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 - Loddon Mallee South

Strategies

Support Bendigo as the regional city and the major population and economic growth hub for the region, offering a range of employment and services.

Manage and support growth in Castlemaine, Gisborne, Kyneton and Maryborough as employment and service hubs that reinforce the network of communities in the region.

Support sustainable growth and expansion in Inglewood, Bridgewater, Marong and Harcourt to capitalise on their proximity to Bendigo.

Facilitate increased commercial and residential densities, mixed use development and revitalisation projects for underutilised sites and land in Bendigo.

Maintain non-urban breaks between settlements.
Loddon Mallee South Regional Growth Plan

**SETTLEMENT NETWORK**
- **Bendigo** - Regional city
  - Major growth
- **Regional centres/towns** - Manage and support growth
- **Encourage sustainable growth** in Bendigo’s hinterland towns
- **Designated identified growth centre** in Plan Melbourne
- **Areas within 100 km of central Melbourne**
- **Bendigo hinterland**

**CONNECTIVITY**
- **Key transport corridor**
- **Opportunity for freight-related activities**
- **Freeway**
- **Road**
- **Rail**

**ECONOMIC**
Facilitate ongoing agricultural productivity and new opportunities that respond to climate change through ongoing adaptation and flexibility.

**ENVIRONMENT**
- **Areas containing high value terrestrial habitat**
- **Public land**
- **Lakes**
- **Rivers**
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*

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)
Growth areas

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

Strategies
Concentrate urban expansion into growth areas that are served by high-capacity public transport.

Implement the strategic directions in the Growth Area Framework Plans.

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

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

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

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

Provide a diversity of housing type and distribution.

Retain unique characteristics of established areas impacted by growth.

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

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

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

Develop precinct structure plans consistent with the Precinct Structure Planning Guidelines (Growth Areas Authority, 2009) approved by the Minister for Planning to:
  - Establish a sense of place and community.
  - Create greater housing choice, diversity and affordable places to live.
  - Create highly accessible and vibrant activity centres.
Provide for local employment and business activity.
Provide better transport choices.
Respond to climate change and increase environmental sustainability.
Deliver accessible, integrated and adaptable community infrastructure.

**Policy documents**
Consider as relevant:

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

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

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

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

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

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

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

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

Improve connections to regional and metropolitan transport services.
Coastal settlement

Objective
To plan for sustainable coastal development.

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

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

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

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

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

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

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

Protect areas between settlements for non-urban use.

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

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

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

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

Policy documents
Consider as relevant:

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

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

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

Policy documents
Consider as relevant:

Regional and local places

Objective
To facilitate integrated place-based planning.

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

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

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

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

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

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

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

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

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

Apply the hierarchy of principles for coastal planning and management:

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

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

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

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

Encourage revegetation of cleared land abutting coastal reserves.

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

Avoid disturbance of coastal acid sulfate soils.

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

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

**Policy documents**
Consider as relevant:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

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

Objective
To protect and conserve environmentally sensitive areas.

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

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

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

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

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

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

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

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

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

Strategies
Consider the risks associated with climate change in planning and management decision making processes.

Identify at risk areas using the best available data and climate change science.

Integrate strategic land use planning with emergency management decision making.

Direct population growth and development to low risk locations.

Develop adaptation response strategies for existing settlements in risk areas to accommodate change over time.

Ensure planning controls allow for risk mitigation or risk adaptation strategies to be implemented.

Site and design development to minimise risk to life, property, the natural environment and community infrastructure from natural hazards.
Coastal inundation and erosion

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

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

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

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

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

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

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

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

**Policy application**

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

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

**Objective**

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

**Strategies**

**Protection of human life**

Give priority to the protection of human life by:

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

**Bushfire hazard identification and assessment**

Identify bushfire hazard and undertake appropriate risk assessment by:

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

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

- Directing population growth and development to low risk locations, being those locations assessed as having a radiant heat flux of less than 12.5 kilowatts/square metre under *AS 3959-2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009).

- Ensuring the availability of, and safe access to, areas assessed as a BAL-LOW rating under *AS 3959-2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009) where human life can be better protected from the effects of bushfire.

- Ensuring the bushfire risk to existing and future residents, property and community infrastructure will not increase as a result of future land use and development.

- Achieving no net increase in risk to existing and future residents, property and community infrastructure, through the implementation of bushfire protection measures and where possible reducing bushfire risk overall.

- Assessing and addressing the bushfire hazard posed to the settlement and the likely bushfire behaviour it will produce at a landscape, settlement, local, neighbourhood and site scale, including the potential for neighbourhood-scale destruction.

- Assessing alternative low risk locations for settlement growth on a regional, municipal, settlement, local and neighbourhood basis.

- Not approving any strategic planning document, local planning policy, or planning scheme amendment that will result in the introduction or intensification of development in an area that has, or will on completion have, more than a BAL-12.5 rating under *AS 3959-2009 Construction of Buildings in Bushfire-prone Areas* (Standards Australia, 2009).

**Areas of biodiversity conservation value**

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

**Use and development control in a Bushfire Prone Area**

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

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

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

- Consider the risk of bushfire to people, property and community infrastructure.
- Require the implementation of appropriate bushfire protection measures to address the identified bushfire risk.
- Ensure new development can implement bushfire protection measures without unacceptable biodiversity impacts.

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

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

Objective
To assist the protection of:

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

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

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

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

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

Policy documents
Consider as relevant:

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

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

Strategies
Identify areas subject to salinity in the preparation of planning schemes and land use planning decisions.

Promote vegetation retention and replanting in aquifer recharge areas contributing to groundwater salinity problems.

Prevent inappropriate development in areas affected by groundwater salinity.

Policy guidelines
Consider as relevant:

- Any applicable regional catchment strategy and any associated implementation plan or strategy (particularly salinity management plans and regional vegetation plans).

- Any special area plan approved under the Catchment and Land Protection Act 1994.

Policy documents
Consider as relevant:

Noise abatement

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

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

Policy documents
Consider as relevant:

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

### Objective
To assist the protection and improvement of air quality.

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

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

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

### Policy documents
Consider as relevant:

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

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

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

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

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

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

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

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

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

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

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

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

Strategies
Identify areas of productive agricultural land, including land for primary production and intensive agriculture.
Consider state, regional and local, issues and characteristics when assessing agricultural quality and productivity.
Avoid permanent removal of productive agricultural land from the state's agricultural base without consideration of the economic importance of the land for the agricultural production and processing sectors.
Protect productive farmland that is of strategic significance in the local or regional context.
Protect productive agricultural land from unplanned loss due to permanent changes in land use.
Prevent inappropriately dispersed urban activities in rural areas.
Protect strategically important agricultural and primary production land from incompatible uses.
Limit new housing development in rural areas by:
- Directing housing growth into existing settlements.
- Discouraging development of isolated small lots in the rural zones from use for dwellings or other incompatible uses.
- Encouraging consolidation of existing isolated small lots in rural zones.
Identify areas of productive agricultural land by consulting with the Department of Economic Development, Jobs, Transport and Resources and using available information.
In considering a proposal to use, subdivide or develop agricultural land, consider the:
- Desirability and impacts of removing the land from primary production, given its agricultural productivity.
- Impacts on the continuation of primary production on adjacent land, with particular regard to land values and the viability of infrastructure for such production.
- Compatibility between the proposed or likely development and the existing use of the surrounding land.
- The potential impacts of land use and development on the spread of plant and animal pests from areas of known infestation into agricultural areas.
- Land capability.
Avoid the subdivision of productive agricultural land from diminishing the long-term productive capacity of the land.
Give priority to the re-structure of inappropriate subdivisions where they exist on productive agricultural land.
Balance the potential off-site effects of a use or development proposal (such as degradation of soil or water quality and land salinisation) against the benefits of the proposal.
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
- Urban Stormwater - Best Practice Environmental Management Guidelines (Victorian Stormwater Committee, 1999)
Water quality

Objective
To protect water quality.

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

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

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

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

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

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

Policy documents
Consider as relevant:

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

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

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

- *Planning permit applications in open, potable water supply catchments* (Department of Sustainability and Environment, 2012)
14.03

EARTH AND ENERGY RESOURCES
Resource exploration and extraction

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

Strategies
Provide for the long-term protection of natural resources in Victoria.
Protect the opportunity for exploration and extraction of natural resources where this is consistent with overall planning considerations and acceptable environmental practice.
Recognise the possible need to provide infrastructure for the exploration and extraction of natural resources.
Ensure planning schemes do not impose conditions on the use or development of land that are inconsistent with the Mineral Resources (Sustainable Development) Act 1990, the Greenhouse Gas Geological Sequestration Act 2008, the Geothermal Energy Resources Act 2005, or the Petroleum Act 1998.

Develop and maintain buffers around mining and quarrying activities.
Ensure planning permit applications clearly define buffer areas appropriate to the nature of the proposed extractive uses, which are to be owned or controlled by the proponent of an extractive industry.
Determine buffer areas between extractive activities and sensitive land uses on the following considerations:
- Appropriate limits on effects can be met at the sensitive locations using practical and available technology.
- Whether a change of land use in the vicinity of the extractive industry is proposed.
- Use of land within the buffer areas is not limited by adverse effects created by the extractive activities.
- Performance standards identified under the relevant legislation.
- Types of activities within land zoned for public use.

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

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

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

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

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

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

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

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

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

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

Building design

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

Strategies
Require a comprehensive site analysis as the starting point of the design process.

Ensure the site analysis provides the basis for the consideration of height, scale and massing of new development.

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

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

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

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

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

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

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

Encourage development to retain existing vegetation.

Policy documents
Consider as relevant:

Subdivision design

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

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

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

Policy documents
Consider as relevant:

Healthy neighbourhoods

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

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

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

Policy documents
Consider as relevant:

Healthy neighbourhoods - Metropolitan Melbourne

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

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

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

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

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

Objective
To ensure development respects valued areas of rural character.

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

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

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

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

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

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

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

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

Objective
To ensure the conservation of places of heritage significance.

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

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

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

Encourage appropriate development that respects places with identified heritage values.

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

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

**Strategies**
Identify, assess and document places of Aboriginal cultural heritage significance, in consultation with relevant Registered Aboriginal Parties, as a basis for their inclusion in the planning scheme.
Provide for the protection and conservation of pre-contact and post-contact Aboriginal cultural heritage places.
Ensure that permit approvals align with the recommendations of any relevant Cultural Heritage Management Plan approved under the *Aboriginal Heritage Act 2006*.

**Policy guidelines**
Consider as relevant:
- The findings and recommendations of the Aboriginal Heritage Council.
- The findings and recommendations of the Victorian Heritage Council for post-contact Aboriginal heritage places.

**Policy documents**
Consider as relevant:
- *Aboriginal Heritage Act 2006*
HOUSING

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

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

Planning for housing should include the provision of land for affordable housing.
16.01 RESIDENTIAL DEVELOPMENT

31/07/2018
VC148
Integrated housing

Objective
To promote a housing market that meets community needs.

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

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

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

Facilitate the delivery of high quality social housing.

Policy documents
Consider as relevant:

Integrated housing - Metropolitan Melbourne

Strategies

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

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

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

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

Strategies

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

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

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

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

Direct new housing to areas with appropriate infrastructure.
Housing diversity

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

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

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

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

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

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

Strategies

Support the ongoing role and contribution of the region’s small towns, settlements and non-urban areas through investment and diversification of their economies.

Support and develop emerging and potential growth sectors such as tourism, renewable energy, resource recovery and other green industries.

Facilitate new manufacturing and food processing industries that build on supply chains and take advantage of well-located and affordable land.

Facilitate access to natural resources where appropriate, including sand and stone, minerals, timber and renewable energy potential.
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 - Loddon Mallee South

Strategies

Support the designation of Castlemaine Diggings National Heritage Park as a World Heritage place to underpin tourism.

Facilitate tourism opportunities in appropriate locations near heritage places and natural environments.
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:

- The Victorian Transport Plan (Victorian Government, 2008)


- Public Transport: Guidelines for land use and development (Victorian Government, 2008)
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:

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)
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:

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

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

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

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

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

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

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

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

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

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

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

Ensure that any use or development within port environs:

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

Policy documents
Consider as relevant:

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

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

Strategies
Protect airports from incompatible land uses.
Ensure that in the planning of airports, land use decisions are integrated, appropriate land use buffers are in place and provision is made for associated businesses that service airports.
Ensure the planning of airports identifies and encourages activities that complement the role of the airport and enables the operator to effectively develop the airport to be efficient and functional and contribute to the aviation needs of the state.
Ensure the effective and competitive operation of Melbourne Airport at both national and international levels.
Protect the environs of Avalon Airport so it can operate as a full-size jet airport focussing on freight, training and services.
Recognise Essendon Airport’s current role in providing specialised functions related to aviation, freight and logistics and its potential future role as a significant employment and residential precinct that builds on the current functions.
Recognise Moorabbin Airport as an important regional and state aviation asset by supporting its continued use as a general aviation airport, ensuring future development at the site encourages uses that support and enhance the state’s aviation industry and supporting opportunities to extend activities at the airport that improve access to regional Victoria.
Maintain Point Cook Airfield as an operating airport complementary to Moorabbin Airport.
Preserve long-term options for a new general aviation airport south-east of Metropolitan Melbourne by ensuring urban development does not infringe on possible sites, buffer zones or flight paths.
Avoid the location of new airfields in areas that have greater long-term value to the community for other purposes.
Plan the location of airfields, nearby existing and potential development, and the land-based transport system required to serve them as an integrated operation.
Plan the visual amenity and impact of any use or development of land on the approaches to an airfield to be consistent with the status of the airfield.
Plan for areas around all airfields such that:
- Any new use or development that could prejudice the safety or efficiency of an airfield is precluded.
- The detrimental effects of aircraft operations (such as noise) are taken into account in regulating and restricting the use and development of affected land.
- Any new use or development that could prejudice future extensions to an existing airfield or aeronautical operations in accordance with an approved strategy or master plan for that airfield is precluded.

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

**18.04-1R Bendigo Airport - Loddon Mallee South**

**Strategy**

Support upgrades at Bendigo Airport that improve access and infrastructure for emergency services.
Freight links

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

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

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

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

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

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

Link areas of production and manufacturing to export markets.

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

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

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

Minimise negative impacts of freight movements on urban amenity.

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

Policy documents
Consider as relevant:


Freight links - Loddon Mallee South

Strategy
Explore opportunities to develop freight-related activities in Marong and Maryborough.
INFRASTRUCTURE

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

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

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

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

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

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

Objective
To facilitate appropriate development of energy supply infrastructure.

Strategies
Support the development of energy facilities in appropriate locations where they take advantage of existing infrastructure and provide benefits to industry and the community.

Support transition to a low-carbon economy with renewable energy and greenhouse emission reductions including geothermal, clean coal processing and carbon capture and storage.

Facilitate local energy generation to help diversify the local economy and improve sustainability outcomes.
Renewable energy

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

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

Policy documents
Consider as relevant:

Renewable energy - Loddon Mallee South

Strategy

Support and facilitate development in renewable energy, waste to energy, carbon sequestration and other new energy opportunities.
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.
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.
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.
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.
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)
Integrated water management - Loddon Mallee South

Strategy

Support ongoing investment in water infrastructure and management of water resources to enhance security and efficiency of water supply to irrigators, farms and urban areas.
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:

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.
OVERVIEW OF THE MOUNT ALEXANDER SHIRE

Mount Alexander Shire is located in the historic goldfields of central Victoria approximately 110 kilometres north of Melbourne. In the year ending 30 June 2011, the estimated resident population of the Shire was 17,872 people. Approximately half of the Shire’s population live in Castlemaine, the largest town in the Shire. The balance of the population reside in smaller towns including Maldon, Harcourt, Newstead, Chewton, Guildford, Taradale and Elphinstone, smaller settlements and the Shire’s rural areas.

The settlement pattern and Crown Allotment structure of the Shire is diverse, with small townships and farming areas that were developed in response to the demands of the gold rush era. This development has left a legacy of dispersed small allotments, which have proven popular for hobby farming and rural lifestyle activities.

The Department of Environment, Land, Water and Planning (Victoria in Future 2014) estimates that the population of Mount Alexander Shire will reach 21,112 by 2031. These figures also estimate an additional 2002 dwellings will be required over the same period (approximately 100 dwellings per annum). This additional dwelling figure may be conservative, as it predicts a falling increase in unoccupied or second dwellings. Recent data suggests this figure is increasing.

The Shire is well known for its heritage townships, buildings and places, which are of local, state and national significance. The notable and extensive Castlemaine Diggings National Heritage Park is a cultural landscape of national heritage significance. Maldon was recognised as Australia’s first Notable Town in 1966. Significant natural and cultural landscapes include Mount Alexander goldfields Mount Tarrengower, Mount Alexander, Mount Consultation, Barfold and Muckleford gorges, the Guildford plateau, Vaughan Springs and Lake Cairn Curran.

The Shire is ideally located within Central Victoria and has extensive road and rail transport links to Melbourne and Bendigo via the Calder Highway and the Melbourne-Swan Hill railway line. Other major centres linked to Mount Alexander include Ballarat (Midland Highway) and Maryborough (Pyrenees Highway).

Mount Alexander Shire has a strong manufacturing, engineering and food processing base including Don/KR Castlemaine and the steel fabrication and design engineering at Flowserve.

New opportunities exist in the expansion of cluster industries, such as the modified motor vehicle sector, the arts, tourism, special engineering and the “land repair” sectors and provision will be made to encourage the development of these and other emerging sectors.

The main employment sectors within the Shire are agriculture (including horticulture), manufacturing, wholesale and retail trade, community services and tourism. Tourism is a growing industry, which is built around heritage, gardens, festivals and events.

Investigation into wastewater management options is needed in Elphinstone, Taradale and Guildford. The lack of infrastructure presents major problems for the environment and constrains the further development of these towns.

The whole of the Shire is within the Murray Darling basin catchment with the Campaspe River catchment generally east of Mount Alexander supplying Lake Eppalock. The western two-thirds of the municipality is in the Loddon River catchment with the Cairn Curran Reservoir on the Shire’s western boundary.

The Loddon Campaspe catchment is ranked as one of the nations four most degraded catchments; dryland salinity, poor soil structure and erosion are prevalent throughout the Shire while the catchment has the highest incidence of algal blooms in the State.

The catchment has poor water quality, which threatens a range of activities (aquatic and riparian ecology, recreation, tourism, aesthetic values, urban water supply, domestic and stock and irrigation uses) throughout the catchment.

There has been a 40 per cent reduction in the extent of wetlands, including freshwater meadows and shallow and deep water marshes, since settlement, while 61 per cent of all rivers and streams are in poor to very poor condition.
The Shire of Mount Alexander comprises parts of three Bioregions: Goldfields, Central Victorian Uplands and Victorian Volcanic Plain. It contains 23 Ecological Vegetation Classes of which 15 are ‘vulnerable’ or ‘endangered’. It also contains 65 threatened flora species and fifty-four threatened fauna species.

The Box Ironbark forests of the region are important habitat for many threatened species. The bushland is also a most important recreational and tourism asset for the Shire, contributing to its unique character as a destination. The establishment of the Castlemaine Diggings National Heritage Park in October 2002 recognised both the natural and cultural values and assets of the area. Additional recognition has followed in 2003 with Victorian Heritage Register listing, and on Australia Day 2005 it was added to the National Heritage List.
VISION AND FRAMEWORK PLAN

Municipal vision

The vision for Mount Alexander Shire, as expressed in the Mount Alexander Shire Council Plan 2013-2017 is to be a “thriving community working together to create a sustainable and vibrant future”. Through the Plan, Council has expressed four goals for the Shire:

- A vibrant healthy community
- Better community facilities
- A thriving local economy
- Building sustainable communities

Planning vision

The land use planning and development vision for the Shire is:

*The Mount Alexander Shire’s townships and rural environs engender an identifiable character which reflects the areas unique heritage, its beautiful landscapes and the quality of life.*

*The Shire Council will seek to manage and sensitively develop the built and natural resources of the Shire in ways which are ecologically sustainable so as to secure an improved economic future, enhance the lifestyle quality of the community and maintain the unique heritage character.*

Township role and identity

The Shire’s settlement pattern comprises a hierarchy of urban centres, each with a role defined by levels of population, services and the physical characteristics that contribute to the identity of the centre, as described in the table below:

<table>
<thead>
<tr>
<th>Settlement</th>
<th>Classification</th>
<th>Current role and identity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Castlemaine</td>
<td>Regional centre/town</td>
<td>Local and sub-regional role, with a primary catchment that extends into adjoining municipalities. This role is supported by a range of shops and services, including hospital and medical services, emergency services and federal, state and local government offices. Castlemaine is a key employment centre. Important cultural centre, especially in arts and heritage. Heritage buildings and streetscapes contribute to the character and identity of the town. Surrounded by areas of native vegetation, which provide the backdrop to the town.</td>
</tr>
<tr>
<td>Maldon</td>
<td>District centre</td>
<td>Local service centre for the township and the rural areas in the north-western part of the Shire. Important tourism role related to its intact 19th century streetscapes, which include buildings and tree-lined streets. Maldon’s cultural significance relates to its intact quartz mining township and landscape. Bounded by areas of native vegetation and Mount Tarrengower, which provide the backdrop to the town.</td>
</tr>
<tr>
<td>Campbells Creek</td>
<td>Local community centre</td>
<td>Satellite of Castlemaine due to its location. Identity derived from tree-lined entrances along the Midland Highway and development patterns that reflect gold mining activities.</td>
</tr>
<tr>
<td>Chewton</td>
<td>Local community centre</td>
<td>Local convenience shopping and community facilities. Identity is derived from historic buildings, setting close to historic mine sites and the Castlemaine Diggings National Heritage Park, and distinctive meandering route of the Pyrenees Highway. Acts as a gateway to Castlemaine.</td>
</tr>
<tr>
<td>Settlement</td>
<td>Classification</td>
<td>Current role and identity</td>
</tr>
<tr>
<td>---------------</td>
<td>----------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Harcourt</td>
<td>Local community centre</td>
<td>Local convenience shopping and community facilities. Cultural identity is derived from the town’s horticultural heritage. Physical identity is influenced by the town’s location on important road and rail routes, proximity to the Mount Alexander Regional Park and stands of native vegetation.</td>
</tr>
<tr>
<td>Newstead</td>
<td>Local community centre</td>
<td>Local service centre and convenience shopping for township and surrounding rural hinterlands. Identity is derived from mature street trees, historic buildings and the Loddon River, which flows through the township.</td>
</tr>
<tr>
<td>Elphinstone</td>
<td>Small village / hamlet</td>
<td>Local convenience shopping and community facilities, located on the railway line. Identity derived from mature vegetation and historic railway station.</td>
</tr>
<tr>
<td>Guildford</td>
<td>Small village / hamlet</td>
<td>Local convenience shopping and community facilities. Located on a busy tourist route. Identity is derived from the views to surrounding rural landscapes, including hills and the Guildford plateau.</td>
</tr>
<tr>
<td>Taradale</td>
<td>Small village / hamlet</td>
<td>Local convenience shopping and community facilities. Identity is derived from historic buildings and railway bridge and development pattern along the highway.</td>
</tr>
<tr>
<td>Baringhup</td>
<td>Small rural community</td>
<td>Small rural community that provides essential services to the local community. The surrounding environs of Lake Cairn Curran provide an attractive setting for low density residential uses.</td>
</tr>
<tr>
<td>Fryerstown</td>
<td>Small rural community</td>
<td>Small former goldmining community located in an attractive treed valley, which creates an attractive location for rural living.</td>
</tr>
<tr>
<td>Metcalfe</td>
<td>Small rural community</td>
<td>Small rural community located on the Coliban River, which provides an attractive setting for low density residential uses.</td>
</tr>
<tr>
<td>Sutton Grange</td>
<td>Small rural community</td>
<td>Small rural community based mainly on agriculture.</td>
</tr>
<tr>
<td>Vaughan</td>
<td>Small rural community</td>
<td>Small community with significant landscape value and mineral springs.</td>
</tr>
<tr>
<td>Yapeen</td>
<td>Small rural community</td>
<td>Small community situated in the shallow valley adjacent to the Mopoke Creek. Its pleasant rural setting, along with its proximity to Castlemaine, makes it an attractive location for rural living uses.                                                                eria.</td>
</tr>
</tbody>
</table>

Strategic framework plan

The Mount Alexander Strategic Framework Plan (Figure 1) identifies key natural and settlement related features in the Shire. It sets out the general pattern for how land use and development should respond to the key influences and issues identified in Clauses 21.03 to 21.12 to achieve the strategic vision for the municipality.
Figure 1: Mount Alexander Strategic Framework Plan
SETTLEMENT

This clause provides local content to support Clause 11 (Settlement) and Clause 16 (Housing) of the State Planning Policy Framework.

