</tr>
<tr>
<td>Library</td>
<td></td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Liquid fuel depot</td>
<td>Land used to store, sell by wholesale, and distribute fuel.</td>
<td></td>
<td>Fuel depot</td>
</tr>
<tr>
<td>Mail centre</td>
<td>Land used to sort mail for distribution.</td>
<td></td>
<td>Warehouse</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>Land used for leisure, recreation or sport, and where there is substantial provision made for spectators, such as a grandstand, and to which spectators are usually charged admission.</td>
<td>Race course</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></td>
<td>Retail premises</td>
</tr>
<tr>
<td>Marina</td>
<td>Land used to moor boats, or store boats above or adjacent to the water. It may include boat recovery facilities, and facilities to repair, fuel, and maintain boats and boat accessories.</td>
<td>Jetty; Mooring pole; Pier; Pontoon</td>
<td>Recreational boat facility</td>
</tr>
<tr>
<td>Market</td>
<td>Land used to sell goods, including foodstuffs, from stalls.</td>
<td></td>
<td>Retail premises</td>
</tr>
<tr>
<td>Market garden</td>
<td></td>
<td></td>
<td>Horticulture</td>
</tr>
<tr>
<td>Materials recycling</td>
<td>Land used to dismantle, treat, process, store, recycle, or sell refuse, used or surplus materials.</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</tr>
<tr>
<td>Medical centre</td>
<td>Land used to provide health or surgical services (including preventative care, diagnosis, medical and surgical treatment, pathology services, and counselling) to out-patients only.</td>
<td></td>
<td>Office</td>
</tr>
<tr>
<td>Milk depot</td>
<td>Land used to receive milk and milk products for distribution to consumers, but where milk is not processed or pasteurised.</td>
<td></td>
<td>Warehouse</td>
</tr>
<tr>
<td>Mineral exploration</td>
<td>Land used for the exploration of minerals in accordance with the <em>Mineral Resources (Sustainable Development) Act 1990.</em></td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Mineral extraction</td>
<td>Land used for extraction of minerals in accordance with the <em>Mineral Resources (Sustainable Development) Act 1990.</em></td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Minor sports and recreation facility</td>
<td>Land used for leisure, recreation, or sport, without substantial provision for spectators, and which is usually open to non-paying spectators.</td>
<td>Indoor recreation facility</td>
<td>Leisure and recreation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Informal outdoor recreation</td>
<td>Open sports ground</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Outdoor recreation facility</td>
<td>Outdoor recreation facility</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restricted recreation facility</td>
<td>Restricted recreation facility</td>
</tr>
<tr>
<td>Minor utility installation</td>
<td>Land used for a utility installation comprising any of the following: a) sewerage or water mains; b) storm or flood water drains or retarding basins; c) flow measurement device or a structure to gauge waterway flow; d) siphons, water storage tanks, disinfection booster stations and channels; e) gas mains providing gas directly to consumers; f) a sewerage treatment plant, and any associated disposal works, required to serve a neighbourhood; g) a pumping station required to serve a neighbourhood;</td>
<td></td>
<td>Water retarding basin</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Utility installation</td>
<td></td>
</tr>
</tbody>
</table>