Urban growth

Overview

The main urban centres of the Shire, being Castlemaine (including Campbells Creek and Chewton), Maldon, Newstead and Harcourt, currently accommodate approximately two thirds of the Shire’s total population. Population growth and new dwelling construction is not evenly distributed across the Shire. Approximately 60 percent of new dwelling construction is occurring in Castlemaine and the central parts of the Shire, and 30 percent within Castlemaine itself.

The former Department of Transport, Planning and Local Infrastructure estimated that the population of the Shire will reach 21,112 by 2031 (Victoria in Future, 2014). The average annual rate of population growth is expected be 0.8 percent per annum from 2011 to 2031, which is a higher rate of population growth than occurred from 2001 to 2011.

It is projected that the Shire will need to provide an additional 1,647 households to 2031 to accommodate this growth. This equates to a need for approximately 82 new dwellings per annum. Recent dwelling construction activity has exceeded this figure, which suggests that other influences such as part-time residents and smaller household sizes are contributing to demand for new dwellings in the Shire.

The Shire is attracting new residents from outside the Shire, particularly in the over 35 age groups, although it continues to lose people in the 12-24 age groups. There is potential for the Shire to experience greater population growth rates than are projected, in response to:

- the Shire’s heritage, natural environment and lifestyle qualities (the ‘tree change’ factor);
- reduced travel times to Bendigo and Melbourne due to upgraded road and rail infrastructure;
- the influence of strong growth in the adjacent regional centre of Bendigo;
- house and land prices that are comparatively lower than in metropolitan areas; and
- State government and regional policies that promote population growth in provincial Victoria.

Management of urban growth requires protection of built and cultural heritage, townscapes, landscapes, natural environment and lifestyle qualities that are valued by the community. It also requires a strong framework to direct growth into appropriate areas and locations.

Preferred settlement pattern

The Shire has prepared a growth management model to accommodate potential growth called “Cluster Connect and Consolidation”. The model was developed during the preparation of the Mount Alexander Urban Living Strategy. The model seeks to encourage balanced development across the Shire building on the Shire’s existing settlement pattern with a regional urban focus on Castlemaine. The main components of the model are:

- Urban consolidation and expansion at Castlemaine.
- Urban containment and limited expansion at Maldon.
- Planned urban infill and expansion at Newstead as an alternative to Castlemaine and the Calder Corridor towns.
- Planned growth of the Calder Corridor towns (Harcourt, Taradale, and Elphinstone).
- Limited growth of smaller settlements.
- Improving transport and access connections between Castlemaine and outlying towns.
The Mount Alexander Shire Urban Living Strategy (Figure 2) displays Council’s settlement vision and provides population growth estimates for each town. Harcourt, in particular, has potential for growth as it is fully serviced and strategically located close to the Calder Freeway and railway line. It has been identified in the Loddon Mallee South Regional Growth Plan (DTPLI, 2014) as a township where growth will be promoted.

In recent years, most of the new residential lots created in the Shire have been from small, infill subdivisions. Accommodating the forecast population growth is likely to require a shift towards larger subdivisions and increased urban densities, particularly in Castlemaine. Council has prepared the Castlemaine Residential Strategy (2005) to guide residential development in Castlemaine. This document identifies Diamond Gully as the principal growth area in Castlemaine. Diamond Gully is located approximately three kilometres to the south west of the Castlemaine town centre. There is also potential for urban expansion in the McKenzie Hill area. These areas are shown in the Castlemaine Land Use Framework Plan in Clause 21.12.

Analysis from the former Department of Transport, Planning and Local Infrastructure showed that the Shire has at least 15 years’ supply of zoned residential land, and an additional 15 years of ‘future’ or unzoned land stocks (Urban Development Program 2012 Regional Residential Report - Shire of Mount Alexander, DTPLI/Spatial Economics). These areas require more detailed investigation to determine their development potential, particularly in response to bushfire risks.

Council has prepared Urban Design Frameworks or Framework Plans for the townships in the Shire (refer to Clause 21.12). These provide more specific guidance about future land use in the Shire’s towns.

Key issues

- Understanding and managing growth pressures that are emerging from the improved connections between the Shire and Metropolitan Melbourne.
- Identifying areas for urban expansion in Castlemaine where bushfire risks can be managed without significant effects on biodiversity.
- Encouraging growth in small, but well serviced rural townships such as Harcourt and Newstead.
- Addressing wastewater management issues in Elphinstone, Taradale and Guildford, which are ideally placed to accommodate growth due to their proximity to road and rail infrastructure.
- Protecting areas of environmental and landscape significance, particularly areas of remnant native vegetation around Castlemaine.
Figure 2: Mount Alexander urban living strategy

PLAN 2: MOUNT ALEXANDER URBAN LIVING STRATEGY
Cluster, Connect & Consolidation

Population Statistics:
1. 2011 data obtained from census, where collection district was the same as 2001. Where changed, proportioned total from shire used.
2. Castlemaine 2011 population ascertained from census data, less Chewton population.
3. 2021 population projections ascertained from Victoria in Future 2014 data for shire, then apportioned out based on population growth projections from ULV.
Objective 1
To establish a settlement pattern that is generally consistent with the ‘Cluster Connect and Consolidation’ urban growth model.

Strategies
Strategy 1.1  Support urban growth and development that is consistent with the town framework plans in Clause 21.12.
Strategy 1.2  Discourage the rezoning of land for urban purposes outside the urban/township boundaries shown in the town framework plans in Clause 21.12, except where the urban/township boundaries have been modified through an adopted structure plan or similar plan.

Objective 2
To ensure that low density residential development is appropriately located and serviced.

Strategies
Strategy 2.1  Discourage the rezoning or development of land for low density residential development if the land is likely to be required for future urban development.
Strategy 2.2  Require that developers provide sealed roads and drainage infrastructure to low density residential development unless alternative treatments are provided, in accordance with the preferred character of an area as identified in the planning scheme.
Strategy 2.3  Require that developers provide a reticulated domestic water supply and sewerage to low density residential development unless the cost or scale of the works is not commensurate with the proposal based on a cost-benefit analysis.

Implementation
The strategies in relation to urban growth will be implemented through the planning scheme by:

Application of zones and overlays
- Applying the General Residential Zone to areas where moderate growth and diversity of housing that is consistent with existing neighbourhood character is to be provided.
- Applying the Development Plan Overlay to proposed new residential areas in the Shire’s towns to manage preferred lot size and development staging.

Reference documents
- Loddon Mallee South Regional Growth Plan, 2014
- Castlemaine Land Use Strategy, 2004
- Castlemaine Residential Strategy, 2004
- Development Plan Overlay Review, 2009
- Happy Valley/Moonlight Flat Strategic Plan: Stage One - Site Analysis, 2003
- Mount Alexander Planning Scheme Development Plan Overlay Review, 2009
- Mount Alexander Urban Living Strategy –Stage One and Two Reports, 2004
- Urban Development Program 2012 Regional Residential Report - Shire of Mount Alexander

Urban consolidation
There are compelling social, economic and environmental reasons to develop housing in existing urban areas. Encouraging compact urban forms reduces the cost of infrastructure, limits the use of non-renewable resources, and assists in the viability of local businesses, transport and other public infrastructure and services. The Shire’s towns have a range of transport, economic and social infrastructure to support an increase in population.
Small lots of less than 1 hectare in size represent around 50 percent of the supply of zoned residential land in the Shire. Castlemaine, in particular, has potential to accommodate additional dwellings in the existing urban area. It has large numbers of infill blocks with development potential throughout the urban area. The Castlemaine town centre is ideally suited to different forms of accommodation that are sympathetic to the heritage significance of the town. Opportunities also exist to develop new dwellings on sites that were formerly used for non-residential purposes or as part of mixed use developments.

Key issues

- Managing the form and appearance of medium density and infill housing to ensure that they do not adversely affect the heritage and residential character of the Shire’s towns.
- Balancing the need to encourage medium density housing with community desires for relatively low density built form.

Objective 1

To encourage the consolidation of the Shire’s existing urban areas.

Strategies

Strategy 1.1 Ensure that residential development provides opportunities for a range of lot sizes, dwelling sizes and types.

Strategy 1.2 Encourage increased residential densities within 20 minutes walking distance from town centres or close to retail, health and community facilities.

Strategy 1.3 Maintain township boundaries for settlements and townships.

Implementation

The strategies in relation to urban consolidation will be implemented through the planning scheme by:

Policy guidelines

- Applying relevant local policies to areas near activity areas, town centres, train stations and other areas suitable for increased housing activity such as smaller strategic redevelopment sites, when deciding on applications for use or development that relate to urban consolidation.

Application of zones and overlays

- Applying the appropriate residential zone to areas near activity areas, town centres, train stations and other areas suitable for increased housing activity such as smaller strategic redevelopment sites.
- Applying the residential zones to the townships of Newstead, Harcourt and Chewton to encourage residential development.

Further strategic work

- Investigating the application of the Residential Growth Zone and Neighbourhood Residential Zone to the Shire’s urban areas.

Reference documents

- Castlemaine Residential Strategy, 2004

Rural living

Rural living has been a part of the rural landscape in the Mount Alexander area for many years. The desire to live in a rural environment is a key element of the Shire’s attraction for many new residents. Within the Shire, the only areas specifically designated for rural living are in the central part of the Shire around Castlemaine. Some low density residential land exists in Maldon.
Small Crown allotments also make a substantial contribution to the supply of land that is potentially available for rural living purposes, although the development of these lots can undermine the potential of the land for agriculture and can impact on environmental qualities and the natural resource base (water quality, salinity levels, native vegetation, introduced pests and animals and biodiversity loss).

If carefully planned, rural living developments can have a positive environmental impact by increasing levels of native vegetation planting, removing stock from marginal country, and improving land management practices. Council’s Rural Living Strategy (2006) provides a set of principles for the development of rural living land that require consideration of the net environmental impact of the development and requires evidence of a net gain in the environmental condition of the land.

Opportunities to provide for new rural living development in the Shire are limited. The Rural Land Study (2014) found that agricultural should be the primary land use in the Shire’s rural areas.

**Key issues**

- Protecting productive agricultural land from rural living development.
- Providing expensive services and infrastructure to isolated and unplanned rural living areas.
- Managing bushfire risks in existing and new rural living areas.

**Objective 1**

To provide for rural living development in identified areas.

**Strategies**

- **Strategy 1.1** Encourage rural living development in the Rural Living Zone to the north, west and south of Castlemaine.
- **Strategy 1.2** Discourage rural living development outside areas zoned Rural Living Zone, including land zoned Farming Zone.
- **Strategy 1.3** Discourage development in the Faraday/Golden Point area and near Chewton until strategic investigation has been undertaken.
- **Strategy 1.4** Prevent the sprawl of low density residential land uses along the Calder Highway, throughout the Harcourt horticultural area, and on the fringes of towns along the Calder, Midland and Pyrenees Highways.

**Objective 2**

To ensure that rural living development occurs in appropriate areas and provides a net gain in the environmental condition of land.

**Strategies**

- **Strategy 2.1** Discourage proposals to rezone land to the Rural Living Zone that cannot demonstrate a net environmental gain based on the principles of the Rural Living Strategy (2006).
- **Strategy 2.2** Manage rural living development in potable water supply catchments areas, areas of significant biodiversity value, or high erosion risk.
- **Strategy 2.3** Avoid rural living development in areas of high bushfire risk where defendable space cannot be provided.
- **Strategy 2.4** Ensure that rural living lots are of a size that can retain and treat all effluent on site.

**Objective 3**

To ensure that rural living development is economically sustainable.

**Strategies**

- **Strategy 3.1** Ensure the full impact of rural living development is met by the proposed development in relation to road infrastructure, services and the management of storm water.
- **Strategy 3.2** Ensure that all rural living development is serviced with sealed roads to a standard approved by Council.
Strategy 3.3 Require all rural living development proposals to consider environmental remediation works consistent with Strategy 2.2 above.

Implementation
The strategies in relation to rural living will be implemented through the planning scheme by:

Policy guidelines
- Applying local planning policy Clause 22.04 for the use and development of rural land.

Application of zones and overlays
- Requiring an application for a new dwelling or subdivision in the Rural Living Zone, or applications to rezone land to the Rural Living Zone, to be accompanied by the following information as appropriate:
  - An Environmental Management Plan that demonstrates a net environmental gain in the condition of the land.
  - Preparing Native Vegetation Precinct Plans for proposed subdivisions in the rural living zone.
- Facilitating rural living development that results in:
  - Better alignment of lot boundaries with topography and drainage patterns.
  - Substantial net gain in native vegetation cover.
  - Strengthening of wildlife corridors.
  - Creation of buffers to areas of high fire risk.
  - Creation of buffers from adjoining areas of indigenous vegetation and agricultural uses.
  - Creation of building envelopes to protect existing and proposed areas of vegetation.
  - Fencing of watercourses and areas prone to salinity.
  - Rehabilitation of areas subject to erosion.
  - Decommissioning and rehabilitation of existing dams.
  - Reduction in pest plants and animals.
- Applying the Development Plan Overlay to proposed new rural living areas to manage preferred lot size and development staging.

Further strategic work
- Preparing a Domestic Wastewater Management plan to address the cumulative impact of onsite waste water/septic tanks in potable water supply catchments.
- Investigating land supply and demand in the Low Density Residential and Rural Living zones.
- Reviewing the findings of the Mount Alexander Rural Living Strategy, 2006 (the Strategy) for rural living areas as recommended in the Mount Alexander Rural Land Study, 2014, and updating the Strategy at the completion of this work.

Reference documents
Open space

Castlemaine and other towns in the Shire are well endowed with formal and informal open spaces that provide opportunities for sporting activities, passive recreation, events and relaxation. Barkers Creek, Forest Creek and the Castlemaine Botanic Gardens are important open spaces in Castlemaine.

The parks and reserves that surround Castlemaine and Maldon provide significant amenity and recreational value. Parks in the Shire are renowned for wildflowers in spring, and are popular areas for bird-watching, tourism and passive recreation such as picnicking and camping. State forests are used for car rallies, horse riding, hunting, four wheel driving, domestic firewood collection and fossicking.

Council recognises that participation in physical activities not only provides individual benefits such as improved health and wellbeing, but also facilitates community benefits such as stronger community bonds and social cohesion.

Key issues

- Ensuring that new open spaces link with existing open space assets and movement networks.
- Ensuring that open spaces are planned for in a strategic way to minimise future maintenance costs.

Objective 1

To provide for open spaces that meet the needs of local communities.

Strategies

Strategy 1.1 Require contributions for open space from new residential subdivisions that are commensurate with community needs.

Strategy 1.2 Ensure that residential subdivision makes provision for open space links along drainage corridors and creeks in consultation with the relevant land manager or authority.

Strategy 1.3 Identify active and passive open spaces in suitable locations as part of structure plans and other plans for new residential development.

Implementation

The strategies in relation to open space will be implemented through the planning scheme by:

Further strategic work

- Introducing a schedule to Clause 52.01 (Public Open Space Contribution and Subdivision).
- Preparing an open space strategy for the Shire’s towns that assesses existing open space provision and needs, likely future open space requirements and statutory provisions for open space.
ENVIRONMENTAL AND LANDSCAPE VALUES

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

Biodiversity

Biodiversity is the variety of all life, including the diversity of plants and animals, their genes and ecosystems, and the ecological processes they support. Protection of biodiversity is important and a precautionary approach should be taken in planning decisions.

The Shire has prepared the *State of the Environment Report (2010)*, which describes the condition of the Shire’s environment based on a range of indicators. From the time of European settlement until the late 1940s, much of the original native vegetation of the Shire was cleared, initially for mining and later for agriculture. Since the 1940s, there has been almost no net loss in total area of tree cover, although native grasslands have suffered through the introduction of exotic species and nutrients in the soil. Understorey vegetation has been similarly affected. Native vegetation now covers 51 percent of the Shire, including large areas designated for forestry, farming and other land-uses. Scattered native vegetation, notably mature paddock trees and riparian strips, also contribute greatly to ecosystem services and biodiversity.

The Shire contains 23 Ecological Vegetation Classes (EVCs), of which 15 are endangered. Of all the area covered by native vegetation in the Shire, 11 percent has a Bioregional Conservation Status of ‘endangered’. Endangered EVCs are located along the Muckleford Valley, around Mount Alexander and to the south of Newstead, as shown in Figure 3. Vegetation in EVCs on more fertile land has suffered disproportionate losses to other areas.

Habitat quality is declining in some areas and improving in other areas. Habitat quality is important as high-quality vegetation offers improved ecosystem services and benefits for surrounding land management, and supports more biodiversity. Figure 4 maps Strategic Biodiversity Scores across the Shire as identified by the NaturePrint process used by the former Department of Environment and Primary Industries (DEPI). Areas with the high scores, indicating high-value biodiversity assets, include a large section in the north-east of the Shire (from Harcourt through Mount Alexander and Sutton Grange), areas west and north of Maldon (Mount Tarrengower and the Nuggetty Ranges), areas south-west of Newstead (including the Joyces Creek valley) and areas south of Castlemaine and Chewton. Some of these high-value biodiversity assets are protected within parks and reserves; others are on private land.

Among the key threats to biodiversity identified in the North Central Regional Catchment Management Strategy 2013-2019, two that are relevant to land use planning are clearing for agriculture, urban or other uses, and habitat fragmentation and isolation. The Shire contains 65 threatened flora species and 54 threatened fauna species. High densities of threatened flora species exist in the areas around Castlemaine and Harcourt. There are also 11 nationally threatened fauna species found within the Shire. Listed as Endangered are the Macquarie Perch, Regent Honeyeater, Southern Brown Bandicoot, Swift Parrot and Trout Cod, and listed as Vulnerable are the Grey-headed Flying-fox, Growling Grass Frog, Murray Cod, Striped Legless Lizard and Superb Parrot. High densities of threatened fauna species exist in the Yandoit Hills and Gower areas.

The road reserves throughout the Shire contain vegetation of important conservation value. These provide habitat and act as linear reserves. The Shire has developed a *Roadside Conservation Management Plan 2012-17* to assist in managing and protecting these areas.

Key issues

- Balancing the competing interests of protecting existing habitat and facilitating development.
- Arresting the decline in the extent and quality of indigenous vegetation and a consequent decline in native fauna.
- Raising awareness of the value of indigenous vegetation.
• Managing development at the urban-forest interface, which poses a threat to native fauna, increases weed invasion and can increase fire risks.

• Diminishing habitat quality in priority EVCs from bushfire, loss of mature trees, lack of recruitment, weeds and modification around rural dwellings, over-grazing by pests and domestic stock, notably stock on native vegetation pastures and poorly fenced remnants.

• Protecting scattered native vegetation, which has important biodiversity value but is often more difficult to manage and protect than large patches of native vegetation.

• Declining biodiversity values on road reserves through removal of firewood, clearing of land for grazing and planting, and fencing off areas in front of properties.

• Inability for species to adapt to changes in climate, which has the potential to directly threaten biodiversity values.
Figure 3: Ecological Vegetation Classes in Mount Alexander Shire

Source: NCCMA in Rural Land Study, 2014
Figure 4: Strategic Biodiversity Values for Mount Alexander Shire

Legend

Strategic Biodiversity Score
(associated with Native Vegetation Clearing Regulation)

The NaturePrint Strategic Biodiversity Values dataset is an objective, comprehensive and spatially explicit view of strategic biodiversity values. This is more than just a description of the significant biodiversity characteristics at each site, it identifies the value of a site relative to the value of all other Victorian locations. DEPI’s NaturePrint initiative coordinates the development and application of datasets and techniques to enable this view. Ideally, these analyses would be based on complete information on all biodiversity and relevant ecological considerations at all places in Victoria. Given this level of information is not available, the NaturePrint approach relies on robust modelling and extrapolation from available primary data.

- 0.81 - 1.00
- 0.61 - 0.80
- 0.41 - 0.60
- 0.21 - 0.40
- 0.01 - 0.20

Metadata Reference:
NVR2013_S85_V9

Native Vegetation Regulation 2013 data is produced by: Arthur Rylah Institute & Environment and Landscape Performance Division, DEPI, 08 January 2014
Figure 5: Habitat connection zones in Mount Alexander Shire

Source: Connecting Country
Objective 1
To identify and protect remnant native vegetation on privately owned land.

Strategies
Strategy 1.1 Retain, protect and strategically restore native vegetation in urban environments.
Strategy 1.2 Ensure that development at Hundredweight Hill/Moonlight Flat does not impact on habitat within the Castlemaine Diggings National Heritage Park.
Strategy 1.3 Protect native vegetation in Moonlight Flat and Lady Gully.
Strategy 1.4 Protect the identified environmental values of the Barfold Gorge and Mount Alexander and surrounds.

Objective 2
To protect the biodiversity values of public land including roadsides.

Strategies
Strategy 2.1 Discourage land use activities and development on adjacent private land that could potentially conflict with habitat conservation.
Strategy 2.2 Ensure that new tree and shrub plantings on rural roadsides are indigenous to the area and appropriate to the local Ecological Vegetation Class, unless where exceptional circumstances can be shown to exist.

Objective 3
To identify and protect native fauna and its habitat.

Strategies
Strategy 3.1 Maintain or improve strategic biodiversity values, particularly those areas with the highest scores as shown in Figure 4.
Strategy 3.2 Protect native vegetation in the areas identified in the habitat connection zones in Figure 5 and minimise the impact of development on native vegetation in these areas.
Strategy 3.3 Protect the native habitat of the Brush-tailed Phascogale identified by Environmental Significance Overlay (ESO7).
Strategy 3.4 Protect and retain dead trees for their habitat value.

Objective 4
To improve the conservation status of native fauna and flora in the Shire, especially the most threatened species.

Strategies
Strategy 4.1 Ensure no net loss in habitat extent and quality across the Shire’s range of native vegetation communities.
Strategy 4.2 Revegetate the areas identified in the habitat connection zones in Figure 5 and support land management initiatives within these areas.
Strategy 4.3 Before development plans are prepared for proposed new residential development areas, ensure that flora and fauna assessments are conducted, according to current Department of Environment, Land, Water and Planning (DELWP) guidelines.
Strategy 4.4 Collaborate with the Department of Environment, Land, Water and Planning (DELWP) and North Central Catchment Management Authority in further strategic work.