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*MELTON PLANNING SCHEME*
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td></td>
<td>h) power lines designed to operate at less than 220,000 volts but excluding any power lines directly associated with an Energy generation facility or Geothermal energy extraction; or</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>i) an electrical sub-station designed to operate at no more than 66,000 volts but excluding any sub-station directly associated with an Energy generation facility or Geothermal energy extraction.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mooring pole</td>
<td>Land used to provide accommodation in serviced rooms for persons away from their normal place of residence, and where provision is made for parking guests' vehicles convenient to the rooms.</td>
<td>Residential hotel</td>
<td></td>
</tr>
<tr>
<td>Motel</td>
<td>Land used to race, rally, scramble, or test, vehicles, including go-karts, motor boats, and motorcycles, and includes other competitive motor sports. It may include training.</td>
<td>Leisure and recreation</td>
<td></td>
</tr>
<tr>
<td>Motor racing track</td>
<td>Land used to repair or service motor vehicles, and includes the fitting of accessories.</td>
<td>Panel beating</td>
<td>Service industry</td>
</tr>
<tr>
<td>Motor repairs</td>
<td>Land used to sell or hire motor vehicles, boats, or caravans. It may include the minor repair or servicing of motor vehicles, boats, or caravans, and the sale or fitting of accessories.</td>
<td>Car sales</td>
<td>Retail premises</td>
</tr>
<tr>
<td>Motor vehicle, boat, or caravan sales</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>Exhibition centre</td>
<td></td>
</tr>
<tr>
<td>Museum</td>
<td>A building used to provide entertainment and dancing. It may include the provision of food and</td>
<td>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>drink for consumption on the premises. It does not include the sale of packaged liquor, or gaming.</td>
<td>Bank</td>
<td>Electoral office</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>Land used for administration, or clerical, technical, professional or other like business activity. No goods or materials intended for manufacture, sale, or hire may be stored on the land. Other than electoral office and medical centre, it does not include any other defined use.</td>
<td>Bank, Electoral office, Medical centre, Real estate agency, Travel agency</td>
<td></td>
</tr>
<tr>
<td>Open sports ground</td>
<td>Land used for organised games of sport, but which is available for informal outdoor leisure or recreation when not being used or prepared for an organised game. It may include lights, change rooms, pavilions, and shelters.</td>
<td>Minor sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td>Outdoor recreation facility</td>
<td>Land used for outdoor leisure, recreation, or sport. It does not include an Open sports ground or Informal outdoor recreation.</td>
<td>Amusement park, Golf course, Golf driving range, Paintball games facility, Zoo</td>
<td>Minor sports and recreation facility</td>
</tr>
<tr>
<td>Paintball games facility</td>
<td>Land used to repair or replace damaged motor vehicle bodies and panels, and carry out any associated mechanical work or spray painting.</td>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
<tr>
<td>Panel beating</td>
<td>Land used to repair or replace damaged motor vehicle bodies and panels, and carry out any associated mechanical work or spray painting.</td>
<td>Motor repairs</td>
<td></td>
</tr>
<tr>
<td>Party supplies</td>
<td>Land used for petroleum exploration in accordance with the Petroleum Act 1998.</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td>Petroleum exploration</td>
<td>Land used for petroleum exploration in accordance with the Petroleum Act 1998.</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td>Petroleum extraction</td>
<td>Land used for petroleum extraction in accordance with the Petroleum Act 1998.</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td>Pier</td>
<td>Land used to keep or breed pigs.</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>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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<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></td>
<td>Animal production</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>Land used to display and sell primary produce, grown on the land or adjacent land. It may include processed goods made substantially from the primary produce.</td>
<td></td>
<td>Retail premises</td>
</tr>
<tr>
<td>Primary school</td>
<td></td>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Race course</td>
<td></td>
<td>Major sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Land used to keep, breed, board or train racing dogs.</td>
<td>Racing dog training</td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
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</tr>
<tr>
<td>Racing dog training</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>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>Railway station</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>Recreational boat facility</td>
<td>Boat launching facility Marina</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>Renewable energy facility</td>
<td>Wind energy facility Energy generation facility</td>
</tr>
<tr>
<td>Research and development centre</td>
<td>Land used to develop or test electronic technology, biotechnology, or any other scientific discipline. It may include administration, promotion, conference, display, laboratory, assembly, and manufacturing areas.</td>
<td>Research and development centre</td>
<td>Industry</td>
</tr>
<tr>
<td>Research centre</td>
<td>Land used only for scientific research.</td>
<td></td>
<td>Research centre</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>Reservoir</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</tr>
<tr>
<td>Residential aged care facility</td>
<td>Land used to provide accommodation and personal or nursing care for the aged. It may include recreational, health or laundry facilities and services for residents of the facility.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Residential building</td>
<td>Land used to accommodate persons, but does not include camping and caravan park, corrective institution, dependent person's unit, dwelling, group accommodation, host farm, residential village or retirement village.</td>
<td>Community care accommodation Residential hotel Rooming house</td>
<td>Accommodation</td>
</tr>
<tr>
<td>Residential hotel</td>
<td>Land used to provide accommodation in serviced rooms for persons away from their normal place of residence. If it has at least 20 bedrooms, it may include the sale of liquor for consumption on, or off, the premises, function or conference rooms, entertainment, dancing, amusement machines, and gambling.</td>
<td>Motel</td>
<td>Residential building</td>
</tr>
<tr>
<td>Residential village</td>
<td>Land, in one ownership, containing a number of dwellings, used to provide permanent accommodation and which includes communal, recreation, or medical facilities for residents of the village.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Land used to prepare and sell food and drink, for consumption on the premises. It may include:</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></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.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>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</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td></td>
<td>include food and drink for consumption on the premises, and gaming.</td>
<td></td>
<td></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; 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.</td>
<td>Equestrian supplies, Party supplies</td>
<td>Shop</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td></td>
</tr>
<tr>
<td>------------------------</td>
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<td>--------------------------------------------------------------------------</td>
<td></td>
</tr>
</tbody>
</table>
| It does not include the sale of food, clothing and footwear unless ancillary to the primary use. | **Retail premises** Land used to:  