Implementation
The strategies in relation to biodiversity will be implemented through the planning scheme by:

Policy guidelines
- Considering any Roadside Conservation Plan / Roadside Management Plan, when deciding on applications to remove, destroy or lop native vegetation within a road reserve, as appropriate.
Application of zones and overlays

- Applying the Rural Conservation Zone to areas of conservation significance and environmentally sensitive areas.
- Applying the Environmental Significance Overlay to areas where there are environmental constraints on development, a range of ecological values exist, and to habitat corridors.
- Applying the Vegetation Protection Overlay to areas with a high strategic biodiversity score and where clearing of vegetation is the main concern.
- Applying the Vegetation Protection Overlay to significant roadside vegetation.

Further strategic work

- Developing the criteria and identifying potential areas for the application of the Rural Conservation Zone in the Shire.
- Conducting further work to expand the application of the Environmental Significance Overlay for biodiversity protection and enhancement.
- Preparing a strategic assessment of biodiversity connectivity in the Shire, including a review of Schedule 5 to the Environmental Significance Overlay.
- Applying appropriate overlays to the known and potential habitat of the Swift Parrot generally in accordance with the area defined in the Swift Parrot Habitat Management Plan.
- Monitoring vegetation cover and habitat quality through updates to the State of the Environment Report and submitting data to the Department of Environment, Land, Water and Planning.
- Preparing Native Vegetation Precinct Plans for proposed large subdivisions within areas of environmental sensitivity or value.

Reference documents

- Castlemaine Diggings National Heritage Park Management Plan April 2007
- DEPI Selected Biodiversity Components Map
- DEPI Ecological Vegetation Class Mapping Data
- Environment Conservation Council, Box-Ironbark Forests & Woodlands Investigation, Final Report, 2001
- Swift Parrot Habitat Management Plan, Threatened Species Network, 2005
- Mount Alexander Shire Council Rural Land Study, 2014
- North Central Regional Catchment Management Strategy 2013-2019

Significant landscapes

Significant landscapes exist throughout the Shire. These landscapes are important for a range of reasons, including their visual and scenic appeal and social, cultural heritage and environmental values. Often, landscapes have a range of values that need to be recognised and managed.

Areas of high landscape and environmental value have been identified at Mount Alexander and Barfold Gorge. Significant landscapes have also been formally identified in the areas immediately surrounding the townships of Castlemaine and Maldon and in Vaughan and Glenluce. There is an interplay between important townscapes and the landscapes that surround them.
Hilltops and ridgelines are an important element of the Shire’s rural character. They are seen in the distance from almost any perspective in the Shire. The visual and environmental implications of development along these natural features need to be carefully considered.

**Key issues**

- Identifying significant landscapes and their values and establishing appropriate regimes to protect them.
- Recognising that the landscape is an important element in the sustainable development of tourism in the municipality.
- Recognising the contribution of landscapes as the setting for the townships of the Shire.
- Acknowledging that hilltops and ridgelines are particularly vulnerable to inappropriate development.
- Managing pressures to develop land in locations of high scenic value.
- Ensuring that the rural character of the Shire is not eroded by inappropriate development.

**Objective 1**

To recognise and protect landscapes of environmental, scenic, social and cultural heritage importance from inappropriate development.

**Strategies**

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy 1.1</td>
<td>Discourage development that is not in keeping with the identified environmental objectives of the Environmental Significance Overlay.</td>
</tr>
<tr>
<td>Strategy 1.2</td>
<td>Discourage development that is not in keeping with the landscape character objectives of the Significance Landscape Overlay.</td>
</tr>
<tr>
<td>Strategy 1.3</td>
<td>Discourage development on, or close to, prominent ridges and hilltops.</td>
</tr>
<tr>
<td>Strategy 1.4</td>
<td>Ensure the sensitive siting of buildings and other structures having regard to the protection of prominent ridgelines, significant views and areas of remnant vegetation.</td>
</tr>
<tr>
<td>Strategy 1.5</td>
<td>Protect exotic vegetation if it is of heritage, cultural or economic value, or contributes to the character of an area.</td>
</tr>
</tbody>
</table>

**Implementation**

The strategies in relation to significant landscapes will be implemented through the planning scheme by:

**Application of zones and overlays**

- Applying the Environmental Significance Overlay or Significant Landscape Overlay to significant landscapes as appropriate, depending on their values.

**Further strategic work**

- Preparing a Significant Landscape Study for the Shire, which should review the current application of the Significant Landscape Overlay and identify and describe other landscapes of significance.

**Reference documents**

- Trees & Gardens from the Goldmining Era: A Study of the Maldon Landscape, 1981
- Maldon Historic Reserve Management Plan, 1989
- Mount Alexander Shire Council Rural Land Study, 2014

**Rural and landscape character**

The rural appearance and character of the Shire is a strong element of its appeal for residents and visitors. It is the combination of many physical elements that contribute to this character.
Objective 1
To ensure that the use and development of rural land does not detract from the appearance and character of the area.

Strategies
Strategy 1.1 Prevent ribbon-like development along main roads in the Shire.
Strategy 1.2 Discourage buildings close to roads in rural areas that will have a negative visual impact from the public domain unless specific measures to minimise those impacts are proposed.
Strategy 1.3 Require the use of building materials and colours which are in context with the surrounding environment in areas of landscape significance and in rural areas.

Implementation
The strategies in relation to rural and landscape character will be implemented through the planning scheme by:

Policy guidelines
Considering the following as appropriate when deciding on an application for the development of land in a rural zone:

- The effect on views of the road or natural landscape.
- Whether natural topographical features will be used to screen the development.
- Whether the proposed development abuts an existing township.
- The form, height, colours and finishes of the proposed development.
- The setbacks of nearby development.

Considering the following criteria when deciding on an application for a shed or outbuilding in a rural zone:

- Whether the building is located within a defined building envelope.
- The external roof and walls should be finished in paint bonded metal, timber, brick or any other non-reflective and muted colour, except if the site is a heritage place and other treatments would be more appropriate.
ENIRONMENTAL RISKS

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

Climate change

The Victorian Government’s Report on *Climate Change Science and Greenhouse Gas Emissions in Victoria (March 2012)*, projects that Victoria will experience more days over 35°C, higher annual mean temperatures, reduced average rainfall and stream flows, fewer and heavier rainfall days and other effects. Whilst most of its effects are projected to be negative, climate change could also present opportunities, particularly in the agriculture and alternative energy sectors.

Responding to climate change is a complex task that affects, and is affected by, nearly all aspects of the planning system in some way. The policy context for climate change operates at all levels of government and is continually changing. The expectations of the Mount Alexander community in relation to responding to climate change are high. More work is needed to develop appropriate local responses that are effective and consistent with broader scale initiatives for addressing climate change.

Key issues

- Acknowledging that agriculture could be significantly affected by a changing climate.
- Recognising that climate change is likely to exacerbate flooding and bushfire risks.
- Recognising that climate change has the potential to adversely affect transport, drainage and energy systems, biodiversity, food supplies and tourism.
- Acknowledging that Council has limited ability to directly address many environmental outcomes and must work with others to achieve environmental objectives.

Objective 1

To increase the Shire’s resilience to the adverse effects of climate change.

Strategies

Strategy 1.1 Discourage land use and development in areas outside of town boundaries that is likely to be significantly affected by the detrimental effects of climate change.

Strategy 1.2 Discourage the development of dams that are not essential to the conduct of agricultural or horticultural enterprises.

Strategy 1.3 Encourage developments that maximise the capture and re-use of water from buildings.

Implementation

The strategies in relation to environmental risk will be implemented through the planning scheme by:

Further strategic work


Reference documents

Floodplains

Floodplains exist around the Loddon River and major watercourses in the Shire including Muckleford Creek, Forest Creek and Barkers Creek. The township of Newstead has historically been vulnerable to flooding from the Loddon River and is currently protected by levee banks. The planning scheme recognises a number of areas that are subject to inundation in the 1 in 100 year flood event.

Significant flood events occurred in the Shire in 2010, 2011 and 2012, including in the townships of Castlemaine, Campbells Creek and Chewton, which were affected by riverine flooding. The January 2011 flood event is believed to be the highest, or close to the highest, flood event on record. Flooding caused damage to businesses, homes and sporting facilities, and caused significant distress and hardship to members of the community. Following these events, the Victorian Floods Review (2012) identified the need to build greater resilience for infrastructure and settlements in the context of flood risk. Land use planning is considered to be the most effective means of reducing flood risk.

The North Central Catchment Management Authority, in partnership with the Mount Alexander Shire Council, developed the Castlemaine, Campbells Creek and Chewton Flood Management Plan, 2015 in recognition of the need to identify and reduce the risk of future flooding.

Key issues

- Recognising that a number of areas in the Shire that are susceptible to flooding are not identified by overlay provisions in the planning scheme.
- Recognising that although a number of floodplains have been significantly modified from their natural state, they contain native vegetation that provides important habitat links for flora and fauna.

Objective 1

To identify and manage land that is subject to flooding.

Strategies

Strategy 1.1 Support the preparation of any planning scheme amendments to update flood overlays.
Strategy 1.2 Implement adopted flood and drainage studies and support land use and development initiatives for flood mitigation works.

Objective 2

To protect life, property and infrastructure from the risk of flooding.

Strategies

Strategy 2.1 Discourage intensive forms of development or inappropriate uses in areas subject to the Floodway Overlay and Land Subject to Inundation Overlay, unless risks can be adequately managed in consultation with the relevant catchment management authority.
Strategy 2.2 Ensure that strategic plans for new urban development identify land that is subject to inundation and locate open space or other suitable uses in these areas.

Implementation

The strategies in relation to floodplains will be implemented through the planning scheme by:

Application of zones and overlays

- Applying the Floodway Overlay and Land Subject to Inundation Overlay in accordance with relevant planning practice notes and the advice of the relevant catchment management authority.

Further strategic work

- Updating flooding provisions for Newstead, Harcourt, Sutton Grange, Maldon, Guilford, Taradale and the rural areas between Campbells Creek and Guilford.
Soil degradation

Soil contamination

The Shire’s gold mining and industrial heritage has left a legacy of contaminated soils in some parts of the Shire, although most areas that are potentially contaminated have not been formally identified or assessed. Many of the sites that are likely to be contaminated from former gold mining activities are now located on public land. Sites that are potentially contaminated will be progressively identified and managed as infill development occurs.

Erosion

The intensive gold mining of the 19th century also significantly resulted in clearing and soil disturbance around waterways, creek flats and hilltops, making these areas more susceptible to erosion. Many of the Shire’s rural areas are characterised by steep land, which is often cleared and therefore susceptible to erosion. Much of this land is unsuitable for further development or should only be developed in accordance with strict conditions that reflect the environmental sensitivity of the land. The Rural Land Study (2014) contains more detailed information about the location and extent of erosion issues in the Shire.

Salinity

Parts of the Shire are affected by salinity, which reflects the poor condition of the Loddon and Campaspe water catchments. Salinity is a recognised issue in the catchment of the Cairn Curran Reservoir. The salinity has been caused by vegetation clearing that has caused water tables to rise bringing waterlogging and high salt concentrations. Salinity can be reduced by revegetation with deep-rooted perennial species and protecting and re-establishing native vegetation. Areas that are subject to salinity have not yet been formally identified in the planning scheme. The Rural Land Study (2014) contains more detailed information about the location and extent of salinity related issues in the Shire.

Key issues

- Rehabilitating degraded land, including former mining and industrial sites.
- Recognising that the loss of topsoil and salinity significantly affect agricultural productivity and biodiversity.

Objective 1

To ensure that potentially contaminated land is properly assessed and remediated if it could be used for a sensitive use.

Strategy

Strategy 1.1 Require site assessments and environmental audits for land that is potentially contaminated in accordance with relevant planning practice notes.

Objective 2

To reduce the risk of erosion in urban and rural areas.

Strategy

Strategy 2.1 Discourage development under the Erosion Management Overlay unless the policy guidelines of this clause are met.
Objective 3
To minimise the impact of salinity and rising water tables on the environment, buildings and other infrastructure.

Strategies
Strategy 3.1 Encourage the revegetation of areas that contribute to salinity with deep rooted perennial species and indigenous vegetation.
Strategy 3.2 Minimise the drainage of saline and nutrient rich water from irrigated and urban areas.

Implementation
The strategies in relation to soil degradation will be implemented through the planning scheme by:

Application of zones and overlays
- Applying the Environmental Audit Overlay to potentially contaminated land in accordance with the relevant planning practice notes.
- Applying the Erosion Management Overlay to land with slopes of greater than 20 percent or that are subject to erosion.
- Applying the Salinity Management Overlay to areas that are subject to salinity.

Further strategic work
- Engaging with the Department of Environment, Land, Water and Planning to confirm the type of information that is available for erosion and salinity management in the Shire and its accuracy.
- Developing policies or other provisions and agreements to assist decision making under the Erosion Management Overlay and Salinity Management Overlay.

Reference documents
- North Central Second Generation Dryland Salinity Management Plan
- North Central Regional Catchment Management Strategy 2013-2019
- Mount Alexander Shire Council Rural Land Study, 2014

Noise and air
Most of the Shire’s industrial areas either abut, or are located close to residential areas. There is potential for this to cause conflict between industry and sensitive uses. This requires ongoing management through the planning process.

Objective 1
To ensure that noise and air emissions do not affect the amenity of sensitive uses.

Strategies
Strategy 1.1 Ensure that new or expanding industrial uses in industrial areas that abut residential zoned land employ appropriate noise and air emission management techniques, or other strategies to reduce amenity impacts on sensitive uses.
Strategy 1.2 Ensure that animal keeping and racing dog training is sited and designed to protect the amenity of residential areas.

Implementation
The strategies in relation to noise and air will be implemented through the planning scheme by:
Policy guidelines

- Applying Council’s local policy Clause 22.06 (Animal Keeping and Greyhound Training) when considering applications for animal keeping or greyhound training.

Further strategic work

- Investigating the application of the Environmental Significance Overlay to the Castlemaine Water Reclamation Plant.

Bushfire

The Shire faces significant urban bushfire hazard risks at the fringes of all of its main townships, namely Castlemaine, Maldon, Newstead and Harcourt. There are also areas of high bushfire risk in smaller settlements such as Chewton, Fryerstown and Taradale and the rural areas of the Shire.

The Shire’s main town, Castlemaine, is surrounded by bushfire hazards. The greatest risks are to the north, west, south and south east. There is some vacant land that is zoned for residential development close to these areas.

The risk of bushfires to life and property is affected by a wide range of factors, including topography, access arrangements and the conservation significance of the vegetation. At a regional level, the Shire has a relatively high level of exposure to bushfire risks associated with heritage, assets and settlements.

The implications of bushfire risk for the future planning of the Shire will emerge over time as planning work is undertaken to assess bushfire risk, defendable space requirements, vegetation management regimes and other responses. The former Department of Planning and Community Development prepared a *Regional Bushfire Planning Assessment, 2012*. The findings of this work have been incorporated into the Framework Plans in Clause 21.12 and serve as a starting point for more detailed strategic investigations into bushfire risk.

Key issues

- Recognising that significant areas of the Shire are subject to moderate or high levels of bushfire risk.
- Recognising that bushfires are unpredictable and that all bushfire hazards must be considered in planning decisions, including areas outside the Bushfire Management Overlay.
- Balancing the need to retain native vegetation for its biodiversity values with the need to create areas of defendable space around new dwellings.
- Recognising that many areas that have potential for urban expansion in Castlemaine and other townships are close to vegetated land that represents a high fire hazard.
- Managing bushfire risks on small sites that have limited potential to accommodate defendable space around new dwellings.

Objective 1

To establish a sound planning framework to respond to bushfire risk.

Strategies

Strategy 1.1 Ensure that detailed consideration has been given to bushfire risk prior to the rezoning of land.

Strategy 1.2 Use development plans, incorporated plans and schedules to the Bushfire Management Overlay to manage development in areas of high bushfire risk.

Objective 2

To minimise the risk of bushfire to life and property.
Strategies

Strategy 2.1 Direct urban development to the lowest risk locations and avoid development in areas of extreme risk during the preparation of strategic land use or settlement strategies.

Strategy 2.2 Specify setback conditions, building envelopes and other controls to ensure that fire risk is minimised when subdivisions are assessed, based on the advice of the Country Fire Authority.

Strategy 2.3 Discourage developments that do not respond appropriately to bushfire risk, having regard to the advice of the Country Fire Authority.

Implementation

The strategies in relation to bushfire will be implemented through the planning scheme by:

Policy guidelines

When deciding on applications for use and development that may be affected by bushfire, implement the Defendable Space for Townships, Settlements and Population Clusters, 2014, as appropriate.

Application of zones and overlays

- Applying the Bushfire Management Overlay to areas of high bushfire hazard risk.
- Using development plan overlays, incorporated plan overlays and schedules to the Bushfire Management Overlay to manage development in areas of bushfire risk.

Further strategic work

- Developing schedules to the Bushfire Management Overlay to minimise referral requirements.
- Investigating bushfire related issues on vacant residential land at the urban-forest interface to guide updates to the Castlemaine Residential Strategy.
- Investigating bushfire related issues at a strategic level through updates to the Urban Living Study.

Reference documents

- Loddon Mallee Region - Regional Bushfire Planning Assessment, 2012
NATURAL RESOURCE MANAGEMENT

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

Protection of agricultural land

Agriculture is the main rural land use by area across most rural areas of the Shire. The types of agriculture that are practised are largely a function of land type, which falls broadly into three geologies: basalt, granite, sedimentary and alluvial. The dominant agricultural use across most of the Shire is broad acre grazing of cattle and sheep. It occurs wherever agriculture is practiced across the Shire. Grazing is mixed with other agricultural and non-agricultural uses to differing degrees in different parts of the Shire. Extensive cereal cropping occurs on large holdings of alluvial land and gently sloping sedimentary land in the north-west of the Shire.

Irrigated horticulture (mainly apples) supported by the Coliban Irrigation System occurs on granite slopes and outwash land (soil deposited from higher slopes), and valley land at Harcourt. The Harcourt district has a long history as one of Victoria’s significant fruit production regions. Harcourt has a reputation as Victoria’s ‘apple centre’ and, even though production has decreased over past decades, the district still produces around 40 percent of Victoria’s apples. The region also produces pears and stone fruit and, more recently, wine grapes, olives and quinces. Some large vineyards exist on granite land east of Faraday adjacent to the Faraday – Sutton Grange Road. Vineyards including some small, boutique plantings also occur on granite land in the general area of Welshman’s Reef and Cairn Curran Reservoir. Manufacturing activities that add value to horticultural produce are also present in the region.

Council has prepared the Rural Land Study (2014) to guide future planning in the Shire’s rural areas. The Shire’s Agricultural Land Quality is represented in Figure 6. The best quality agricultural land in the Shire is rated ‘moderate’: the lowest quality land is rated ‘very low’. The largest areas of ‘moderate’ quality land exist in the north west of the Shire and along waterways in the other parts of the Shire.

Water availability is a key driver of intensive agriculture. Where water of sufficient volume and quality is available and the land is suitable for irrigation then access to water transforms the versatility and production potential of the land. The Coliban supply system has been integral to sustaining the horticultural industries in the Harcourt area and is undergoing major improvements. Groundwater in the Mid Loddon Groundwater Management Area in the north west of the Shire supports spray-irrigated lucerne on alluvial land. This groundwater is a valuable agricultural resource of regional significance.

Council has prepared restructure plans for old and inappropriate subdivisions in the Shire that need to be restructured to reduce the environmental impacts of dwellings and other development.

Key issues

- Protecting the future of agricultural land of local and regional strategic significance.
- Controlling the unplanned loss of agricultural land to rural living and residential uses.
- Managing the future use and development of small lots in fragmented ownership.
- Protecting the irrigation and groundwater resources that support intensive agriculture and horticulture.
- Restructuring old and inappropriate subdivisions.
Figure 6: Agricultural land quality units and water resources in Mount Alexander Shire


Note: Figure 6 provides a strategic level indicator of agricultural land quality and is not accurate at the individual property level. Quality classes are expressed on a state wide basis, not on a comparative basis within the Shire.
Objective 1
To protect the land and water resources relied upon by agriculture.

Strategies

Strategy 1.1 Promote agriculture and horticulture as the primary land uses in the Shire unless other land uses are strategically justified.
Strategy 1.2 Discourage the subdivision or fragmentation of agricultural land or multi-lot landholdings if they are likely to lead to a non-agricultural use.
Strategy 1.3 Encourage the consolidation of existing titles to maintain the viability of farming uses.
Strategy 1.4 Discourage the development of dwellings in areas of moderate agricultural land quality unless they are directly linked to and will benefit an agricultural use.
Strategy 1.5 Strongly discourage the fragmentation of, or non-agricultural uses within, the Farming Zone in:
  - the Mid-Loddon Groundwater Management Area; and
  - the Harcourt irrigation area.

Objective 2
To reduce the number of small and inappropriately located lots in rural areas.

Strategies

Strategy 2.1 Support the consolidation of lots in old and inappropriate subdivisions into existing tenements or land holdings wherever practicable.

Implementation
The strategies in relation to agriculture will be implemented through the planning scheme by:

Policy guidelines
- Applying Council’s local policy Clause 22.04 (Use and development of land in the Farming Zone and Rural Living Zone) when considering applications for use and development of rural land.

Application of zones and overlays
- Applying the Farming Zone to the Shire’s agricultural areas.
- Applying the Restructure Overlay to old and inappropriate subdivisions.

Reference documents
- Review of Restructure Overlays in the Mount Alexander Planning Scheme, 2007
- Mount Alexander Shire Council Rural Land Study, 2014

Sustainable agricultural land use
Agriculture is an important industry within the Mount Alexander Shire, although many traditional farming practices are now associated with continuing loss of environmental quality and unsustainable land management practices. Significant initiatives at the local level (e.g. Landcare) and regional level catchment management strategies are attempting to address these matters. Ultimately the potential of the agricultural industry is dependent on the health of the environment and Loddon - Campaspe catchment.

The terms of trade and increasing costs associated with traditional agricultural pursuits have led to pressures on the traditional farming sector. As a result, there is a concern that productive agricultural land is being lost to non-agricultural uses, especially to rural living and low density residential development, due mainly to land values. Dwellings in rural areas can also lead to amenity conflicts with existing agricultural activities.
Key issues

- Uncertainties about the viability of traditional farming practices on low quality agricultural land.
- Acknowledging that the dominant agricultural uses in the Shire have changed little over past decades, although farming activities are diversifying.
- Assisting the agricultural sector in adapting to changing macro-economic conditions, climate change and other pressures.
- Managing land use conflicts in rural areas between rural living/lifestyle uses versus the ‘right to farm’.
- Managing the potential for the introduction and expansion of intensive animal production, whilst acknowledging community resistance to these uses.
- Supporting emerging agricultural and horticultural activities, which have yet to achieve industry scale in the Shire.

Objective 1
To minimise potential amenity impacts between agricultural uses and rural lifestyle or other sensitive uses.

Strategies

- **Strategy 1.1** Discourage the use and development of land that could create conflict with existing agricultural activities through consideration of noise, dust, odour, spray drift or hours of operation.
- **Strategy 1.2** Consider the likelihood of amenity related conflicts for any proposals for more intensive development at the interface between urban and rural land.
- **Strategy 1.3** Restrict urban development to areas within the township/urban boundaries identified in the framework plans in Clause 21.12.
- **Strategy 1.4** Establish appropriate buffer areas and performance requirements for intensive activities such as feed lots, piggeries, dairies, dog breeding, and poultry farms.
- **Strategy 1.5** Ensure the appropriate siting and operation of intensive activities so as to negate off-site negative impacts and give accessibility to required infrastructure.

Objective 2
Diversify the agricultural base of the Shire to increase resilience to change.

Strategies

- **Strategy 2.1** Encourage agricultural diversity.
- **Strategy 2.2** Promote opportunities for new farming enterprises to incorporate innovative technologies and use of land.
- **Strategy 2.3** Encourage farm management practices that are sustainable and reflect the optimal use of the land.

Implementation

The strategies in relation to sustainable agriculture will be implemented through the planning scheme by:

Policy guidelines

- Applying Council’s local policy Clause 22.04 (Use and development of land in the Farming Zone and Rural Living Zone) when considering applications for use, development and subdivision in the Farming Zone and Rural Living Zone, as appropriate.
- Applying Council’s local policy Clause 22.05 (Spray Drift) when considering applications for accommodation or other sensitive uses in the Farming Zone and Rural Living Zone, as appropriate.
Applying Council’s local policy Clause 22.06 (Animal keeping and greyhound training) when considering applications for animal keeping or greyhound training in the Farming Zone and Rural Living Zone, as appropriate.

**Water**

The Shire is located in the catchments of both the Loddon and Campaspe Rivers. The condition of the Loddon catchment is poor due to significant land degradation and poor water quality. It is the fourth most degraded catchment within Australia. The degradation of the environment affects land, agriculture and community amenity, with resulting flow on effects to the economy and people who reside in the Shire.

Approximately 90 percent of the Shire’s land area is located in declared potable water supply catchment areas, which are managed and protected under the *Catchment and Land Protection Act 1994*. The Guidelines for *Planning permit applications in open, potable water supply catchment areas* apply to these areas. The Shire also contains significant groundwater resources. Part of the Shire is located within the Central Victorian Mineral Springs Groundwater Management Area (refer to Figure 6). Some of the springs are recognised attractions while others retain their natural setting.

Management of the natural environment is essential to sustain healthy catchments, habitats and retain remnant vegetation. The Shire supports the *Regional Catchment Management Strategy 2013-2019*. The Shire has prepared the *Mount Alexander Domestic Wastewater Management Plan 2012-2015*, which identifies priority areas for immediate action and consideration for upgrades or transition to sewer in Castlemaine, Elphinstone and Taradale. Further work is required to manage domestic wastewater at the municipal level using a risk-based approach.

**Key issues**

- Managing flooding and the preservation of levee banks along the Loddon River.
- Deteriorating water quality due to public access to waterways, overgrazing, fertilisers, intensive animal industries, salinity, weeds and dams.
- Managing the effects on water quality from land clearing, industrial discharges and sedimentation associated with urban development.
- Developing appropriate strategies and policies to manage on-site wastewater disposal/septic tanks in accordance with government guidelines.
- Controlling the impacts of dams on waterway flow and health.

**Objective 1**

To improve water quality and waterway health in the Shire.

**Strategies**

| Strategy 1.1 | Protect native vegetation and encourage appropriate revegetation to prevent land degradation, maintain water quality and protect biodiversity of flora and fauna species. |
| Strategy 1.2 | Ensure that the maintenance of acceptable water quality standards and the natural condition of watercourses are considered in the assessment of land use proposals. |
| Strategy 1.3 | Support improvement options for wastewater management in Guildford, Elphinstone and Taradale. |
| Strategy 1.4 | Ensure that residential densities in unsewered small settlements and townships take into account effluent disposal limitations. |
| Strategy 1.5 | Protect and assist community environmental projects involved in protecting, rehabilitating or enhancing watercourses or areas of remnant vegetation. |

**Objective 2**

To increase environmental flows in all streams and watercourses.
Strategies

Strategy 2.1  Ensure that land use planning and development supports the regional catchment management strategy and sustainable natural resource management practices.
Strategy 2.2  Discourage the development of dams to maintain environmental flows to waterways.

Implementation

The strategies in relation to water will be implemented through the planning scheme by:

Policy guidelines

- Applying Council’s local policy Clause 22.07 (Dams) when considering applications for development of dams in the Rural Living Zone and Low Density Residential Zone.

Application of zones and overlays

- Applying the Environmental Significance Overlay to declared potable water supply catchments in consultation with Goulburn-Murray Water and Coliban Water.

Further strategic work

- Engaging with Goulburn-Murray Water and Coliban Water to investigate the extension of the Environmental Significance Overlay to include all declared open potable water supply catchments in the Shire.
- Updating the Shire’s Domestic Wastewater Management Plan in consultation with Goulburn-Murray Water and Coliban Water.
- Investigating policies and provisions to identify and protect the Central Victorian Mineral Springs Groundwater Management Area in consultation with Goulburn-Murray Water.

Reference documents

- North Central Floodplain Management Plan.
- North Central Regional Catchment Management Strategy 2013-2019
- Mount Alexander Shire Council Rural Land Study, 2014
21.07

BUILT ENVIRONMENT AND HERITAGE

This clause provides local content to support Clause 15 (Built environment and heritage) of the State Planning Policy Framework.

21.07-1

Urban environment

The character of most of the Shire’s highways, major roads and urban areas is strongly influenced by development that occurred during the gold mining era. Heritage places, mature street trees and established private gardens contribute to attractive and memorable streetscapes in many of the Shire’s towns. Stands of remnant vegetation in urban areas and a backdrop of native vegetation also make a strong contribution to this character.

The residential areas of the Shire typically have a spacious feel derived from the generous size of lots and building setbacks and wide road reserves. Dwellings date from the mid 19th century to the present day. Urban areas often lack formal road and footpath treatments, which give these areas an informal character. Residential areas on the fringes of townships often feature remnant native vegetation that extends to private gardens, which contributes to a bushland character.

There are well defined strip shopping centres in Castlemaine and Maldon. These centres have a traditional, compact form, with buildings that have direct frontage to streets and laneways. Most of the Shire’s smaller towns have pockets of commercial development that date from the mid 19th and early 20th centuries. There is potential for infill commercial development in most of the Shire’s towns.

The Castlemaine Commercial Centre (refer Clause 21.09) features wide street blocks and road reserves that are interspersed with a network of laneways. In the areas beyond the Castlemaine Commercial Centre, commercial buildings are often larger and set in grounds, with greater emphasis on vehicle access and parking. Council’s vision is for new development in the Castlemaine Commercial Centre to be pedestrian oriented and sympathetic to the built form and historic fabric of the town. Restoration of shopfronts and sympathetic streetscape design will be encouraged. The walkability of the Commercial Centre will be protected and enhanced.

Castlemaine has four highway entrances that play an important role for commercial and tourism development and act as the gateways to the township. These are:

- Pyrenees Highway / Elizabeth Street
- Pyrenees Highway / Duke Street and Forest Street
- Midland Highway / Barker Street
- Midland Highway / Johnstone Street

Key Issues

- Encouraging new development in the Shire’s residential areas whilst ensuring that development respects the existing neighbourhood character and heritage places.
- Characterising the existing and preferred character of Castlemaine’s residential areas, which have developed over a long period of time and where building styles often vary.
- Preserving compact commercial centres that are highly walkable and pedestrian friendly, whilst accommodating modern retail requirements for parking and access.
- Encouraging the development of underutilised commercial buildings and sites in ways that respect traditional building forms and heritage character.
- Enhancing Castlemaine’s laneways, which are largely under-utilised and have the potential to play a greater role in movement to places of activity and interest.
- Preserving the informal and often historic road, drainage and footpath treatments that contribute to the character of the Shire’s towns, whilst meeting practical requirements.
- Improving the appearance of the Shire’s industrial areas.
• Ensuring that highway entrances provide opportunities for commercial and tourism uses whilst respecting township character, heritage values and sensitive streetscapes.

• Protecting existing mature street trees and providing opportunities for new street trees, which are important for shade, amenity and character.

• Improving the safety and convenience of pedestrian movements across arterial roads, while maintaining their road function.

Objective 1
To protect the identity and existing urban character of the Shire’s townships.

Strategies

Strategy 1.1 Encourage new residential and commercial development that respects the existing form and character of streetscapes and allows for contemporary architectural expression.

Strategy 1.2 Ensure street planting of exotic and indigenous vegetation, landscaping and other vegetation management is consistent with local streetscape plans and policies.

Strategy 1.3 Encourage land use and development to deliver positive urban design outcomes.

Objective 2
To create vibrant and attractive and town centres.

Strategies

Strategy 2.1 Encourage car parking to be located in areas of minimal visual impact or at the rear of buildings.

Strategy 2.2 Discourage development and subdivision within the Castlemaine Commercial Centre that does not allow for traditional, pedestrian focused building forms.

Strategy 2.3 Restore vitality to Barker Street, Castlemaine, by slowing traffic and encouraging the re-development or improvement of prominent corner sites on Barker Street.

Strategy 2.4 Encourage additional infill commercial development along Forest and Barker Streets, Castlemaine.

Objective 3
To create walkable and pedestrian friendly town centres.

Strategies

Strategy 3.1 Develop Frederick Street, Castlemaine, as a major pedestrian link connecting new development sites in the Castlemaine Commercial Centre.

Strategy 3.2 Improve the appearance and function of existing laneways in the Castlemaine Commercial Centre to encourage their use as mid-block links.

Strategy 3.3 Implement traffic calming and improve pedestrian linkages across Forest and Barker Streets, Castlemaine.

Strategy 3.4 Ensure that shading and seasonal comfort issues for pedestrian spaces are core considerations in new landscaping in road reserves and new development sites.

Strategy 3.5 Implement urban design and infrastructure works to maximise the integration between a future supermarket in Vincents Road, Maldon, and the balance of the town centre.

Objective 4
To ensure that new industrial development does not detract from the appearance of urban areas.

Strategies

Strategy 4.1 Encourage high standards of industrial development that adequately addresses issues such as access, parking, signage and landscaping.

Objective 5
To maintain the identity of the Shire’s townships and create positive impressions for visitors.
Strategies

Strategy 5.1 Ensure that development protects the important character attributes and function of the reservations at the main entrances to townships.
Strategy 5.2 Encourage design, signage and landscape treatments that enhance the sense of arrival in the Shire’s townships.
Strategy 5.3 Protect the avenue of exotic tree plantings along the Midland Highway entrances to Castlemaine.
Strategy 5.4 Require development along the entrances to all towns to be landscaped with species consistent with the existing and planned landscape for each town.
Strategy 5.5 Promote service roads, access from side roads and shared access to highway frontage sites.
Strategy 5.6 Improve the gateway presentation and character of Main Street, Chewton, (Pyrenees Highway) as a major tourist road.
Strategy 5.7 Provide Chewton with a special theme to distinguish the township from adjacent Wesley Hill and the outskirts of Castlemaine.

Implementation

The strategies in relation to urban environment will be implemented through the planning scheme by:

Policy guidelines
- Applying Council’s local policies Clause 22.01 (Heritage) and Clause 22.02 (Maldon) when deciding on applications that relate to the built environment and heritage, as appropriate.
- Applying Council’s local policy Clause 22.03 (Design Guidelines for Industrial Development) when deciding on applications to use or develop land in industrial zones, as appropriate.

Application of zones and overlays
- Applying the Design and Development Overlay to the Castlemaine Commercial Centre.
- Applying the Design and Development Overlay to major commercial sites and precincts and new industrial areas.

Further strategic work
- Updating the Castlemaine Urban Design Framework.
- Preparing a structure plan and urban design framework for the Forest Street and Barker Street corridors.

Reference documents
- Barker Street Urban Design Guidelines, 1998
- Castlemaine Central Area Urban Design Framework, 2002
- Castlemaine Industrial Land Study, 2002
- Castlemaine Railway Precinct Masterplan, 2004
- Castlemaine Residential Strategy, 2004
- Castlemaine Town Entrances Land Use Strategy Addendum Report, 2009
- Castlemaine Town Entrances Land Use Strategy, 2002
- Castlemaine Townscape Improvement Plan, Building Guidelines for the Central Business Area, 1990
- Castlemaine Urban Design Strategy, 1998
- Chewton Urban Design Framework, 2008
- Harcourt Town Centre Master Plan, 2011
Sustainable environments

There are now higher community expectations that new urban development will incorporate sustainable development principles, including water and energy efficiency. The planning processes can directly influence these outcomes by ensuring that new urban development is environmentally and site responsive and encourages opportunities to incorporate sustainability measures.

The type, location and form of housing has a major influence on sustainability outcomes in terms of energy use and other resources. The consolidation of development into existing urban areas is usually the most sustainable form of development from an economic, social and environmental perspective. Issues relating to urban consolidation are addressed in more detail in Clause 21.03.

Key Issues

- Managing urban stormwater run-off, which can adversely affect waterways and water quality.
- Recognising that urban development, transport and waste are significant contributors to greenhouse gas emissions.

Objective 1

To reduce energy use and greenhouse gas emissions.

Strategies

Strategy 1.1 Encourage energy efficiency in the planning and design of urban communities in the Shire.
Strategy 1.2 Encourage high quality, environmentally responsible and affordable infill and higher density development including shop-top housing, particularly in Castlemaine.
Strategy 1.3 Ensure designs of subdivisions (e.g. lot orientation) maximise opportunities for passive heating and cooling.

Objective 2

To reduce water use and improve water quality in new urban development.

Strategies

Strategy 2.1 Encourage consideration of whole of water cycle solutions which may allow re-use of treated effluent or re-use of stormwater to minimise total water use.
Strategy 2.2 Encourage water capture and re-use in new developments.
Strategy 2.3 Ensure that proposals for new developments include the most appropriate systems for filtering of run-off storm water including during the construction phase.
Strategy 2.4 Encourage construction or retention of porous surfaces in lesser used roads and footpaths (where no erosion hazard exists), along with storm water management conducive to retention of both water and vegetation.

Implementation

The strategies in relation to sustainable environments will be implemented through the planning scheme by:

Further strategic work

- Preparing a local policy on sustainable urban development.
Heritage

The cultural heritage of the Shire is outstanding. Its built environment is inextricably linked to the discovery of alluvial gold in 1851. The Mount Alexander goldfield was one of the world’s richest, attracting international attention. The Central Victorian goldfields transformed the colony demographically, socially, politically and economically. Today the remnant gold diggings are of major cultural heritage significance locally, and at state, national and world levels. This significance was recognised with the creation in 2002 of the Castlemaine Diggings National Heritage Park, now on the state and national heritage lists, and being considered for nomination to the World Heritage List.

The pre-eminent historic theme and significance of the Shire lies in the concentrated evidence in the landscape of successive phases of gold mining and associated patterns of settlement, particularly the clear evolution from transient gold mining sites to permanent townships. The spatial relationships, condition and integrity of remnant structures, types of structures and their distribution contribute to the unique character of the Shire.

During the peak of alluvial mining between the 1850s and early 1870s the goldfields became a microcosm of international cultures. The interaction between the natural environment, topography and geology and social groups that occupied it, has resulted in distinctive ‘cultural spaces’. Localities are imbued with special meaning and characteristics such as the Irish diggings at Fryers Creek, the Chinese miners at Mopoke Encampment, the Swiss-Italian settlements between Newstead and Yandoit. Place names reflect the origins and experience of the thousands who came to the diggings. Ruined structures of early dwellings, their stone fireplaces or walls associated with the diggings, are prolific in the landscape. More permanent villages mark the location of successful quartz gold operations. Here the formal European architecture reflects the wealth won from gold, and the surveyed street layouts present a contrast with the vernacular architecture and organic settlement in adjacent goldfields. This has left a rich legacy of historic buildings, structures, such as freestanding miners’ cottages, superb railway infrastructure, water systems, churches and cemeteries, public buildings, formal and remnant exotic plantings and remnant mining sites.

There is extensive evidence of Aboriginal occupation and activity throughout the Shire. These sites include traditional and cultural places, ceremonial and camping sites, mining sites, rock wells, middens and ovens. Systematic historical and archaeological research is likely to yield further detailed information on pre and post contact Aboriginal land use in the area and post contact land use by Europeans and other nationalities.

Early pastoral and agricultural use, before and after the gold rush, and its relics are still an important part of the cultural landscape. Industries which were established to support mining and the population have also created a distinctive built legacy and some continue to underpin the local economy. Castlemaine, the largest town in the Shire, was the centre of government administration on the goldfields and became a hub for commerce, transport, education, health services, religious observance and the whole range of social activity. It boasts a high degree of intact and authentic 19th century buildings which reflect those functions. Maldon is one of the most intact 19th century towns in Australia. There are also outstanding collections of historic buildings in many of the smaller towns in the Shire.

Today, this distinctive heritage is a source of pride for the Shire and its communities. It also sustains economic growth as it attracts visitors and residents, supporting the tourist and building industries, and provides a stimulating context for arts, hospitality, professional and knowledge based businesses.

Key Issues

- Properly identifying and describing the extensive heritage assets in the Shire and evaluating their significance.
- Arresting the loss of heritage places and the deterioration of their condition or integrity.
- Managing the impacts of new subdivision and development on heritage places.
- Adapting heritage buildings to new uses to ensure their long-term survival.
- Raising awareness of the importance of lesser known heritage places, including miners’ cottages, mining infrastructure and industrial heritage.

**Objective 1**

To protect and conserve the significance of all Aboriginal and non-Aboriginal heritage places.

**Strategies**

Strategy 1.1 Ensure that all new developments within the Heritage Overlay harmoniously integrate with the heritage character of towns and areas.

Strategy 1.2 Ensure that all heritage places are conserved in a sympathetic manner and in ways that reveal the heritage value of the place.

Strategy 1.3 Strengthen and extend heritage provisions to protect identified heritage places.

Strategy 1.4 Review existing heritage studies and prepare new heritage studies in accordance with the recommendations of a Thematic History for the Shire.

Strategy 1.5 Ensure that land use and development proposals protect and manage sites of archaeological significance.

**Objective 2**

To protect significant natural and cultural heritage landscapes.

**Strategies**

Strategy 2.1 Protect and conserve the Aboriginal and non-Aboriginal heritage and the cultural landscape significance of Pennyweight Cemetery, Pennyweight Flat, Moonlight Flat and Lady Gully.

Strategy 2.2 Ensure that development on land adjacent to the Castlemaine Diggings National Heritage Park does not detrimentally affect its significance and cultural heritage values.

**Implementation**

The strategies in relation to heritage will be implemented through the planning scheme by:

**Policy guidelines**

Applying Council’s local policies Clause 22.01 (Heritage) and Clause 22.02 (Maldon) when deciding on applications in relation to heritage, as appropriate.

When deciding on applications for development in Maldon considering implementation of the Maldon Design Guidelines, as appropriate.

**Application of zones and overlays**

- Applying the Heritage Overlay to places of identified heritage significance.

**Further strategic work**

- Preparing a Thematic Environmental History for the Shire including recommendations for reviews of existing heritage studies, statements of significance and areas not previously assessed.

- Preparing a comprehensive conservation strategy for the Shire including recommendations for planning provisions and policies, conservation management, development guidelines and other actions to protect and conserve the heritage of the Shire.

- Implementing the recommendations of the Metcalfe Heritage Study in the planning scheme.

- Updating the Maldon Design Guidelines to improve useability and consistency.

- Reviewing the local planning policy for Maldon at Clause 22.02 to improve consistency with other provisions.

- Investigating the application of the Significant Landscape Overlay from Tunnel Hill to Chewton.

- Investigating the application of the Significant Landscape Overlay to areas of high visual sensitivity including those areas adjacent to the Castlemaine Diggings National Heritage Park.
Reference documents

- Aboriginal Cultural Resources Management Grid Map, Aboriginal Affairs Victoria (AAV)
- Advertising Signs and Signage and Street Furniture for the Shire of Maldon, 1994
- Chewton Conservation Study, 1977
- City of Castlemaine Architectural & Historical Study, 1979
- Draft Management Plan - Maldon Historic Areas, Department of Conservation, Forests and Lands, 1987
- Former Shire of Newstead Heritage Study, 2004
- Heritage and Property Valuations in the Shire of Maldon, 1992
- Historic Mining sites in the Castlemaine Mining Division, 1993
- Historic mining sites in the Castlemaine/Fryers Creek Mining Divisions, 1993
- Historic Mining sites in the Chewton Mining Division, 1993
- Historic Mining sites in the Maldon Mining Division, 1993
- Historical Summary of the Happy Valley-Moonlight Flat Study Area, 2003
- Maldon Conservation Study, 1977
- Maldon Design Guidelines, 1998
- Maldon Historic Reserve Management Plan, 1989
- Maldon Urban Design Framework, 2004
- Metcalfe Heritage Study, 1994
- The Burra Charter: Australia ICOMOS Charter for Places of Cultural Significance
- Forest Street to Forest Creek Heritage Assessment Report, May 2016
HOUSING

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

Housing location and diversity

The type, location and form of housing has a major influence on the general wellbeing of the community. Land use planning has a direct and important role to play in the provision of housing choices that meet the needs of local communities. Planning for housing is closely connected with settlement planning (refer to Clause 21.03).

The population of Mount Alexander Shire is ageing and households are getting smaller. Compared with Victoria as a whole, the Shire has an older age profile, fewer family households and more single (or lone) person households (ABS, 2011). Population projections prepared by the State Government estimate that the population will continue to age and the number of people per household will continue to fall in the Shire over the next 20 years (Victoria in Future, 2012).

As in the past, single detached dwellings are expected make the greatest contribution to the Shire’s new housing stock in the foreseeable future, although Castlemaine in particular is ideally placed to create different housing stock within the existing urban area. More strategic planning work is needed to identify the preferred areas for different forms of accommodation and other strategies for how Council may encourage a greater diversity of housing, having regard to neighbourhood character and heritage attributes.

Key issues

- Recognising that housing preferences and needs are influenced by a complex range of factors and often change as people move through different stages in life.
- Responding to increases in demand for different housing types as a result of demographic changes, including smaller houses, shared housing and housing suitable for older people.
- Increasing the diversity of housing stock in the Shire, which is currently dominated by single detached dwellings on relatively large lots.
- Creating specialised accommodation that is suitable for the people with special needs or disabilities.
- Recognising that significant numbers of people prefer to ‘age in place’ and that existing housing stock may need to be adapted to accommodate changing needs.
- Adapting existing building stock for alternative forms of accommodation, including shop top living or warehouse style living.
- Understanding the implications of housing that is unoccupied for long periods, reflecting a greater part-time community.

Objective 1

To provide housing that will accommodate the needs of residents at various stages in their lives.

Strategies

Strategy 1.1 Promote the development of smaller dwellings to respond to the changing housing needs of the community.
Strategy 1.2 Encourage high quality, environmentally responsible infill and higher density development where appropriate in the Shire’s towns, particularly in Castlemaine.
Strategy 1.3 Encourage alternative residential design concepts (e.g. cluster housing) in appropriate areas.

Implementation

The strategies in relation to housing location and diversity will be implemented through the planning scheme by:
**Policy guidelines**

- Encouraging new subdivisions to have a diversity of lot sizes.