  a) sell goods by retail, or by retail and wholesale;  
  b) sell services; or  
  c) hire goods.  
Food and drink premises  
Gambling premises  
Landscape gardening supplies  
Manufacturing sales  
Market  
Motor vehicle, boat, or caravan sales  
Postal agency  
Primary produce sales  
Shop  
Trade supplies | **Retirement village** Land used to provide permanent accommodation for retired people or the aged and may include communal recreational or medical facilities for residents of the village.  
Accommodation | **Rice growing** | Crop raising | **Road freight terminal** | Transport terminal |
| **Retail premises** Land used to:  
  a) sell goods by retail, or by retail and wholesale;  
  b) sell services; or  
  c) hire goods.  
Food and drink premises  
Gambling premises  
Landscape gardening supplies  
Manufacturing sales  
Market  
Motor vehicle, boat, or caravan sales  
Postal agency  
Primary produce sales  
Shop  
Trade supplies | **Retail premises** Land used to:  
  a) sell goods by retail, or by retail and wholesale;  
  b) sell services; or  
  c) hire goods.  
Food and drink premises  
Gambling premises  
Landscape gardening supplies  
Manufacturing sales  
Market  
Motor vehicle, boat, or caravan sales  
Postal agency  
Primary produce sales  
Shop  
Trade supplies | **Rice growing** | Crop raising | **Road freight terminal** | Transport terminal |
| **Retirement village** Land used to provide permanent accommodation for retired people or the aged and may include communal recreational or medical facilities for residents of the village.  
Accommodation | **Rice growing** | Crop raising | **Road freight terminal** | Transport terminal |
| **Retail premises** Land used to:  
  a) sell goods by retail, or by retail and wholesale;  
  b) sell services; or  
  c) hire goods.  
Food and drink premises  
Gambling premises  
Landscape gardening supplies  
Manufacturing sales  
Market  
Motor vehicle, boat, or caravan sales  
Postal agency  
Primary produce sales  
Shop  
Trade supplies | **Retail premises** Land used to:  
  a) sell goods by retail, or by retail and wholesale;  
  b) sell services; or  
  c) hire goods.  
Food and drink premises  
Gambling premises  
Landscape gardening supplies  
Manufacturing sales  
Market  
Motor vehicle, boat, or caravan sales  
Postal agency  
Primary produce sales  
Shop  
Trade supplies | **Rice growing** | Crop raising | **Road freight terminal** | Transport terminal |
| **Retail premises** Land used to:  
  a) sell goods by retail, or by retail and wholesale;  
  b) sell services; or  
  c) hire goods.  
Food and drink premises  
Gambling premises  
Landscape gardening supplies  
Manufacturing sales  
Market  
Motor vehicle, boat, or caravan sales  
Postal agency  
Primary produce sales  
Shop  
Trade supplies | **Retail premises** Land used to:  
  a) sell goods by retail, or by retail and wholesale;  
  b) sell services; or  
  c) hire goods.  
Food and drink premises  
Gambling premises  
Landscape gardening supplies  
Manufacturing sales  
Market  
Motor vehicle, boat, or caravan sales  
Postal agency  
Primary produce sales  
Shop  
Trade supplies | **Rice growing** | Crop raising | **Road freight terminal** | Transport terminal |
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Secondary school</td>
<td>Land used to launder, repair, service or wash articles, machinery, or vehicles.</td>
<td>Car wash</td>
<td>Education centre</td>
</tr>
<tr>
<td>Service industry</td>
<td>Land used to sell motor vehicle fuel from bowser, and lubricants. It may include the:</td>
<td>Dry cleaner</td>
<td>Industry</td>
</tr>
<tr>
<td></td>
<td>a) selling of motor vehicle accessories or parts;</td>
<td>Motor repairs</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) selling of food, drinks and other convenience goods;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) hiring of trailers;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) servicing or washing of motor vehicles; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>e) installing of motor vehicle accessories or parts.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service station</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></td>
</tr>
<tr>
<td>Shipping container</td>
<td></td>
<td></td>
<td>Store</td>
</tr>
<tr>
<td>storage</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shop</td>
<td>Land used to sell goods or services, or to hire goods. It includes:</td>
<td>Adult sex product shop</td>
<td>Retail premises</td>
</tr>
<tr>
<td></td>
<td>• the selling of bread, pastries, cakes or other products baked on the premises;</td>
<td>Beauty salon</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• demonstrations of products including music performances in shops selling recorded music.</td>
<td>Bottle shop</td>
<td></td>
</tr>
<tr>
<td></td>
<td>It does not include:</td>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• food and drink premises;</td>
<td>Dry cleaning agent</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• gambling premises;</td>
<td>Department store</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• landscape gardening supplies;</td>
<td>Hairdresser</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• manufacturing sales;</td>
<td>Laundromat</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• market;</td>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• motor vehicle, boat, or caravan sales;</td>
<td>Supermarket</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• postal agency;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• primary produce sales; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• trade supplies.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sign</td>
<td></td>
<td></td>
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<tr>
<td>Land use term</td>
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<td></td>
</tr>
<tr>
<td>Slipway</td>
<td></td>
<td>Boat launching facility</td>
<td></td>
</tr>
<tr>
<td>Solar energy facility</td>
<td>Land used to generate electricity from solar energy using ground-mounted photovoltaic and thermal technology, where the primary role is to export power to the electricity network. It does not include the generation of electricity principally used for an existing use of land.</td>
<td>Renewable energy facility</td>
<td></td>
</tr>
<tr>
<td>Solid fuel depot</td>
<td>Land used to sell solid fuel, such as briquettes, coal, and firewood.</td>
<td>Fuel depot</td>
<td></td>
</tr>
</tbody>
</table>
| Stone exploration      | Land used to search for stone, including:  
  a) conducting geological, geophysical, and geochemical surveys;  
  b) costeaning and bulk sampling;  
  c) drilling; and  
  d) taking samples for chemical, physical, or other testing.                                                                                                                                                                                                                 | Earth and energy resources industry          |
<p>| Stone extraction       | Land used for the extraction or removal of stone in accordance with the <em>Mineral Resources (Sustainable Development) Act 1990</em>.                                                                                                                                                                                                          | Earth and energy resources industry          |
| Store                  | Land used to store goods, machinery, or vehicles.                                                                                                                                                                                                                                                                                         | Boat and caravan storage                     |
|                         |                                                                                                                                                                                                                                                                                                                                          | Freezing and cool storage                    |