**Application of zones and overlays**

- Applying the General Residential Zone, Neighbourhood Residential Zone, and Residential Growth Zone to appropriate locations.

**Further strategic work**

- Updating the Castlemaine Residential Strategy to identify the preferred areas for different forms of accommodation.
- Preparing a housing strategy or similar strategic research to improve the understanding of the Shire’s future housing needs.
- Investigating the need for appropriate zoned land for the development of independent living, supported accommodation and full care residential facilities to meet longer term demand.

**Reference documents**

- Castlemaine Residential Strategy, 2004

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**Affordable housing**

Adequate, appropriate and affordable housing are basic factors affecting quality of life. Recent trends indicate that housing is becoming less affordable and that there is a mismatch between the needs of the existing community and the provision of housing within the municipality. Research undertaken for the Shire has confirmed, using accepted measures, that certain groups in the Shire face issues in accessing housing that they can afford.

Housing affordability is a complex issue to understand and address through the planning system. It is affected by the supply of residential zoned land, the suitability of housing stock and the location of housing in relation to shops and services and places of employment. It is also influenced by a broad range of factors outside the planning system. There is a strong desire from the Mount Alexander community to ensure that housing is affordable and accessible for all members of the community.

**Key issues**

- Ensuring that different housing options remain affordable as this is one of the Shire’s competitive advantages in attracting new residents.
- Developing meaningful strategies to address affordable housing, noting that responsible authorities have limited opportunities to directly respond to housing needs.

**Objective 1**

To ensure that all people, including low-income earners, can afford to live in the Shire.

**Strategies**

- **Strategy 1.1** Encourage large developments to include a proportion of social housing within the development.
- **Strategy 1.2** Encourage larger developments to provide a mix of housing types and sizes, including one and two bedroom accommodation suitable for smaller households.

**Implementation**

The strategies in relation to housing location and diversity will be implemented by:

**Policy guidelines**

- Encouraging new subdivisions to include smaller lots to promote affordability.
Further strategic work

- Monitoring housing trends, housing needs and housing prices to understand affordability issues and pressures.

- Investigating the setting of targets to address the supply of housing types that are under-represented in the Shire.
ECONOMIC DEVELOPMENT

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

Commercial

The Castlemaine Commercial Centre is the main activity centre in the Shire. It operates within a regional network defined by Bendigo as the Major Regional City.

The retail sector is constantly changing in response to consumer demands, technologies and other influences. Responding to the land use and development consequences of these changes is a key planning challenge for the Shire.

The planning scheme seeks to reinforce the role of Castlemaine Commercial Centre as the primary local service centre in the Shire, whilst building on its historic features and improving activity mix, functionality and amenity. Council’s vision is that the Castlemaine Commercial Centre will offer more retail and commercial services, with a focus on food for home, personal services, clothing and household goods, local business services, dining, entertainment, art and cultural activities.

Key issues

- Preventing out-of-centre development that would undermine the viability of existing retail areas and entrench car based travel.
- Acknowledging that the traditional retail areas in Castlemaine and Maldon have limited sites for new commercial development, especially larger sites.
- Stimulating the further redevelopment of under-utilised sites in the retail core of Castlemaine.
- Maintaining the viability of existing commercial businesses in the small towns of the Shire.
- Encouraging the re-use and improvement of under-utilised commercial buildings in the small towns in the Shire.
- Recognising that entertainment uses, including late night venues and licensed premises, have the potential to affect the amenity of residents and the community and need to be carefully managed.

Objective 1

To reinforce the role of the Castlemaine Commercial Centre as the primary commercial centre in the Shire.

Strategies

Strategy 1.1 Strongly discourage major office or major retail (over 1500 square metres) developments outside the Castlemaine Commercial Centre.

Objective 2

To ensure that the commercial areas in the small towns in the Shire are attractive and viable.

Strategies

Strategy 2.1 Consolidate the existing commercial and community centres in accordance with the framework plans in Clause 21.12.
Strategy 2.2 Encourage local convenience shopping and tourism uses in the commercial areas.
Strategy 2.3 Encourage the re-use or improvement of under-utilised commercial sites or buildings.
Strategy 2.4 Contain the existing commercial centre in the core area of Chewton between Fryers Road and Angus Street on the Pyrenees Highway.
Implementation
The strategies in relation to commercial development will be implemented through the planning scheme by:

Policy guidelines
- Applying Council’s local heritage policies Clause 22.01 (Heritage) and Clause 22.02 (Maldon) for all new commercial development within a Heritage Overlay.

Application of zones and overlays
- Applying the Commercial 1 Zone to land for retail, office, business, entertainment and community uses.
- Applying the Commercial 2 Zone to land for offices and appropriate manufacturing and industrial and limited retail uses.

Further strategic work
- Investigating the preferred location and extent of commercial uses as part of structure planning work for Harcourt and Campbells Creek.

Reference documents
- Castlemaine Central Area Urban Design Framework, 2002
- Castlemaine Commercial Centre Study, 2012

Industry
The manufacturing sector accounts for 35 percent of all jobs in the Shire (ABS, 2011). Meat processing, in particular, is a key employment sector. Other important sectors are construction, machinery and equipment manufacturing and automotive/specialised vehicles. Mount Alexander’s economy is transitioning towards service sectors and its industrial areas are being used for a greater diversity of uses than in the past. Some traditional manufacturing industries are declining, but the Shire remains an excellent location for highly efficient food manufacturing operations and other industries.

Industrial land in the Shire is concentrated in Castlemaine. There is limited land available for expansion in each of the four major industrial areas in Castlemaine, although additional land has recently been released in Wesley Hill. Industrial areas are also located in Harcourt and Maldon, which have the potential for further development. Harcourt, in particular, has opportunities for industrial development due to its strategic location near the Calder Highway. Long-term opportunities also exist in Elphinstone, subject to servicing upgrades and additional strategic planning.

Whilst Castlemaine’s industrial base and employment needs to be reinforced, new industrial locations at Harcourt and Elphinstone will reduce the amount of industry related traffic travelling through Castlemaine which is creating amenity issues in some residential areas and the town centre.

Key issues
- Ensuring that industries have access to electricity, water and sewerage infrastructure with appropriate capacity.
- Preserving existing industrial land and buffers to safeguard opportunities for the expansion of existing industries or establishment of new industries.
- Identifying the preferred future use of under-utilised industrial sites that have potential for alternative uses.
Recognising that there is a lack of serviced industrial land available for immediate development for a range of industries.

Acknowledging the close proximity of industrial land to residential uses in some areas.

**Objective 1**
To facilitate the establishment and further development of industry in the Shire.

**Strategy**

**Strategy 1.1** Encourage new and existing industries to locate within existing and planned industrial estates where all physical infrastructure is available and which are readily accessible to transport networks.

**Objective 2**
To protect the amenity of residential areas from uses with adverse amenity potential.

**Strategies**

**Strategy 2.1** Provide locations for new industrial development adjacent to a highway or major road and away from existing or proposed residential areas.

**Strategy 2.2** Strongly discourage the establishment of industry that may have offsite amenity impacts on land outside of existing and planned industrial estates.

**Strategy 2.3** Encourage the relocation of industrial activities from predominantly residential areas to industrial estates.

**Implementation**
The strategies in relation to industry will be implemented through the planning scheme by:

**Policy guidelines**

- Applying the policy guidelines in Clause 22.03 to facilitate well planned and designed industrial areas.

**Application of zones and overlays**

- Applying the Township Zone in smaller townships to provide opportunities for industrial and commercial development.
- Applying the Industrial 1 Zone to areas for general industrial and manufacturing.
- Applying the Industrial 3 Zone where special consideration of the nature and impacts of industrial uses is required or to avoid inter-industry conflict.
- Applying the Development Plan Overlay to major new industrial areas, major development sites or sites where complex planning issues need to be addressed.

**Other actions**

- Using township framework plans to identify opportunities for industrial development.

**Further strategic work**

- Preparing an industrial strategy for the Shire, with a focus on Castlemaine.

**Reference documents**

- Mount Alexander Urban Living Strategy –Stage One and Two Reports
- Castlemaine Industrial Strategy, 2001
- Castlemaine Land Use Strategy, 2004
Tourism

Tourism is a growing industry in the Shire. Visitors to Mount Alexander Shire make a very important contribution to the local economy as well as supporting the viability of a large range of businesses that are patronised by local residents.

The tourism industry is built around the Shire’s goldfields heritage including the Castlemaine Diggings National Heritage Park, the arts, gardens, festivals and events. Key drawcards to the Shire include the culinary, arts and cultural attractions and events of Castlemaine, as well as the ‘village’ offerings of Maldon, Guildford and Newstead.

Wineries and cideries are located in the Harcourt Valley, supported by several annual events that celebrate the area’s local produce. There are also heritage attractions, bushwalks and other visitor experiences in the ‘hamlets’ of Taradale, Vaughan, Fryerstown and others. Events are an important source of visitors for all of the Shire’s communities.

Nature-based tourism is also important with water pursuits associated with Lake Cairn Curran and the Loddon River. Horse riding, fishing, camping and mountain biking opportunities exist throughout the Shire. The Goldfields Track is an important regional walking and cycling track that highlights the Shire’s natural features and cultural heritage.

Tourism activity in the Shire is influenced by visitation to adjoining municipalities such as Greater Bendigo and tourism initiatives that relate to the broader goldfields region. Regional initiatives are underway for the significance of this region to be identified nationally and internationally.

Key issues

- Capitalising on the potential for increased tourist visitation following the upgrade of the Calder Highway and improved rail connections with Melbourne and Bendigo.
- Managing the further development of tourism assets, which are often located in areas of environmental or heritage sensitivity.
- Maximising opportunities for the future development of boutique accommodation associated with heritage, culture, arts and food and wine products.

Objective 1

To encourage new tourism-related development in appropriate locations.

Strategies

Strategy 1.1  Encourage tourist facilities and services that are compatible with and add value to the existing built and natural attractions of the municipality.
Strategy 1.2  Encourage new tourist development to be sited and designed to minimise its impact on the natural environment and landscapes or productive agricultural land.
Strategy 1.3  Ensure tourism related developments are planned, located and integrated with existing settlements consistent within the settlement planning vision in Clause 21.09-1.
Strategy 1.4  Encourage tourist, recreational activities, primary produce sales and tasting, linked with or dependent upon agricultural activities, to establish in appropriately zoned rural areas.
Strategy 1.5  Encourage tourism retailing and other tourism related uses in Templeton Street, Castlemaine, and in the vicinity of the Castlemaine Railway Station.
Strategy 1.6  Support the continued development of the Goldfields Track and associated infrastructure developments that enhance tourism opportunities.

Implementation

The strategies in relation to tourism will be implemented through the planning scheme by:

Other actions

- Using framework structure plans to identify tourism opportunities.
Reference documents

- Mount Alexander Shire Council Rural Land Study, 2014
TRANSPORT

This clause provides local content to support Clause 18 (Transport) of the State Planning Policy Framework.

Overview

The Shire is strategically located in Central Victoria and has extensive rail and road transport links to Melbourne and Bendigo via the Calder Highway and the Melbourne-Swan Hill Railway Line. Other major centres linked to Mount Alexander Shire include Ballarat (Midland Highway) and Maryborough (Pyrenees Highway).

Transport and movement are important issues for the Shire due to its low density settlement patterns, high levels of commuting and connections with larger regional centres such as Bendigo and growing relationship with the Melbourne metropolitan area. The size of the Shire’s towns limits the development of public transport in township areas, however, bus services link Castlemaine with most of the Shire’s towns and there is a Castlemaine loop service.

Walking and cycling are popular forms of transport and recreation in the Shire. There is significant potential to improve walking and bicycle infrastructure in the Shire to encourage these forms of transport. Council has prepared the *Mount Alexander Shire Walking and Cycling Strategy (2010)* to guide the location and design of new walking and cycling infrastructure in the Shire’s towns and rural areas. The Strategy recommends the establishment of three zones around population centres in the Shire (a Town Centre zone, walking zone and cycling zone). Its recommendations relate to the footpath network, bike lane network (on road for cyclists) and the trail network (off road for walkers and cyclists).

Key issues

- Improving pedestrian access and amenity in town centres.
- Connecting smaller towns and settlements with Castlemaine.
- Enhancing bicycle and walking infrastructure in the Shire’s towns.
- Preserving opportunities for the expansion of public transport in the future.
- Uncertainty about whether the identified road bypass route to the south east of Maldon is required.

Objective 1

To integrate and co-ordinate transport connections in the Shire.

Strategies

Strategy 1.1 Integrate land use and transport planning to facilitate better use of existing bus, rail, private and community transport services.

Strategy 1.2 Ensure new residential areas are integrated with existing urban areas to facilitate permeability for pedestrians and vehicle traffic.

Objective 2

To encourage higher levels of walking and cycling in the Shire.

Strategies

Strategy 2.1 Develop more extensive footpath network that will connect townships in the Shire to all the main attractions in their surrounding ‘walking zones’, as defined in the *Mount Alexander Shire Walking and Cycling Strategy (2010)*.

Strategy 2.2 Build a more extensive footpath network that will connect townships in the Shire to all the main attractions in their surrounding ‘walking zones’, as defined in the *Mount Alexander Shire Walking and Cycling Strategy (2010).*

Strategy 2.3 Continue to work with VicRoads towards making the Primary and Secondary Cycling routes on the main roads through the Shire’s townships part of the Bike Lane Network.

Strategy 2.3 Develop off-road trails and rail trails that serve both recreational and transport walkers and cyclists by providing off-road access to towns in the Shire, in accordance with the *Mount Alexander Shire Walking and Cycling Strategy (2010).*
Strategy 2.4 Improve the existing informal trails along the Maldon to Castlemaine and Newstead to Castlemaine railways and work with relevant authorities to secure these trails for the community’s use.

Objective 3
To maximise the safety of pedestrians and cyclists.

Strategies
Strategy 3.1 Slow traffic conditions in the ‘walking zones’ of the town centres in consultation with VicRoads.
Strategy 3.2 Construct bike lanes that are wide, well marked and well signposted, in accordance with relevant standards.

Implementation
The strategies in relation to transport will be implemented through the planning scheme by:

Policy guidelines
- When deciding on applications that may require developing, upgrading or maintaining footpaths, consider implementing the design guidelines in Section 3.2.2 of the Mount Alexander Shire Walking and Cycling Strategy (2010), as appropriate.

Further strategic work
- Engaging with VicRoads to investigate the future need to retain the proposed road bypass route of Maldon and identify potential alternative uses of the land.
- Engaging with VicRoads to ensure that the reservation of the Calder Freeway is appropriately zoned.

Reference documents
- Calder Freeway Studies, VicRoads
- Calder Highway Strategy, VicRoads, 1995
- Mount Alexander Shire Walking and Cycling Strategy, 2010-2020
INFRASCTURE

This clause provides local content to support Clause 19 (Infrastructure) of the State Planning Policy Framework.

Overview

The Shire has extensive infrastructure assets, including public health facilities, schools and cultural and recreation facilities. Council operates a landfill in Castlemaine and a Resource Recovery and Waste Transfer Station in Maldon.

Most of the Shire’s urban areas are serviced with services such as reticulated water, sewerage, gas, electricity and telecommunications infrastructure. Some existing drainage infrastructure has heritage significance. It is anticipated that existing water supply infrastructure will be able to meet most of the water supply needs for the projected population growth of the Shire, however there will be a need to upgrade the system for some towns in the future.

Existing sewerage infrastructure in Chewton, Maldon and Newstead will be capable of meeting projected population growth. Some augmentation of existing sewerage infrastructure will be required in Castlemaine, Campbells Creek and Harcourt in order to accommodate future growth. For the currently unsewered towns of Elphinstone, Taradale and Guildford an innovative wastewater management system will be necessary to accommodate the projected growth, as the cost to connect the towns to sewer is likely to be very high. The lack of infrastructure presents major problems for the environment and constrains the further development of these towns.

The Shire is well placed to take advantage of new renewable energy industries, particularly wind energy.

Key issues

- Managing wastewater options in Elphinstone, Taradale and Guildford, noting that wastewater disposal is an issue which constrains the further development of these towns.
- Preventing unplanned residential development in rural areas, which can significantly increase costs of infrastructure maintenance and service provision.
- Upgrading old stormwater infrastructure to accommodate new development.
- Maintaining the Shire’s extensive road and drainage assets.
- Identifying the potential for active and closed landfills to adversely affect new urban development and residential communities.
- Identifying suitable sites for wind energy installations within the constraints of State Government siting policies.

Objective 1

To protect and enhance existing infrastructure assets.

Strategies

| Strategy 1.1 | Encourage the efficient use of existing infrastructure, facilities and services (transport, sewerage, water and community facilities). |
| Strategy 1.2 | Provide opportunities for the expansion of regional health, educational and cultural facilities. |
| Strategy 1.3 | Protect rural infrastructure, particularly road and water infrastructure. |
| Strategy 1.4 | Ensure that active and closed landfills are properly identified and investigated as part of strategic planning for new urban development. |

Objective 2

To provide infrastructure to meet the needs of the Shire’s communities.
Strategies

Strategy 2.1 Support improvement options for wastewater management in Taradale, Elphinstone and Guildford.

Strategy 2.2 Require developers to contribute to items of major new physical or community infrastructure for new residential communities.

Implementation

The strategies in relation to infrastructure will be implemented through the planning scheme by:

Application of zones and overlays

- Applying the Incorporated Plan Overlay and Development Plan Overlay to co-ordinate infrastructure provision in new growth areas.

Further strategic work

- Investigating the use of standard development contribution requirements to apply to new urban growth areas.
- Preparing strategic investigations into wastewater issues for the townships of Taradale, Guildford and Elphinstone.

Reference documents

- Car Parking Study, 1997
LOCAL AREAS

This clause focuses on local area implementation to support Clause 11 of the State Planning Policy Framework. In particular, this clause identifies specific objectives and strategies for the Shire’s local areas based on the hierarchy identified in Clause 11.12 (Loddon Mallee South regional growth) and detailed in Clause 21.02 (Vision and Framework Plan) and Clause 21.03 (Settlement). Each section relates to a particular township or precinct and should be read in conjunction with the overall structure and vision for the Shire as set out in Clauses 21.01 to 21.11 of the Municipal Strategic Statement.

The sections are ordered under the following Local Area headings:

- Castlemaine
- Castlemaine Commercial Centre
- Diamond Gully
- Maldon
- Newstead
- Harcourt
- Taradale
- Elphinstone
- Guildford

Castlemaine

Castlemaine (including Campbell’s Creek) is the main population centre in Mount Alexander Shire with an estimated 2011 population of 8742 persons, which accounts for about 50 percent of the Shire’s total population. It is the key administrative and commercial centre for the Shire.

Objectives and strategies

Objective 1

To facilitate residential development in appropriate locations.

Strategies

1.1 Encourage residential expansion to the west and south of Castlemaine in the McKenzie Hill, Diamond Gully and Campbells Creek areas.

1.2 Support opportunities for low density housing in Happy Valley/Moonlight Flat area and serviced residential development at the southern end of Happy Valley Road consistent with the Happy Valley/Moonlight Flat Structure Plan, 2004.

Local area implementation

- Ensuring that any proposed use or development in Castlemaine is generally consistent with the Castlemaine Land Use Framework Plan in Figure 7.

Further strategic work

- Preparing incorporated plans or development plans for proposed new residential areas.
- Updating the Castlemaine Residential Strategy.
- Preparing a structure plan for Campbell’s Creek and its urban expansion area.
- Investigating the preferred location and extent of commercial uses as part of structure planning work for Campbells Creek.
- Investigating the potential for land zoned Rural Living Zone in Little Bendigo and Froomes Road, Castlemaine, to be rezoned for low density residential development.
- Investigating the housing potential of crown land situated south of Forest Creek and north of Duke Street.

**Reference documents**

- Castlemaine Land Use Strategy, 2004
- Castlemaine Residential Strategy, 2004
- Happy Valley/Moonlight Flat Strategic Plan: Stage One - Site Analysis, 2003
- Castlemaine Industrial Strategy, 2001
Figure 7: Castlemaine Land Use Framework Plan

PLAN 3: CASTLEMAINE LAND USE FRAMEWORK

- **Existing Residential Zones**: Land with constraints to infrastructure, stores, National Park, Crown reserves, etc., applies a separation distance.

- **Future Residential**: Subject to further planning and development of urban form and interface study.

- **Development Plan District**: For development of Castlemaine. Contains a Strategic Plan for Castlemaine, 2005.

- **Further Investigation for Residential Expansion**

- **Potential Low Density Residential Area**: Zoning is applied for the development of building of specified floor area. Sites and locations are in Happy Valley/Mulloon Women's Place and have good access to the highway and public transport network. Site 1 and 2 are located within the Castlemaine Regional Park.

- **Proposed Castlemaine Urban Forest Interface Study**

- **Urban Boundary**: Castlemaine Central Residential Area and its Plan in Castlemaine Residential Strategy.

- **Open Space Network**: Based on major creeks. Develops extra recreational network using major creeks as open space.

- **Vegetation on Freehold Land**

- **Proposed Activity Centres**

- **Highway Business Sites**: New or development ready to be applied to transport and enhance urban character. Refer to Castlemaine Freight Terminal Strategy.

- **Implementation Condorine Town Enterprise Strategy**

- **Industrial and Service Business Nodes**

- **Potential Industrial at L Zone**: To provide buffer to more sensitive land use.
Castlemaine Commercial Centre

Castlemaine’s commercial centre is the main activity centre in the Shire and provides a range of retail, office and government services. The retail core is focused around Mostyn Street and Barker Street.

The centre has approximately 37,800 square metres of floor space of which approximately 40 percent is retail and 20 percent is office, with the rest being community, civic and other uses.

The Planning Scheme seeks to reinforce the centre’s role as the Shire’s primary local service centre, whilst building on its historic features and improving activity mix, functionality and amenity.

Council’s vision is that the Castlemaine Commercial Centre will offer more retail and commercial services, with a focus on food for home, personal services, clothing and household goods, local business services, dining, entertainment, art and cultural activities.

Additional retail and commercial investment will be supported and encouraged in the Commercial Centre boundary, with a focus on major new investment on Forest Street.

The primacy of the Castlemaine Commercial Centre will be protected. The use of land outside the centre for substantial retail activity will be discouraged, although small-scale local commercial centre development outside of the centre will be supported under certain conditions.

Objectives and strategies

Objective 1

To reinforce the role of the Castlemaine Commercial Centre as the primary centre in the Shire.

Strategies

1. Encourage and consolidate new commercial development in the Castlemaine Commercial Centre, as defined in Figure 8.

1.1 Strongly discourage major retail developments of more than 1,500 square metres in floor area that are outside the Castlemaine Commercial Centre area.

1.2 Allow small-scale local convenience centres of between 200 and 1,500 square metres in floor area outside the Castlemaine Commercial Centre area if:
   - the area has a catchment of 1,500 dwellings in which no other centre is located; and
   - the centre is located more than one kilometre from the Castlemaine Commercial Centre boundary.

1.3 Discourage major office developments outside the Castlemaine Commercial Centre.

1.5 Support the re-development of the former bus depot site on the corner of Barker and Forest Streets for major new commercial development.

1.6 Encourage tourism retailing and other tourism related uses in Templeton Street, Castlemaine, and in the vicinity of the Castlemaine Railway Station.

Objective 2

To recognise and strengthen the roles of the highway entrances to Castlemaine.

Strategies

2.1 Recognise the Pyrenees Highway (Duke Street) as the major highway entrance used by tourists from Melbourne by encouraging tourist and commercial enterprises on land abutting the Highway.

2.2 Protect the residential and heritage character of Midland Highway (Barker Street) by confining new commercial development to existing business and industrial zones abutting the Highway.

2.3 Promote Pyrenees Highway (Elizabeth Street) from the Bridge to Johnstone Street as a highway business precinct.

2.4 Promote highway business in defined precincts along Midland Highway (Johnstone Street).


Objective 3

To protect the identity and existing character of the Castlemaine Commercial Centre.
Strategies

3.1 Discourage development and subdivision within the Castlemaine Commercial Centre for generic chain retail design formats.

3.2 Encourage new development within the Castlemaine Commercial Centre to reflect the existing character of the centre in relation to car parking, street furniture, pavements, lighting, tree planting and streetscape aesthetics.

Scheme Implementation

The strategies in relation to commercial development will be implemented through the planning scheme by:

Local area implementation

Ensuring that any proposed use or development in the Castlemaine Commercial Centre is generally consistent with the Castlemaine Commercial Centre Plan in Figure 8.

Policy guidelines

- Applying Council’s local heritage policy at Clause 22.01 for all new commercial development in heritage overlays.

Application of zones and overlays

- Applying the Commercial 1 Zone to land for retail, office, business, entertainment and community uses.
- Applying the Commercial 2 Zone to land for offices and appropriate manufacturing and industrial and limited retail uses.
- Applying the Design and Development Overlay to the Castlemaine Commercial Centre.

Reference documents

- Castlemaine Central Area Urban Design Framework, 2002
- Castlemaine Commercial Centre Study, Final Report, October 2012
- Castlemaine Town Entrances Land Use Strategy Adendum Report, 2009
- Castlemaine Town Entrances Strategy, 2002
Diamond Gully

Diamond Gully will be Castlemaine’s primary urban growth area. Council has adopted the *Diamond Gully Structure Plan*, 2016 (DGSP) to guide future development of the area. The DGSP identifies the preferred urban form for the area, and provides for connectivity and linkages within the area and externally to Castlemaine and Campbells Creek.

The DGSP was prepared with regard to the need to promote subdivision and residential development against other considerations including the protection of significant vegetation and the need to prioritise the protection of human life in areas at risk from bushfire.

**Objectives and strategies**

**Objective 1**

To reinforce the vision of the DGSP and recognise Diamond Gully as Castlemaine’s primary urban growth area.

**Strategies**

1.1 Provide for good connectivity between the DGSP area and Castlemaine Township centre and Campbells Creek, including vehicle and shared bicycle and pedestrian connections.

1.2 Consider opportunities for the provision of commercial facilities including medical centre/child care centre to service the needs of the Diamond Gully community.

1.3 Encourage subdivision and development of low density areas.

1.4 Support clustering of development in the southern residential greenfield precinct where the opportunity exists to create shared defendable space.
Objective 2

To consider environmental constraints when planning for future residential development, where relevant.

Strategies

2.1 Support hard edges for residential development within the DGSP area to respond to threat from bushfire.
2.2 Support the application of building envelopes and the preparation of Section 173 Agreements as a condition on planning permits to protect significant vegetation in areas identified for low density development to the west and south of future residential areas.
2.3 Consider including a condition for a Section 173 Agreement restricting the keeping of domestic animals on permits for future subdivision.
2.4 Encourage water sensitive urban design responses for development across the DGSP area.
2.5 Encourage the provision of open space corridors along watercourses, and appropriate setbacks for dwellings and structures along these areas.
2.6 Ensure that buffers are provided between landfills and new development.
2.7 Observe the five development principles outlined in the DGSP to guide development in appropriate locations.

Local area implementation

- Ensure that any proposed use or development within the DGSP area is generally consistent with the Diamond Gully Structure Plan, 2016.
- Ensure that development is consistent with Schedule 6 to the Environmental Significance Overlay.

Further strategic work

- Explore the suitability of a new schedule to the Rural Living Zone (RLZ) for those areas identified for low density residential development that are currently zoned RLZ and Township Zone to guide appropriate development in those areas.
- Consider consolidation of existing cleared RLZ land to allow some limited residential development while managing an appropriate response to the threat of bushfire.
- Investigate the possibility of extending Lushington Reserve in a southerly direction to include the former landfill cells/council depot.

Reference documents

Diamond Gully Structure Plan, 2016
Castlemaine Landfill Odour and Buffer Assessment, May 2016

Maldon

Maldon is the second largest township in the Mount Alexander Shire, with an estimated 2011 population of 1432 persons. The town has been recognised for its heritage significance.

The retail centre in High Street, Maldon, is the second largest retail centre in the Shire. It provides local shopping needs for the township and the rural district in the north western part of the Shire and serves an important tourism role. Maintaining the viability of the High Street and Main Street shops is important for the local and tourist role of the town. A site for a supermarket has been identified in Vincents Road, outside the town centre.

Objectives and strategies

Objective 1

To ensure that the commercial area is attractive and viable.
Strategy

1.1 Ensure that commercial land in Vincents Road, Maldon, is developed for a single supermarket business and does not contain separate shops or tenancies that would undermine the retail role of High Street and Main Street, Maldon.

Local area implementation

- Ensuring that any proposed use or development in Maldon is generally consistent with the Maldon Land Use Framework Plan in Figure 9.

Further strategic work

- Preparing incorporated plans or development plans for proposed new residential areas.

Reference documents

Maldon Economic Futures Project, Final Report, 2008
Figure 9: Maldon Land Use Framework Plan
Newstead

Newstead is a local community centre, on the Loddon River with an estimated population of 669 in 2011. It provides services to residents of the township itself and surrounding rural area.

Local area implementation

- Ensuring that any proposed use or development in Newstead is generally consistent with the Newstead Land Use Framework Plan in Figure 10.

Further strategic work

- Preparing incorporated plans or development plans for proposed new residential areas.
- Preparing an urban design framework or structure plan for Newstead.
Figure 10: Newstead Land Use Framework Plan

PLAN 5: NEWSTEAD FRAMEWORK PLAN

- State Parks, Reserves
- Township Boundary
- Indicative Areas Subject to Flooding
- Open Space Network
- Town Centre
- Potential Rural Living
- Medium Density Housing
- Potential Sites
- Development Plan Overlays
- Proposed River Crossing
- Proposed Studies
- Public/Private Forest Interface Areas
- Planning Scheme Reference Documents
- Newstead Heritage Study 2003
- Newstead Urban Design Framework

- Setting framework for future land use and development
- Defining areas subject to flooding
- Creating open spaces for recreation
- Centring the town centre
- Allowing for rural living areas
- Providing for medium density housing
- Identifying potential sites for specific uses
- Allowing for future development
- Planning for flood management
- Enhancing public spaces
- Creating pedestrian and bicycle paths
- Protecting heritage areas
- Assessing potential impact
- Referencing relevant studies
Harcourt

Harcourt is a local community centre with an estimated 2011 population of 479. Harcourt has been identified as a place for population growth in the Loddon Mallee South Regional Growth Plan. Harcourt is located next to Mount Alexander, and is well placed to take advantage of tourism opportunities that Mount Alexander offers. The area is well known for its apple and pear orchards, providing a significant contribution to the State’s apple supply.

Objectives and strategies

Objective 1

To facilitate the establishment and further development of industry in the Shire.

Strategies

1.1 Encourage new industrial development in Harcourt to capitalise on good road access to the Calder Freeway.
1.2 Rezone and develop industrial land in Harcourt in accordance with the township plan in Clause 21.12.

Local area implementation

- Ensuring that any proposed use or development in Harcourt is generally consistent with the Harcourt Land Use Framework Plan in Figure 11.

Further strategic work

- Preparing incorporated plans or development plans for proposed new residential areas.
Figure 11: Harcourt Land Use Framework Plan

PLAN 6: HARCOURT FRAMEWORK PLAN

- State Parks, Reserves
- Township Boundary (allowing for future expansions)
- Town Centre
- Future Expansion of Town Centre
- Retain hillside and landscape background to town centre; discourage any new development
- Site for comprehensive redevelopment; suitable for mixed-use - residential, business, tourism
- Industrial Areas
  - Area A - with allowance for expansion to south (proximity to Industrial 2 zone)
  - Area B - proposed new industrial area
- Potential Rural Living
  - retain native vegetation, vegetation protection overlay will need to be applied
- Potential Low Density Residential
- Prevent conflict between residential and horticultural land use. Refer to planning scheme.
- Proposed Calder Freeway
- alignment corridor
- Local Infrastructure and Service Corridors
- Proposed Studies:
  - Harcourt Urban Design Framework
  - Planning Schemes Reference Documents:
  - Metcalfe Heritage Study 1987
Taradale

Taradale is a small village at the southern edge of the Shire along the Calder corridor. The estimated population was 464 in 2011. The town is located along Back Creek which feeds into the Coliban River. A significant landmark of the town is the Taradale Viaduct along the Melbourne to Bendigo railway line, which reaches a height of approximately 36 metres.

Objectives and strategies

Objective 1

To facilitate urban development in small towns.

Strategy

1.1 Support improvement options for wastewater management in Taradale, Elphinstone and Guildford.

Local area implementation

- Ensuring that any proposed use or development in Taradale is generally consistent with the Taradale Land Use Framework Plan in Figure 12.

Further strategic work

- Preparing incorporated plans or development plans for proposed new residential areas.
Figure 12: Taradale Land Use Framework Plan

PLAN 7: TARADALE FRAMEWORK PLAN

- **Township Boundary**: (allowing for future expansion) Encourage more compact urban form to achieve village character and facilitate efficient land use for town services.
- **Residential expansion and infill within township zone**: Development Plan overlap will need to be applied to co-ordinate town growth & design and protect environmental values.
- **Ensure new dwellings do not obstruct or detract from view of rail bridge**: Apply Design and Development overlay specifying siting, height and design requirements.
- **Future residential**: Northward expansion of township area. Township rezoning recommended.
- **Open Space Network**: Develop network based on creek system. Use network in design of new residential areas.
- **Town Centre**: Both sides of Calder Highway to capture advantages of tourist route to Castlemaine. Encourage compact centres.
- **Town Centre Expansion**: Develop routes to provide community focus and links to mineral springs reserve.
- **Major viewlines to be protected**.

**RL**
- Potential Rural Living
- Establish town entrance character
- Retain open entrance landscape
- Protect views to railway viaduct and station precinct
- Parks, Reserves

Public/Private Forest Interface Areas
- Reserving and subdivision proposals to assess potential impact.

Planning Scheme Reference Documents:
- Historic Mining Sites in Castlemaine/Ryours Creek Mining Districts
- O. Bannard 1983

Proposed Studies:
- Taradale Urban Design Framework
Elphinstone

Elphinstone is a small village along the Calder Corridor. The estimated population in 2011 was 239. The town has good road transport connections, being located where the Pyrenees Highway intersects with the Calder Highway. The railway line also runs through the centre of the town, creating a physical separation.

Objectives and strategies

Objective 1

To facilitate the establishment and further development of industry in the Shire.

Strategies

1.1 Encourage new industrial development in Elphinstone to capitalise on good road access to the Calder Freeway.
1.2 Support the provision of sewerage and other infrastructure to Elphinstone to allow for the development of an industrial precinct in the town.

Objective 2

To protect the amenity of residential areas from uses with adverse amenity potential.

Strategies

2.1 Provide locations for new industrial development adjacent to a highway or major road and away from existing or proposed residential areas.
2.2 Support improvement options for wastewater management in Taradale, Elphinstone and Guildford.

Local area implementation

- Ensuring that any proposed use or development in Elphinstone is generally consistent with the Elphinstone Land Use Framework Plan in Figure 13.

Further strategic work

- Preparing incorporated plans or development plans for proposed new residential areas.
Figure 13: Elphinstone Land Use Framework Plan

PLAN 8: ELPHINSTONE FRAMEWORK PLAN

- Establish new town centre
- Future town centre along Phegans St and Gilbert St (west of Verge St)

Potential Rural Living - subject to rezoning extene of Mount Alexander
Rural Living Study

- Proposed new alignment for Pyrenees Highway
- New alignment to proposed Calder Highway interchange

- Exit points from Pyrenees Highway and Calder Freeway

Establish town entrance character
Opportunity to create entrance character based on street classifications

Public/Private Forest Interface Areas
Rezoning and subdivision proposals to assess potential impact

Proposed Studies:
- Elphinstone Outline Development Plan
- Planning Scheme Reference Documents:
  - Macedon Heritage Study 1997
Guildford

Guildford is a small village next to the Loddon River. The community and commercial facilities are centred around the intersection of Templeton Street and Fryers Road.

Objectives and strategies

Objective 1

To facilitate urban development in small towns.

Strategy

1.1 Support improvement options for wastewater management in Taradale, Elphinstone and Guildford.

Local area implementation

- Ensuring that any proposed use or development in Guildford is generally consistent with the Guildford Land Use Framework Plan in Figure 14.

Further strategic work

- Preparing incorporated plans or development plans for proposed new residential areas.
Figure 14: Guildford Township Structure Plan

Mount Alexander Shire
Town Structure Plan

Guildford
HERITAGE

This policy applies to all land within a Heritage Overlay, apart from the areas as defined on Plan 4: Maldon Framework Plan, to which Clause 22.02 (Maldon) applies.

Policy Basis

Mount Alexander Shire exhibits important natural and cultural heritage which is fundamental to the Shire’s character and attractiveness as a place to live, invest and visit.

These natural and cultural assets include buildings, townscapes, streetscapes, remnants of settlements, mining sites, sites of Aboriginal cultural significance, trees and significant landscapes and natural features.

This heritage is highly valued by the community and the conservation, protection and maintenance of this heritage is an important objective of Council.

This policy builds upon the objectives in Clause 21.07 relating to heritage.

Definitions

Adaptation

Changing a place to suit the existing use or a proposed use.

Additions

Additions are new works including detached and attached structures.

Conservation

All the processes of looking after a place so as to retain its cultural significance.

Contributory Elements

Refers to elements that contribute to the significance of the heritage place. Usually these are buildings that contribute to the significance of a heritage precinct.

Cultural Heritage Significance

The aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

Fabric

All the physical material of a heritage place, including components, fixtures, contents and objects.

Form

The shape, proportions and size of a building.

Heritage Place

An individual property, heritage precinct, or landscape element and its associated land included in the Heritage Overlay. It may include elements, objects, spaces and views.

Heritage Precinct

A collection of sites that contribute to the cultural significance of an area.

Individually Significant

A heritage place that has cultural heritage significance independent of its context. Some places covered by an individual Heritage Overlay also make a contribution to the significance of a Heritage Precinct.
Maintenance
The continuous protective care of the fabric and setting of a heritage place. It is to be distinguished from repair, which involves restoration or reconstruction.

Preservation
Maintaining the fabric of a place in its existing state and preventing deterioration.

Reconstruction
Returning a place to a known earlier state. Reconstruction is distinguished from restoration by the introduction of new materials into the fabric.

Restoration
Returning the existing fabric of a contributory site to a known earlier state by removing accretions or later additions or by reassembling existing components without the introduction of new materials.

Objectives
To protect Mount Alexander’s heritage places in accordance with the accepted conservation standards of the ICOMOS Burra Charter.
To protect and conserve Mount Alexander’s natural and cultural heritage.
To protect and conserve the historic fabric and maintain the integrity of places of cultural heritage significance.
To retain significant view lines to, and vistas of, heritage places.
To preserve the scale and pattern of streetscapes in heritage places.
To recognise and respond to the values and attributes of important townscapes.
To encourage the preservation, maintenance, restoration and where appropriate, reconstruction of heritage places.
To ensure the adaptation of heritage places is consistent with the principles of good conservation practice.
To ensure that additions and new works to a heritage place respect the heritage significance of the place.
To encourage the retention of individually significant heritage places and contributory elements.

Policy
Statements of significance
It is policy to:

- Take into account the Statement of Significance of a heritage place when making decisions about proposed buildings and works associated with that place; and

- Where there is more than one Statement of Significance adopted by the responsible authority in relation to a heritage place, give priority to the most recently adopted Statement of Significance.

Demolition
It is policy to:

- Retain individually significant heritage places and elements that contribute to the significance of the heritage place.
- Discourage the demolition of significant and contributory heritage buildings unless it can be demonstrated that:
- the building is structurally unsound, and
- the original fabric of the building has deteriorated to such an extent that a substantial reconstruction would be required to make the building habitable.

- Allow the partial demolition of significant and contributory heritage buildings where the fabric to be demolished is of no significance, or where the demolition helps to reveal the original fabric of the building.
- Allow the partial demolition of significant and contributory heritage buildings for the purpose of additions, only if the additions will not affect the heritage significance of the building and the proposed addition is sympathetic to its scale and form.
- Allow the demolition of non-contributory buildings in heritage precincts.

**Original location**

It is policy to:

- Encourage the retention of a heritage place or a contributory element to a heritage place in its original location unless:
  - the location is not an important component of the cultural significance of the heritage place;
  - or
  - it can be shown that the relocation is the only reasonable means of ensuring the survival of the heritage place.

**Reconstruction and restoration**

It is policy to:

- Retain original fabric.
- Encourage restoration of a heritage place or contributory element if evidence exists to support its accuracy.
- Encourage the reconstruction of a building or works which previously existed in a heritage place if:
  - the reconstruction will enhance the heritage significance of the heritage place; or
  - evidence exists to support the accuracy of the reconstruction.
- Encourage the reconstruction of original or contributory elements where they have been removed.

**Painting and surface treatments**

It is policy to:

- Encourage the removal of paint from originally unpainted masonry surfaces.
- Encourage the retention of historic painted signs.
- Discourage the sand blasting of render, masonry or timber surfaces and the painting of unpainted surfaces.
- Encourage paint colours to be consistent with the period of the heritage place.
- Discourage particularly bright or synthetic colours designed to create contrast and hence draw particular attention to a building.

**Significant trees**

It is policy to:

- Encourage the retention of significant trees in a heritage place unless:
- the trees are to be removed as part of a maintenance program to manage loss of trees due to deterioration caused by old age or disease; or
- the trees are causing structural damage to an existing structure and remedial measures (such as root barriers and pruning) cannot be implemented.

Ensure additions and new works respect culturally significant trees (and where possible, significant garden layouts) by siting proposed new development at a distance that ensures the ongoing health of the tree.

- Encourage replacement trees of the same species when significant trees are removed.

**Subdivision**

It is policy to:

- Ensure that the subdivision of heritage places does not adversely affect the heritage significance of the place.
- Ensure that development which may result from the subdivision of heritage places does not adversely affect the heritage significance of the place.
- Ensure that the subdivision of heritage places results in development that retains and extends the existing built form pattern where such pattern contributes to the significance of the heritage place.
- Retain views to significant and contributory heritage buildings.
- Encourage subdivision that complements and is consistent with the rhythm and pattern of buildings in heritage precincts.
- Avoid subdivision where it will adversely affect the important views of, and the interrelationship between, groups of significant or contributory heritage buildings.
- Ensure that the location of boundaries and building envelopes in new subdivisions do not threaten significant vegetation.
- Avoid new lot boundaries that would bisect the root or canopy zone of significant vegetation.
- Retain gardens and established trees (whether or not of heritage significance) which contribute to the setting of a significant or contributory heritage building or precinct in the same allotment as the building if possible.

**New development, alterations or additions**

It is policy to:

- Encourage the design of new development and alterations and additions to a heritage place or a contributory element to a heritage place to:
  - respect the pattern, rhythm, orientation to the street, spatial characteristics, fenestration, roof form, materials and heritage character of the surrounding historic streetscape;
  - be articulated and massed to correspond with the prevailing building form of the heritage place or contributory elements to the heritage place;
  - be visually recessive and not dominate the heritage place;
  - be distinguishable from the original historic fabric;
  - not remove, cover, damage or change original historic fabric;
  - not obscure views of principle facades; and
  - consider the architectural integrity and context of the heritage place or contributory element.
- Discourage elements which detract from the heritage fabric or are not contemporary with the era of the building such as unroofed or open upper level decks or balconies, reflective glass, glass balustrades and pedestrian entrance canopies.

- Encourage new buildings and additions on sites with frontages to two streets, being either a corner site or a site with dual street frontages, to respect the built form and character of the heritage place and adjoining or adjacent contributory elements to the heritage place.

- Encourage new buildings on corner sites to reflect the setbacks of buildings that occupy other corners of the intersection.

- Encourage new upper storey additions to heritage places or contributory elements to heritage places to:
  - Preserve the existing roof line, chimney(s) and contributory architectural features that are essential components of the architectural character of the heritage place or contributory elements to the heritage place; and
  - Respect the scale and form of the heritage place or contributory elements in the heritage place by stepping down in height and setting back from the lower built forms.

Performance standards

The following performance standards apply in the application of the policy:

- Setbacks from the principal street frontage should be similar to those of adjoining contributory buildings; where there are differing adjoining setbacks, the greater setback should be adopted.

- Facade heights should be similar to the adjoining contributory elements in the street. Where there are differing facade heights, the design should adopt the lesser height.

- Ground level additions and any higher elements should be located towards the rear of the site.

- Ground level additions to contributory buildings should be sited within the ‘envelope’ created by projected sight lines (see Figure 1).

- Upper level additions to heritage places should be sited within the ‘envelope’ created by projected sight lines (for contributory buildings refer to Figure 2 and for individually significant buildings refer to Figure 3).

- Additions to individually significant places should, as far as possible, be concealed by existing heritage fabric when viewed from the front street and to read as secondary elements when viewed from any other adjoining street.

- Particularly bright or synthetic colours designed to create contrast and hence draw particular attention to a building should not be used.
Figure 1. Acceptable areas for ground level additions are sited within the area created by drawing a 45 degree view line from the opposite footpath through the front corner of the subject building and the corners of adjacent buildings.

Figure 2. Appropriate areas for upper level additions to contributory buildings are sited within the ‘envelope’ created by projecting a sight line from 1.6 metres above ground level (eye level of average adult person) from the footpath on the opposite side of the street through the top of the front parapet or the ridge line of the principal roof form.
**Figure 3.** Appropriate areas for upper level additions to individually significant buildings are sited within the ‘envelope’ created by projecting a sight line from 1.6 metres above ground level (eye level of average adult person) from the footpath on the opposite side of the street through the bottom of the front parapet or the gutter line of the principal roof form.

**Carports, car spaces, garages, and outbuildings**

It is policy to:

- Encourage carports, car spaces, garages and outbuildings to be set back behind the front building line (excluding verandahs, porches, bay windows or similar projecting features) of the heritage place or contributory element, or to be reasonably obscured. New works should be sited within the ‘envelope’ shown in Figure 1.

- Discourage:
  - new vehicle crossovers in streets with few or no crossovers;
  - high fencing, doors and boundary treatments associated with car parking that are unrelated to the historic character of the area; and
  - new vehicle crossovers in excess of 3 metres wide in residential streets.