|                         |                                                                                                                                                                                                                                                                                                                                          | Rural store                                  |
|                         |                                                                                                                                                                                                                                                                                                                                          | Shipping container storage                  |
|                         |                                                                                                                                                                                                                                                                                                                                          | Vehicle store                                |
| Supermarket            |                                                                                                                                                                                                                                                                                                                                          | Warehouse                                    |
| Take away food premises| Land used to prepare and sell food and drink for immediate consumption off the premises. It may include up to 10 seats available for consumption on the premises.                                                                                                                                                                               | Shop                                         |
| Telecommunications     | Land used to accommodate any part of the infrastructure of a Telecommunications network.                                                                                                                                                                                        |                                               |
| facility               | Utility installation                                                                                                                                                                                                                                                   |                                               |</p>
<table>
<thead>
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</tr>
</thead>
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<tr>
<td></td>
<td>includes any telecommunications line, equipment, apparatus, telecommunications tower, mast, antenna, tunnel, duct, hole, pit, pole, or other structure or thing used, or for use in or in connection with a Telecommunications network.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tertiary institution</td>
<td></td>
<td></td>
<td>Education centre</td>
</tr>
<tr>
<td>Timber production</td>
<td>Land used to propagate, cultivate, manage and harvest timber.</td>
<td></td>
<td>Crop raising</td>
</tr>
<tr>
<td>Timber yard</td>
<td>Land used to sell sawn, dressed, and treated timber, wood fibre boards, and the like. It includes cutting the timber and boards to order, and selling hardware, paints, tools, and materials used in conjunction with the use and treatment of timber.</td>
<td></td>
<td>Trade supplies</td>
</tr>
<tr>
<td>Trade supplies</td>
<td>Land used to sell by both retail and wholesale, or to hire, materials, tools, equipment, machinery or other goods for use in: a) automotive repairs and servicing; b) building; c) commerce; d) industry; e) landscape gardening; f) the medical profession; g) primary production; or h) local government, government departments or public institutions.</td>
<td>Timber yard</td>
<td>Retail premises</td>
</tr>
<tr>
<td>Tramway</td>
<td>Land used to provide a system of transport in vehicles connected to a network of tracks, and includes tram stops, shunting areas and associated passenger facilities.</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>Transfer station</td>
<td>Land used to collect, consolidate, temporarily store, sort or recover refuse, used or surplus materials before transfer for disposal, recycling or use elsewhere.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>Transport terminal</td>
<td>Land used to assemble and distribute goods or passengers. It includes facilities to park and manoeuvre vehicles. It does not include a Tramway.</td>
<td>Airport</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bus terminal</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Heliport</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Railway station</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Road freight terminal</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Wharf</td>
<td></td>
</tr>
<tr>
<td>Travel agency</td>
<td></td>
<td>Data centre</td>
<td></td>
</tr>
<tr>
<td>Utility installation</td>
<td>Land used:</td>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) for telecommunications;</td>
<td>Reservoir</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) to transmit or distribute gas or oil;</td>
<td>Telecommunications facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) to transmit, distribute or store power, including battery storage;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) to collect, treat, transmit, store, or distribute water; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>e) to collect, treat, or dispose of storm or flood water, sewage, or sullage.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>It includes any associated flow measurement device or a structure to gauge waterway flow.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vehicle store</td>
<td>Land used to park or store vehicles in connection with a goods or passenger transport business.</td>
<td>Store</td>
<td></td>
</tr>
<tr>
<td>Veterinary centre</td>
<td>Land used to:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) diagnose animal diseases or disorders;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) surgically or medically treat animals; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) prevent animal diseases or disorders.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>It may include keeping the animals on the premises for treatment.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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>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>Waste-to-energy facility</td>
<td>Land used for the combustion, treatment or bio-reaction of waste to produce energy for use off site. It includes the activities to collect, temporarily store, process, or transfer waste materials for energy production.</td>
<td></td>
<td>Energy generation facility</td>
</tr>
<tr>
<td>Water retarding basin</td>
<td>Land used to store storm or flood water on a temporary basis.</td>
<td></td>
<td>Minor utility installation</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></td>
<td>Transport terminal</td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Land used to generate electricity by wind force. It includes land used for:</td>
<td></td>
<td>Renewable energy facility</td>
</tr>
<tr>
<td></td>
<td>a) any turbine, building or other structure or thing used in or in connection with the generation of electricity by wind force</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) an anemometer.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>It does not include turbines principally used to supply electricity for domestic or rural use of the land.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Winery</td>
<td>Land used to display, and sell by retail, vineyard products, in association with the growing of grape vines and the manufacture of the vineyard products. It may include the preparation and sale of food and drink for consumption on the premises.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zoo</td>
<td></td>
<td></td>
<td>Outdoor recreation facility</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.
73.04-3  Agriculture group (sub-group of Animal production)

Agriculture  Animal husbandry  Animal production  Intensive animal production  Cattle feedlot

Grazing animal production

Intensive dairy farm

Pig farm

Poultry farm  Broiler farm

Poultry hatchery

73.04-4  Education centre group

Child care centre  Kindergarten

Employment training centre

Education centre  Primary school

Secondary school

Tertiary institution
Industry group

- Materials recycling
- Refuse disposal
  - Industry
  - Research and development centre
    - Abattoir
    - Sawmill
      - Car wash
      - Dry cleaner
    - Rural industry
    - Service industry
      - Motor repairs
      - Panel beating
    - Transfer station
Earth and energy resources group

- Geothermal energy exploration
- Geothermal energy extraction
- Greenhouse gas sequestration
- Greenhouse gas sequestration exploration
- Mineral exploration
- Mineral extraction
- Petroleum exploration
- Petroleum extraction
- Stone exploration
- Stone extraction
Place of assembly group

- Amusement parlour
- Carnival
- Cinema
- Cinema-based entertainment facility
- Circus
- Drive-in theatre
- Art gallery
- 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
Retail premises group

- Bar
- Convenience restaurant
- Hotel
- Restaurant
- Take away food premises
- Betting agency
- Gaming premises
- Garden supplies
- Plant nursery
- Manufacturing sales
- Market
- Motor vehicle, boat, or caravan sales
- Car sales
- Postal agency
- Primary produce sales
- Shop
- See separate diagram for the sub-group of Shop
- Trade supplies
- Timber yard
Retail premises group (sub-group of Shop)

- Adult sex product shop
- Beauty salon
- Bottle shop
- Convenience shop
- Dry cleaning agent
- Department store
- Hairdresser
- Laundromat
- Restricted retail premises
- Equestrian supplies
- Party supplies
- Supermarket
Transport terminal group

- Airport
- Bus terminal
- Heliport
- Railway station
- Road freight terminal
- Wharf
Utility installation group

- Data centre
- Minor utility installation
- Water retarding basin
- Reservoir
- Telecommunications facility
Warehouse group

- Commercial display area
  - Liquid fuel depot
  - Solid fuel depot
- Fuel depot
- Mail centre
- Warehouse
  - Milk depot
    - Boat and caravan storage
    - Freezing and cool storage
    - Rural store
    - Shipping container storage
    - Vehicle store
- Store
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.