**Front fences and gates**

It is policy to:

- Retain original and contributory fences and gates;

- Ensure that new fences and gates are sympathetic to and contribute positively to the significance of the heritage place;

- Avoid fences and gates that would obscure views to the front facade of significant or contributory heritage places from adjacent streets;
• Ensure that the materials and scale of new fences and gates are consistent with the architectural period of the significant or contributory heritage building, or in the case of non-contributory buildings, the precinct;

• Avoid fences and gates greater than 1.2 metres in height unless this is consistent with the architectural period of the heritage place or precinct;

• Avoid fences and gates constructed in solid materials unless this is consistent with the architectural period of the heritage place or precinct; and

• Encourage restoration or reconstruction of original fences and gates where the design details and materials of an original fence or gate are known. Where such details are not known cues may be taken from original fences and gates within the precinct (where relevant) or on properties from heritage places from the same architectural period.

**Ancillaries and services**

It is policy to:

• Encourage ancillaries or services such as satellite dishes, shade canopies and sails, access ladders, air conditioning plants, prominent wall and roof top mounted lighting, roof top gardens and their associated planting, water meters, and as far as practical aerials, to contributory or significant buildings, to be concealed when viewed from street frontages;

• Allow (where there is no reasonable alternative location) ancillaries and services which will reduce greenhouse gas emissions or reduce water consumption (such as solar panels or water storage tanks) or provide universal access (such as wheel chair ramps) to be visible, but these should be sensitively designed;

• Encourage ancillaries or services in new development to be concealed or incorporated into the design of the building; and

• Encourage ancillaries or services to be installed in a manner whereby they can be removed without damaging heritage fabric.

**Signs**

It is policy to:

• Conserve early examples of painted or other types of signage;

• Encourage new signs that respect the period and style of the building to which they relate by using appropriate materials, fonts and paint colours;

• Encourage signs that are of a size that does not dominate the historic place or precinct;

• Discourage signs that dominate a building or obscure its architectural form or features;

• Encourage signs to be placed in locations on the building that would have traditionally been used as advertising areas;

• Ensure that new signs are capable of being removed without causing damage to the historic fabric of the place; and

• Avoid signs painted in fluorescent or iridescent paint.

**Archaeological sites**

It is policy to:

• Refer applications to Heritage Victoria for comment where any proposed buildings or works may affect archaeological relics, to facilitate compliance with Part 6 of the *Heritage Act 1995* (Protection of Archaeological Places).

**Castlemaine Central Conservation Area (identified as HO667)**

For heritage places within this area, in addition to the policies in this clause, it is policy to:
Preserve the remaining evidence of buildings and works of the Victorian and Edwardian eras;

Ensure that the design of new buildings harmonises (rather than contrasts) with other buildings in the vicinity in terms of size, proportion and distribution of openings and other elements; and

Ensure that the choice of materials for new buildings harmonises with the materials that create the character of Castlemaine and harmonises with the materials of neighbouring buildings.

Within the Castlemaine Central Conservation Area, the following significant areas have been identified. In addition to the above policies, the following policies apply that are specific to these significant areas:

**Barker Street streetscape and Lyttleton Street streetscape**

The Barker Street streetscape refers to that part of the east side of Barker Street that lies between Templeton and Lyttleton Streets. The most important elements of the Barker Street streetscape are the Post Office, Old Telegraph Office, Faulder Watson Hall and the State Bank.

The Lyttleton Street Streetscape consists of that part of the north side of Lyttleton Street that lies between Barker and Hargraves Streets. The most important elements of the Lyttleton Street streetscape are the Post Office, Drill Hall, Town Hall, School of Mines and Court House.

It is policy to:

- Protect and conserve the area’s character, which is associated with this important group of Castlemaine's public buildings.
- Ensure that all new buildings, development, works and landscaping conform to the architectural style, bulk, spacing and form of the public buildings that represent this streetscape.
- Ensure that the strong visual and physical relationships between the public buildings are maintained.

**Barker Street**

Barker Street between Mostyn and Templeton Streets represents a significant historic and heritage area.

It is policy to:

- Protect and conserve the physical and visual character of this section of Barker Street, which consists of historic shops of varying age, architectural style and intactness.

**Campbell Street**

Campbell Street, between Kennedy and Urquhart Streets, retains significant historic residential architectural styles, ranging from traditional miners' cottages through to large pre-1890 houses.

It is policy to:

- Protect and conserve the rich variety of housing styles represented along this part of Campbell Street, including Victorian and Regency cottages and houses.
- Ensure that new buildings, development, works and landscaping enhance the rich variety of housing types.

**Market Square**

The original Market Square consisted of the block of land bounded by Forest, Barker, Mostyn and Hargraves Streets, and included the surrounding frontages of Barker, Mostyn and Hargraves Streets that fronted onto this block.

It is policy to:

- Protect and conserve the scale of buildings along those sections of Mostyn, Barker and Hargraves Streets that surround Market Square so as to preserve the commercial character of the buildings surrounding the square.
- Ensure that replacement buildings in this encircling commercial area are constructed to the building line so that the pedestrian/building interface is maintained.
- Discourage large scale car-oriented buildings that are set back from the building line.

**Camp Reserve and Environs (identified as HO668)**

It is policy to:
- Protect and conserve the area's characteristic road layout and treatment.
- Discourage the design and treatment of new roads, and improvements and alterations to existing roads, that would give the area a ‘suburban’ character.
- Ensure that the design and treatment of new roads, and improvements and alterations to existing roads, are in harmony with the nature, size, proportion and treatment of existing roads in the area.
- Protect the appearance and environmental qualities of the Barker's Creek environs and Camp Reserve.

**Botanical Gardens (identified as HO669)**

It is policy to:
- Restore the Botanical Gardens to their former elegance and original character, as far as is practicable.
- Protect and conserve the important botanical specimens growing in the area.
- Protect and enhance all watercourses in this area.
- Ensure that all future landscaping and garden works are designed and maintained to harmonise with the visual character of the Botanical Gardens.

**Railway Station Environs (identified as HO670)**

It is policy to:
- Protect and conserve the important architectural styles and engineering skills associated with this area.
- Ensure that new buildings, development, works and landscaping conform to the architectural style, scale and appearance of the important railway buildings.
- Ensure that new buildings, development, works and landscaping have regard to the function of Barkers Creek.

**Burnett Road and Environs (identified as HO671)**

It is policy to:
- Discourage the design and treatment of new roads, and improvements and alterations to existing roads, that would give the area a ‘suburban’ character.
- Ensure that the design and treatment of new roads, and improvements and alterations to existing roads, are in harmony with the nature, size, proportion and treatment of existing roads in the area.

**'Buda' Historic Conservation Area (identified as HO672)**

It is policy to:
- Ensure that all new buildings, development, works and landscaping conform to the styles, bulk, spacing and form of the buildings that represent the streetscape - the most important element of this streetscape is 'Buda'.

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**MOUNT ALEXANDER PLANNING SCHEME**
• Ensure that the design of new buildings and works is in harmony with 'Buda' in terms of design, building form, scale and distribution of other elements.

• Discourage the design and treatment of new roads, and improvements and alterations to existing roads, that would give the area a ‘suburban’ character.

• Ensure that the design and treatment of new roads, and improvements and alterations to existing roads, are in harmony with the nature, size, proportion and treatment of existing roads in the area.

• Ensure that the choice of materials for new buildings harmonises with the materials that create the character of Buda and Castlemaine and the materials of neighbouring buildings.

• Ensure that the choice of paint colour and finishes to external surfaces of new buildings and alterations to existing buildings is in harmony with the character of the area.

• Encourage trees, shrubs and landscaping to be in harmony with the established garden character of 'Buda'.

Application requirements

It is policy to require all planning permit applications in the Heritage Overlay to be accompanied by, where relevant:

• A written report that explains how the proposal addresses the provisions of this clause and the justification for any variations from the policy.

• Building structural reports for demolition applications.

• Conservation management plans for any applications that raise significant heritage issues.

• Arborists’ reports for applications involving significant trees.

• Plans and elevations (A3 size) including (but not limited to):
  • fully scaled and dimensioned elevations and floor plans of existing conditions, the extent of any proposed demolition, and any alterations and additions or new buildings;
  • a fully scaled and dimensioned site plan showing the existing and proposed development including outbuildings, fences, significant vegetation, car parking, new crossovers, on-site parking space locations and any other noteworthy features;
  • a photo montage of the streetscape;
  • a streetscape elevation which shows the existing streetscape and how the proposal sits within it;
  • elevations, where appropriate, which shows how the proposal sits within its immediate area, particularly from oblique views from neighbouring streetscapes where any part of the proposal will be visible,
  • full details and samples of materials, finishes, and colours;
  • details of any primary or secondary sources used to provide evidence of the earlier or original use, form or decoration of the heritage place;
  • a landscape plan; and
  • for upper storey additions, sightlines showing the proposed upper storey additions (refer to the sightline diagrams in Figures 1, 2 & 3).

Decision guidelines

Before deciding on an application the responsible authority will consider:

• Whether there should be an archival recording of the original building or fabric on the site.
- The heritage significance of the place or element as cited in the relevant Statement of Significance or Building Citation.
MALDON

This policy applies to the township of Maldon as defined on Plan 4: Maldon Framework Plan.

Policy Basis

The Mount Alexander Shire Council recognises that the heritage of the town of Maldon has long been recognised for its heritage significance due to:

- The town centre being one of the most intact of any nineteenth century town in Australia.
- The large number of buildings and works of historic significance in the area.
- The unusual and attractive relationship of the town and other historic sites with the diverse natural and historic landscape which forms an essential part of the character of both the town and its surroundings.

This policy builds upon the objectives in Clause 21.07 relating to Heritage.

Statement of Local Significance

It is recognised that the significance of Maldon and environs is due to a unique combination of many individual elements which contribute to its integrity as a whole. It is the particular conjunction of the settlement processes which occurred at Maldon and the way in which the components they produced have survived that has resulted in a cultural landscape of high significance. The combination of the following specific features contributes to Maldon’s significance:

- The interest and diversity of the range of buildings and works (including the street form, drainage patterns, exotic plantings and mine workings) that relate to gold-mining periods, in particular dating from the period up until the 1930’s.
- The numerous mining relics which demonstrate a wide range of nineteenth century mining technology.
- The mature and attractive post gold-mining quality of the landscape and of the township.
- Maldon's outstanding interpretative value in respect of both its general arrangement and detailed elements.
- The evidence of early settlement patterns and the diverse cultures that pioneered the area.
- The interaction between the areas landforms and a wide range of historic development activities - pastoral, mining, residential and industrial.

Policy

General

It is policy to:

- Ensure development is in accord with the above character and context statements.
- Maintain the commercial viability of the township by accommodating a range of retail, commercial and public uses of land in accord with the town’s historic character.
- Protect the setting of the railway station and the railway line.
- Identify land for light industrial development.
- Design infrastructure to preserve and complement historically significant items of public works, such as the slate footpaths and open stone drains. Items of street furniture, posts, outdoor seating and road surfacing material also reflect the historic character of Maldon.
- Protect and enhance the environs and approaches to the township of Maldon, including the important landscape features of Anzac Hill, Mount. Tarrengower and the Nuggetty Range.
- Recognise the potential for mining activity in Maldon.
- Encourage development in the General Residential Zone to be connected to reticulated sewerage.
- Require that where reticulated sewerage is not possible, proposals for residential development satisfy the requirements of a land capability assessment prepared by a suitably qualified person.

**Maldon Historic Residential**

(Identified on the maps and in the Schedule to 43.01 as **HO444**)

It is policy to:

- Conserve and enhance the existing scale, character and appearance of Maldon's earlier residential areas.
- Preserve, maintain and enhance the historic items and areas which form an essential component of the heritage and character of Maldon.
- Discourage development which is not in harmony with the existing character and appearance of the town.
- Discourage increased residential density of currently occupied lots.
- Prevent advertising signs which detract from the character and appearance of the area.
- Ensure development is in accordance with the Maldon Design Guidelines, 1998 incorporated in this scheme.

**Maldon Historic Central**

(Identified on the maps and in the Schedule to 43.01 as **HO445**)

It is policy to:

- Preserve and enhance the existing scale, character and appearance of this Victorian commercial streetscape, and the attractive nature of the commercial area generally, as it has evolved in the post mining periods.
- Preserve, maintain and enhance the historic items and areas which form an essential component of the heritage and character of Maldon.
- Preserve, enhance and restore the original and complementary items of public works including; slate footpaths, open stone drains, sympathetic road surface materials, posts, seating and items of street furniture.
- Ensure new public services or alterations to existing public services do not detract from the character and appearance of the area and historic items.
- Preserve the street pattern within the town centre to reinforce its influence on the town's historic character.
- Ensure new development is in harmony with the character and appearance of adjacent buildings constructed in the period 1860-1925 inclusive.
- Maintain and encourage the commercial viability of the town centre by accommodating a range of retail, commercial and public utility land uses.
- Allow for the continuation of existing residential uses within the existing building fabric.
- Recognise the need for the business community to advertise in a manner consistent with the historic significance and character and appearance of the area.
- Minimise the effect of existing intrusive buildings.
- Encourage an appreciation of all the individual components of buildings and works within the area to respect and retain all elements which contribute to make up one of the most intact commercial town centres dating predominantly from the 1850's to 1920's in Australia.
Ensure development is in accordance with the Maldon Design Guidelines, 1998 incorporated in this scheme.

**Maldon Historic Reserve**

(Identified on the maps and in the Schedule to 43.01 as HO443)

The Maldon Historic Reserve is significant because it:

- Contains an almost complete range of the mining activities, technologies and gold processing methods used in Victoria, with the exception of deep lead mining, by both European and Asian miners, which can be studied and interpreted.
- Displays the significant associations of the area with gold and the role gold played in the economic, social and cultural development of Victoria in particular.
- Includes remaining historic features that are either the most intact or important example of their type in Victoria.

It is policy to:

- Protect this area of scientific, historical and natural interest.
- Manage the Maldon Reserve consistent with the conservation and enhancement of the Maldon township and its hinterland and other historic reserves.
- Conserve, maintain and enhance the specified buildings, objects and sites in the reserve which are specified in the Maldon Historic Area Management Plan prepared by the former Department of Sustainability and Environment.
- Ensure the immediate environs of buildings, works, objects and sites in the reserve are developed and used only in a manner which will be complementary to their historic character.
- Permit only development and uses which are compatible with the historic character and the existing early building styles and materials.
- Ensure the tourist potential of the area is promoted, provided that any proposed development and use associated with such promotion is compatible with the intent of this clause.
- Permit mineral exploration and mining only where it is compatible with the objectives of maintaining the historic fabric of Maldon, including recognising the contribution that mineral and stone resources have made to the historic character of Maldon.
- Recognise areas that are particularly subject to risk of fire, flooding, erosion or landslip, or to other natural hazards, and ensure proper consideration of these hazards when development takes place or when land use changes.
- Ensure all buildings and works comply with the design criteria as specified in the Maldon Design Guidelines, 1998 incorporated in this scheme.
DESIGN GUIDELINES FOR INDUSTRIAL DEVELOPMENT

This policy applies to applications to use or develop land in an industrial zone, with the exception of land affected by Schedule 10 to the Design and Development Overlay.

Policy Basis

This policy builds upon the Municipal Strategic Statement objective in Clause 21.07 to ensure that new industrial development does not detract from the appearance of urban areas.

New industrial uses and development should proceed in a manner that is consistent with the township and landscape character of the area, infrastructure capacity and environmental standards.

Objectives

To encourage industrial development that is appropriate for its context.

To encourage industrial development that does not detract from the appearance of urban areas.

To ensure that sensitive land use interfaces are appropriately managed.

Policy

It is policy to assess proposals for new use and development against the following criteria:

Materials

- Buildings should be constructed in materials that are visually attractive such as brick, masonry or muted toned metal.

Setbacks

- Setbacks for new buildings should take account of existing building alignments from front, side, rear boundaries and any existing or proposed road alignment.

Car parking

- Vehicles directly associated with the use of the site and materials on the site should be stored inside a building or a screened portion of the site.

- Common parking areas should be considered as part of any integrated development.

Storage and loading

- Vehicles directly associated with the use of the site and materials on the site should be stored in a location that will not compromise the traffic safety on adjoining roads.

- Vehicles should be stored inside a building or within a screened portion of the site.

Advertising

- Advertising signs should not protrude above roofs or parapets.

- Integrated projects involving a number of lots and buildings should include a directory sign.

Landscaping

- Landscaping should be provided on each site which:
  - retains existing vegetation where practical;
  - uses locally native vegetation;
  - provides screening where visibility for safety is not essential;
  - defines areas of pedestrian and vehicular movement;
  - is low maintenance;
- allows appropriate maintenance and landscaping of areas where future building may occur; and
- avoids fencing at the front of the site unless the applicant demonstrates that fencing is required for security.

**Industrial development in rural areas**

- Development sites in rural areas should:
  - minimise impact on agriculture land and land management practices;
  - have sealed access roads;
  - dispose of effluent properly;
  - maintain the visual qualities of the rural landscape; and
  - minimise impact on the amenity of any nearby dwellings.

Proposals that do not meet these criteria may still meet the objectives of this policy.

**Application requirements**

An application for the use and development of land should be accompanied by the following information, as appropriate:

- Total area of the lot, buildings and landscape areas (square metres);
- Proposed building dimensions with distances to site boundaries;
- Setbacks of adjoining buildings;
- Distance to any nearby residential uses;
- Building materials;
- Uses within the building such as office area, production area, storage area;
- Parking areas - location and number of spaces;
- Signs – location and detail;
- Elevations;
- Drainage arrangements;
- Storage and waste areas, including hazardous chemicals and flammable liquids;
- Lighting;
- Landscaping and fencing;
- Access and internal vehicle circulation; and
- Information about wastewater and any other waste products that are generated by the use.
USE AND DEVELOPMENT OF LAND IN THE FARMING ZONE AND RURAL LIVING ZONE

This policy applies to the use, development and subdivision of all land in the Farming Zone and Rural Living Zone.

Policy Basis

This policy builds upon the following Municipal Strategic Statement objectives:

- Clause 21.03 to provide for rural living development in identified areas.
- Clause 21.03 to ensure that rural living development is economically sustainable.
- Clause 21.06 to protect the land resources relied upon by agriculture.

The fragmentation of productive agricultural land by inappropriate subdivision is to be avoided to ensure the productive capacity of the land is maintained. This policy provides a consistent strategic basis for considering permit applications for excisions of dwellings, use of lots smaller in size than that specified in the schedule to the Farming Zone (40 ha) and the re-subdivision of existing allotments.

The subdivision and use and development of land in rural areas creates additional demand on road infrastructure or requires the construction of new roads. New roads need to be constructed to specified standards and criteria.

Objectives

To ensure that the use and development of land for a dwelling is required to support the rural use of the land.

To ensure that dwellings and subdivisions that excise a dwelling do not adversely impact on the agricultural activities carried out on the land and neighbouring sites.

To ensure that the proposed dwelling will not result in the loss or fragmentation of productive agricultural land

To ensure roads and other infrastructure are commensurate with the expected impacts of proposed uses and developments.

Policy

It is policy to:

- Discourage new dwellings on existing small lots in the Farming Zone, particularly where (and in addition to all other considerations):
  - The lot was created prior to the introduction of planning controls;
  - The development will inhibit the operation of existing farming operations;
  - The lot is located in an area of ‘moderate’ agricultural quality as identified in Clause 21.06; and
  - The lot is located in a ‘groundwater management area’ or an ‘irrigation area’ identified in Clause 21.06.

Excision

- Discourage small lot excisions except where a house exists and:
  - The new lot has a maximum size of 2 hectares, except as otherwise required by a provision of this planning scheme;
  - The remainder of the land can be consolitated with the title of an existing farm; or
- The remainder of the land, if less than 40 hectares in size, is subject to a Section 173 Agreement which prohibits a further dwelling.

- Assess applications for small lot excision against the following additional criteria;
  - The need to avoid a cluster of dwellings that are not directly related to the agricultural use of the land;
  - The existing levels of infrastructure;
  - The extent of agricultural infrastructure that is to be contained within the farming lot;
  - The location of the dwelling in relation to the productive part of the land;
  - Whether adequate distance is maintained around the dwelling within the excised lot to reasonably limit likely impacts (if any) of adjacent agricultural activity; and
  - The capacity of the site to contain and treat on site effluent and wastewater.

- Discourage small lot excisions that have the potential to restrict agricultural production on adjacent land.

**Subdivision**

- Discourage the subdivision of productive agricultural land;
- Strongly discourage subdivision within potable water supply catchment areas in the Farming Zone in order to protect water quantity and quality;
- Discourage the subdivision of large lots in the Farming Zone on agricultural land that has not been identified in the Municipal Strategic Statement as suitable for low density residential expansion;
- Discourage boundary re-alignments except if they are minor adjustments to take account of physical, man made or topographical features on the site;
- Discourage subdivision in the Farming and Rural Living Zones that is likely to lead to a concentration of lots so as to change the general land use and character of the rural area; and
- Encourage subdivision sizes and layouts that reflect farm viability.

**Road construction**

- Assess an application against the following criteria:
  - The need for all-weather road access and egress to the site;
  - Road alignment and safety of road users;
  - The impacts that may occur due to the proposed use and development of land; and
  - The design and alignment of the road, its surface and the likely affects that new uses and developments of land may have on the future surface and condition of the road.

- Ensure that new roads are constructed to the following minimum standards unless otherwise agreed by the responsible authority:
  - Formation width – 6 metres or passing bays every 200 metres;
  - Pavement width – 4 metres;
  - Pavement depth – 150 millimetres of compacted road making gravel; and
  - Maximum grade – no greater than 1 in 8 unless sealed.
Decision guidelines

Before deciding on an application, in addition to the decision guidelines in the zone, the responsible authority will consider:

- The planning history of the site;
- The surrounding land uses;
- The existing levels of infrastructure;
- The agricultural quality of the land;
- The level of any environmental constraints; and
- The degree to which the proposal supports the continued agricultural use of the land.
SPRAY DRIFT

This policy applies to the use and development of land for accommodation or any other sensitive use in the Rural Living Zone and Farming Zone.

Policy Basis

This policy builds upon the Municipal Strategic Statement objectives in Clause 21.06 to minimise potential amenity impacts between rural agricultural uses and rural lifestyle or other sensitive uses. Horticulture is an import component of the agricultural industry for the Shire. Apple and pear growing in Harcourt and the surrounding area has clearly established itself as a local and regional industry. The grape growing industry is an expanding industry. The protection of the industry from non-complementary uses and development is essential. Part of that protection will include residual effects caused by other agricultural production within the surrounding areas.

Objective

To locate new sensitive uses so that the impact of agricultural chemical spray drift on amenity and health is avoided or limited.

To ensure adequate assessment is made of the possible impact of agricultural chemical spray drift in terms of both the activity for which the agricultural chemicals are applied and the nearby uses which may be affected.

To ensure adequate measures are taken to avoid or limit the effects of spray drift of chemicals.

Policy

It is policy to:

- Advertise all applications to use and develop land for the purpose of a dwelling adjacent to an established horticultural land use or located within an established horticultural area in accordance with Section 52 of the Planning and Environment Act 1987.

- Discourage residential development, sensitive agricultural uses and other uses that may be affected by agricultural chemical spray drift unless they are located such that chemical spray drift does not adversely affect community public health and safety or include measures to mitigate adverse effects from chemical spray drift.

- Maintain a minimum separation distance between dwellings and agricultural land of 300 metres. This distance may be reduced or increased depending on the environmental and topographical features of land separating the dwelling from the agricultural land use.
ANIMAL KEEPING AND RACING DOG TRAINING

This policy applies to the use and development of land for animal keeping and racing dog training.

Policy Basis

Many animal keeping facilities are located in the Mount Alexander Shire. They represent an important local industry. The proper siting and design of this form of use and development is needed to ensure residential amenity and environmental quality is protected.

This policy builds upon the Municipal Strategic Statement objective in Clause 21.06 to minimise potential amenity impacts between agricultural uses and rural lifestyle or other sensitive uses.

Objective

To ensure the use and development of land for animal keeping (animal boarding, dog breeding and racing dog keeping) and racing dog training does not impact on the environment.

To maintain and protect residential amenity in residential zones.

To ensure quality design and appropriate siting of animal keeping and racing dog training developments.

Policy

It is policy to discourage the use and development of land for animal keeping unless the performance criteria below are met.

Location and siting criteria

- The site should be located 500m from a dwelling on another lot that is in a residential zone.
- The site should have an area of not less than 2 hectares.
- The maximum density of animals kept on the site should not exceed the ratio of 10 animals per hectare (not including animals less than 6 months old).
- Not more than 10 per cent of the area of the site should be occupied by animal keeping facilities (kennels, associated buildings, dog runs and the like).
- Animal keeping facilities (kennels, associated buildings, dog runs and the like) should be setback a minimum of 30 metres from any road (whether or not such road forms the frontage) and setback a minimum distance of 10 metres from any dwelling on the land.

Design and management criteria

- Landscaping and screening of the site should be undertaken to the satisfaction of the responsible authority.
- All animal keeping facilities should be constructed of such materials and/or components as are necessary to prevent noise disturbance to adjoining or nearby properties by animals kept in the facilities.
- No untreated animal waste should be stored on the land and all animal keeping facilities should be regularly washed-down and maintained in a clean and hygienic manner to the satisfaction of the responsible authority.
- All animal waste, manure and wash-down water should be treated and disposed of either within the boundaries of the site or in an alternative manner approved by the responsible authority.
- All feed rooms and treatment rooms should be constructed to have impervious walls and floors.
- All dog food should be stored in vermin proof containers.
- An area should be set aside on the site for parking visitors’ cars, and such area should be drained, treated and maintained to the satisfaction of the responsible authority to minimise the emission of dust.
The use, including the times and methods of exercising, feeding and kennelling should at all times be conducted to the satisfaction of the responsible authority so as to prevent nuisance or disturbance to nearby properties by reason of noise, smell or otherwise.

The land should not be used for displays or exhibitions attended by members of the public, or for meetings or exhibitions organised by a dog club or kennel club or the like, except with the consent of the responsible authority.
DAMS

This policy applies to the development of dams in the Rural Living Zone and Low Density Residential Zone.

Policy Basis

This policy builds upon the Municipal Strategic Statement objective in Clause 21.06 to increase environmental flows in all streams and watercourses.

Water management and proper siting and design of dams is important in the Shire considering the extensive rural areas and the continued development of rural living and low density residential areas.

Objectives

To ensure that dams are designed and constructed in such a manner that the likelihood of dam failure is minimised.

To ensure that dams are only constructed by people familiar with appropriate dam construction and soil conservation techniques.

To ensure that dam sizes relate to the suitability of the site and to the use intended.

To minimise tree removal and to maximise retention and use of top soil.

To ensure appropriate revegetation.

To prevent construction of dams in environmentally sensitive areas, such as bush gullies.

Policy

It is policy to:

- Site, design and construct dams in accordance with the following criteria, as appropriate:

Siting

- The location of the proposed dam should be appropriate for the terrain characteristics of the land.

- The dam should be located to minimise the removal of native vegetation.

Design

- The capacity of the proposed dam should be appropriate for the catchment area of the site. Spillways should be designed to cater for a 1 in 5 year storm level.

- Soil types on the site should be suitable for water retention and if not suitable, adequate mechanical or chemical means should be employed.

- A landscape plan should be prepared to show the location of the dam (including any mulch) on the allotment, contours and finished levels, extent of any vegetation clearing works proposed, dimensions and capacity.

- Any overflow should be diverted back into the natural water flow or course.

Construction

- Top soil stripped from the site should be spread on any exposed batters.

- Exposed soils should be revegetated with perennial grasses and appropriate indigenous vegetation as soon as possible after construction.

- The contractor or the applicant should consult with the Department of Environment, Land, Water and Planning and be familiar with recommended dam construction techniques.
Consultation

The views of the Department of Environment Land, Water and Planning and any relevant drainage, water or catchment management authority may be sought and taken into account.
HAPPY VALLEY/MOONLIGHT FLAT STRUCTURE PLAN

Policy Basis
This policy applies to land identified as a Local Policy Area on the Happy Valley/Moonlight Flat Structure Plan.

Objectives

Access and safety
To provide a road network that ensures safe and convenient movement for vehicles, pedestrians and cyclists.
To ensure that road alignments and construction standards have regard to landform and landscape character setting.
To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.

Watercourses, floodplains and open space
To restore Forest Creek and Moonlight Creek and their environs to a healthy condition.
To develop an open space corridor based on Forest Creek and Moonlight Creek.
To preserve the flood storage functions of Forest Creek and environs.

Landscape and habitat
To provide for the movement of wildlife and connections linking habitat areas.
To protect the landscape, environmental and habitat values of the adjacent Castlemaine Diggings National Heritage Park.
To protect the open landscape character of Pennyweight Flat, Happy Valley and Moonlight Flat.
To retain remnant native vegetation and encourage the use of indigenous trees and plants where revegetation is proposed.

Protection of heritage
To protect both the indigenous and European cultural heritage and cultural landscape significance of Pennyweight Flat, Pennyweight Flat Cemetery, and the Moonlight Flat/Lady Gully area.

Housing and residential subdivision
To promote high quality architectural or design standards for residential environments and built form.

Wildfire protection
To ensure that the risk from wildfire is minimised.

Policy
Where a permit is required for use or development, it is policy to:

Safety
- Ensure that the land is suitable for the proposed use in accordance with Ministerial Direction No. 1 (Potentially Contaminated Land) prior to the issue of a planning permit for development or use of land for a sensitive use.
**Watercourses, floodplains and open space**
- Ensure that any development or use of land adjacent to Forest Creek and Moonlight Creek safeguards and enhances the health of the creeks and the regeneration of the public land along the creeks.
- Require that buffer zones of native vegetation be established and maintained along all watercourses.
- Ensure that any development or use of land in the vicinity of Forest Creek preserves and complements the flood storage functions of the creek and its environs.
- Require a Land Capability Assessment and a Stormwater Management Plan for all land in the valley prior to the issue of a permit for development.
- Require lots to be fully serviced in Precinct 1.

**Landscape and habitat**
- Ensure that use and development does not have an adverse impact on views and vistas across Pennyweight Flat/Happy Valley, including to and from Hundredweight Hill.
- Encourage the use of indigenous plants where revegetation and/or landscaping is proposed.
- Encourage the establishment of new open space areas and corridors that reflect local landscape character and native vegetation.
- Encourage the creation of public open space areas that link with Castlemaine Diggings National Heritage Park, Forest Creek and Moonlight Creek.

**Protection of heritage**
- Ensure that heritage sites and culturally significant areas are protected.
- Ensure that use and development adjacent to the Castlemaine Diggings National Heritage Park does not damage its heritage and nature conservation values, character or setting.

**Housing and residential subdivision**
- Encourage site responsive residential design and architecture.
- Implement the recommendations for Precincts 1-4 in the Happy Valley/Moonlight Flat Strategic Plan.
- Provide for fully serviced residential development within Precinct 1 as shown on the Structure Plans (Plans A and B).

**Wildfire protection**
- Ensure that use and development minimises the risk from wildfire.
- Ensure that fire prevention and mitigation measures (water supply requirements, emergency vehicle access, fuel-modified buffer zones) are incorporated into future developments.

**Decision Guidelines**
Before deciding on an application to use or develop land, the responsible authority should consider the following:
- Comments of the North Central Catchment Management Authority and the Castlemaine Landcare Group for proposals relating to land adjacent to Forest Creek and Moonlight Creek;
- Comments of Department of Environment, Land, Water and Planning in relation to development proposals adjacent to the Castlemaine Diggings National Heritage Park;
- Comments of the Country Fire Authority; and
- Comments of the Shire Heritage Advisor in relation to development proposals adjacent to Heritage Overlay sites and areas.
- Happy Valley/Moonlight Flat Strategic Plan: Stage One – Site Analysis, 2003
- Historical Summary of the Happy Valley Moonlight Flat Study Area, June 2003
- Draft Management Plan for the Castlemaine Diggings National Heritage Park, July 2005
PLAN B: HAPPY VALLEY ROAD STRUCTURE PLAN (refer also to Plan A)

- Existing Residential 1 Zone
- Proposed Residential 1 Zone - rezone from Rural Zone
- Potential housing areas including land swap to create Pennyweight Flat Heritage Park. Investigate affordable housing options.
- Existing Low Density Housing
- Retain Existing Low Density Residential Zone
- Proposed Rural Conservation Zone - refer to RCZ Schedule
- Proposed Public Open Space (Precinct 1)
- Proposed Wildlife Corridor (apply Public Acquisition Overlay)
- Castlemaine Diggings National Heritage Park
- Open Space Corridors

- General Location for Building Envelope in Precinct 2.
- Upgrade Happy Valley Road (north-south alignment)
- Upgrade Happy Valley Road (east-west alignment as alternative access route)
- Upgrade Unsealed Section of Colles Road (north to Happy Valley Road)
- Investigate re-alignment of Happy Valley Road subject to completion of updated flood mapping for Forest Creek
- Proposed Vehicle Access Road and Pedestrian Links to Forest Creek and National Heritage Park
- Proposed foot and cycle crossing of Forest Creek
- Traffic impact Assessment Report - to be undertaken by developer/s as required by Development Plan Overlay Schedules for Precincts 1 & 2.
- Existing Native Vegetation
- Proposed Pennyweight Flat Heritage Park
- Study Area Boundary
GAMING

This policy applies to all applications to install or to use land for gaming machines under Clause 52.28 or to use land for a Gaming premises.

Policy Basis

This policy takes into account specific characteristics of the local community that make it vulnerable to the negative impacts of gaming.

Gaming is a legitimate form of recreation; however, research indicates there are significant social and economic costs to those in the community who are vulnerable to problem gambling. The location, design and operation of gaming venues, particularly by guiding the location of gaming machines to appropriate areas, sites, and venues, can assist in reducing the harm caused by electronic gaming machines and maximising the benefits to a community.

For the purposes of this policy, social (community and public) housing means housing that is owned and leased by the Department of Health and Human Services, or its regulatory successor, or registered housing associations or not for profit housing organisations. A concentration of social (community and public) housing will generally be said to exist if there are 25 or more dwellings of that type within a circle with a 150 metre radius.

Objectives

To minimise harm from gaming and the incidence of problem gambling.

To provide for access to gaming venues while deterring impulse gambling.

To discourage the location of gaming machines in and close to disadvantaged and vulnerable communities.

To minimise opportunities for convenience gaming.

To protect the amenity of surrounding uses from venues containing gaming machines.

Policy

It is policy to locate gaming machines in accordance with the following criteria:

Appropriate areas and sites

Gaming machines should be located where:

- The location will make a positive contribution to the redistribution of gaming machines away from relatively disadvantaged areas, as defined by the latest ABS SEIFA index of relative socio-economic disadvantage.
- The venue will be separated from areas of every day activity with high levels of pedestrian activity, to minimise the likelihood of people passing the venue in the course of their usual business or every day activities.
- The location is at the periphery of activity centres, away from the main transport, shopping, community and civic functions of the centre.
- The majority of patrons will need to make a conscious plan to travel to the venue.
- There is either a choice of non-gaming entertainment and recreation facilities operating in the vicinity at the times that the proposed gaming venue will operate, such as hotels, clubs, cinemas, restaurants, bars or indoor recreation facilities; or
- The proposed venue would function as a destination in its own right. This could:
  - be achieved on a large site that is separated from strip shopping centres, shopping complexes, railway stations and community facilities involving a high concentration of people undertaking daily activities.
  - include a sports or recreation club with an extensive land holding.
Gaming machines should not be located in areas or on sites:

- That abut, are adjacent to, opposite, in the direct line of sight or in such close proximity to prohibited areas under Clause 52.28, so that a proposed venue would be particularly convenient to users of the shopping strip or centre.

- Where any ABS statistical areas within 400 metres walking distance of the proposed venue is in the 20 percent most disadvantaged statistical areas in Mount Alexander Shire, as set out in the latest ABS SEIFA Index of relative socio-economic disadvantage.

- Where there is convenient access to concentrations of shops, major community facilities or key public transport nodes where large numbers of pedestrians are likely to pass in the course of their daily activities.

- Within 400 metres walking distance of a concentration of social (public and community) housing.

- Within line of sight of a social support agency or gamblers’ help centre.

**Appropriate venues**

Gaming machines should be located in venues:

- That have a range of entertainment and leisure options and offer social and recreational opportunities other than gaming as the primary purpose of the venue.

- That are designed to comply with best practice and the full ambit of the VCGLR Venue Manual or any regulatory successor.

- Where the premises and associated uses are compatible with the predominant surrounding land uses.

- Where the design and operating hours will not detrimentally affect the amenity of the surrounding area.

- That limit play by condition of approval to times when alternative entertainment and recreation is also operating and available.

Gaming machines should not be located in venues:

- That operate 24 hours a day.

- With a gaming floor area of more than 25 percent of the total floor area accessible by the public.

- That are located in an area discouraged by this policy.

**Application Requirements**

All applications must include the following information to the satisfaction of the responsible authority:

- How the application is consistent with the broader State and Local Planning Policy Framework, including policies on recreation and entertainment and activity centres.

- A venue management plan identifying mitigating strategies to manage patron behaviour and minimise problem gambling through the design and management of the venue, including the applicant’s responsible gaming practices.

- Detailed plans of the design and layout of the premises including the location of all existing and proposed gaming machines, signage, external lighting, and evidence of compliance with any relevant gaming regulations for premises layout, design and operation of the gaming venue.

- A social and economic impact assessment prepared by a suitably qualified and experienced person(s) that provides a robust assessment of the social and economic impacts (positive and negative) of the proposed electronic gaming machines.
The social and economic impact assessment should address but not necessarily be limited to the following:

- Details on the proposed number of gaming machines and associated forecast gaming expenditure (player losses).
- Details about the existing and proposed distribution and density of gaming machines in the municipality and local area, any proposed reallocation of gaming machines in the municipality, and the proposal’s expected impact on patronage.
- If the applicant contends that gaming expenditure is likely to be transferred from other venues:
  - Particulars as to how the level of transfer has been calculated (including, but not limited to comparison per machine expenditure at the venue prior to and then after the additional machines, current usage levels of machines at the venue, and projected usage of machines at the venue after the additional machines); and
  - The amount of transfer expenditure anticipated.
- Details of the nature and extent of community benefits expected from the proposal and how the benefits are to be secured and distributed to the broader local community.
- A detailed social profile of the population within the catchment area of the venue including:
  - The relative socio-economic disadvantage of the local neighbourhood and suburb and broader 5 kilometre catchment of the venue;
  - The latest ABS SEIFA index of relative socio-economic disadvantage; and
  - The projected growth, housing affordability and housing stress, income levels, unemployment rates, educational retention and attainment levels, and percentage of social security recipients.
- Details of existing and proposed gambling and non-gambling entertainment and recreation facilities at the venue and within a 5 kilometre radius of the venue including existing and proposed electronic gaming machine density and location of other gambling venues.
- Details of the venue's distance to shopping complexes, strip shopping centres, major areas of community congregation, proximity to areas of normal daily activity such as public transport, shops, community facilities, schools, early childhood centres, health services, and proximity to welfare and counselling services.
- Details of currently available social support services including problem gambling services, financial counselling services, and material and financial aid services; the location of these services in relation to both the venue and patron catchment area; and the level of current demand for these services.
- Pedestrian counts for venues that are within close proximity to places where large numbers of pedestrians are likely to pass in the course of their daily activities. Pedestrian counts should be taken on different days and at a variety of times.
- A detailed overall assessment, which shows and summarises the economic and social impacts of the proposal and their effect on community wellbeing and health.

**Decision Guidelines**

Before deciding on an application the responsible authority will consider, as appropriate:

- Whether the proposal will positively respond to harm minimisation.
- Whether the proposal will be close to areas of socio-economic disadvantage.
- Whether the proposal will facilitate convenience gambling.
- Whether there is to be a net community benefit derived from the application, in addition to any community contribution scheme.
- Whether users of the gaming venue will have a genuine choice of gaming and non-gaming entertainment.

- Whether the proposal is consistent with the Mount Alexander Shire Gaming Policy, 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.
This section sets out the zones which apply in this scheme.
LOW DENSITY RESIDENTIAL ZONE

Shown on the planning scheme map as LDRZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>Must be the only dependent person's unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
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<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>
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<tr>
<td>Tramway</td>
<td></td>
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<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>
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<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>
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<td>----------------------------------------------------------------------</td>
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</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>
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<tr>
<td>Food and drink premises (other than Convenience restaurant)</td>
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<tr>
<td>Grazing animal production</td>
<td></td>
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<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
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<tr>
<td>Market</td>
<td></td>
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<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)</td>
<td></td>
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<tr>
<td>Plant nursery</td>
<td></td>
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<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>• Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>• Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not exceed either:</td>
</tr>
<tr>
<td></td>
<td>• 3000 square metres.</td>
</tr>
<tr>
<td></td>
<td>• 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</td>
</tr>
</tbody>
</table>
### Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Store</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
</tbody>
</table>

#### 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 carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
</tbody>
</table>
Class of application

- A12 Daylight to existing windows.
- A13 North-facing windows.
- A14 Overshadowing open space.
- A15 Overlooking.

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

### Application requirements

#### Subdivision

An application must be accompanied by a site analysis, documenting the site in terms of land form, vegetation coverage and the relationship with surrounding land, and a report explaining how the proposed subdivision has responded to the site analysis. The report must:

- In the absence of reticulated sewerage, include a land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.

- Show for each lot:
  - A building envelope and driveway to the envelope.
  - Existing vegetation.
  - In the absence of reticulated sewerage, an effluent disposal area.

- Show how the proposed subdivision relates to the existing or likely use and development of adjoining and nearby land.

- If a staged subdivision, show how the balance of the land may be subdivided.

### Decision guidelines

#### General

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:


#### Subdivision

- The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.

- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.

- In the absence of reticulated sewerage:
- The capability of the lot to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The benefits of restricting the size of lots to the minimum required to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria).
- The benefits of restricting the size of lots to generally no more than 2 hectares to enable lots to be efficiently maintained without the need for agricultural techniques and equipment.

- The relevant standards of Clauses 56.07-1 to 56.07-4.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 3.
SCHEDULE TO THE LOW DENSITY RESIDENTIAL ZONE

Shown on the planning scheme map as LDRZ.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area</th>
</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
TOWNSHIP ZONE
Shown on the planning scheme map as TZ with a number (if shown).

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for residential development and a range of commercial, industrial and other uses in small towns.
To encourage development that respects the neighbourhood character of the area.
To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Neighbourhood character objectives
A schedule to this zone may contain the neighbourhood character objectives to be achieved for the area.

Table of uses
Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>Must be the only dependent person's unit on the lot. Must meet the requirements of Clause 32.05-3.</td>
</tr>
<tr>
<td>Domestic animal husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must meet the requirements of Clause 32.05-3.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Racing dog husbandry</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
</tbody>
</table>
### Section 2 – Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation,</td>
<td>Must meet the requirements of Clause 32.05-3.</td>
</tr>
<tr>
<td>Dependent person’s unit, Dwelling, Residential aged care facility</td>
<td>Must meet the requirements of Clause 32.05-3.</td>
</tr>
<tr>
<td>and Rooming house)</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Apiculture, Domestic</td>
<td>Must meet the requirements of Clause 32.05-3.</td>
</tr>
<tr>
<td>animal husbandry and Racing dog husbandry)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Dependent person's unit - if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 32.05-3.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) –</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</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>Must meet the threshold distance requirements in the Table to Clause 53.10.</td>
</tr>
<tr>
<td>Industry (other than Transfer station and Refuse disposal)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and</td>
<td>Must meet the requirements of Clause 32.05-3.</td>
</tr>
<tr>
<td>Motor racing track)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Circus and Place of</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>worship)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Retail premises (other than Adult sex product shop)</td>
<td>Must meet the threshold distance requirements in the Table to Clause 53.10.</td>
</tr>
<tr>
<td>Transfer station</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Dwelling – if the Section 1 condition is not met</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
</tbody>
</table>
Use for a dwelling or a dependent person's unit

A lot may be used for a dwelling provided the following requirements are met:

- Each dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

- Each dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity, to the satisfaction of the responsible authority.

- Each dwelling must be connected to a reticulated electricity supply or have an alternative energy supply to the satisfaction of the responsible authority.

These requirements also apply to a dependent person’s unit.

Use for industry and warehouse

Amenity of the neighbourhood

The use of land for an industry or warehouse must not adversely affect the amenity of the neighbourhood, including through:

- The transport of materials or goods to or from the land.

- The appearance of any stored materials or goods.

- Traffic generated by the use.

- Emissions from the land.

Subdivision

Permit requirement

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.

- Should meet all of the standards included in the clauses specified in the following table.

Class of subdivision | Objectives and standards to be met
--- | ---
16 or more lots | Clauses 56.02-1, 56.03-5, 56.04-2 to 56.04-5, 56.05-1, 56.05-2, 56.06-2, 56.06-4, 56.06-5, 56.06-7, 56.06-8 and 56.07-1 to 56.09-4.

3 – 15 lots | Clauses 56.03-5, 56.04-2 to 56.04-5, 56.05-1, 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 to 56.09-4.
Each lot must be provided with reticulated sewerage, if available. If reticulated sewerage is not available, the application must be accompanied by:

- A land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- A plan which shows a building envelope and effluent disposal area for each lot.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.
- A lot of between 300 square metres and 500 square metres if specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
  - A lot of less than 300 square metres, or
  - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development:</td>
<td>Clause 59.14</td>
</tr>
<tr>
<td>- Does not exceed a building height of 5 metres.</td>
<td></td>
</tr>
<tr>
<td>- Is not visible from the street (other than a lane) or a public park.</td>
<td></td>
</tr>
<tr>
<td>- Meets the requirements in the following standards of Clause 54:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

| Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling. | Clause 59.03 |
Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

Permit requirement

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person’s unit on a lot.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

Transitional provisions

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Requirements of Clause 54 and Clause 55

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.
If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

### 32.05-9

26/10/2018

VC152

**Residential aged care facility**

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

### 32.05-10

26/10/2018

VC152

**Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.05-2.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Clause 59.04 Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</strong></td>
</tr>
<tr>
<td></td>
<td>- The building or works is not associated with a dwelling.</td>
</tr>
<tr>
<td></td>
<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>
</tr>
<tr>
<td></td>
<td>- A10 Side and rear setbacks.</td>
</tr>
<tr>
<td></td>
<td>- A11 Walls on boundaries.</td>
</tr>
<tr>
<td></td>
<td>- A12 Daylight to existing windows.</td>
</tr>
<tr>
<td></td>
<td>- A13 North-facing windows.</td>
</tr>
<tr>
<td></td>
<td>- A14 Overshadowing open space.</td>
</tr>
<tr>
<td></td>
<td>- A15 Overlooking.</td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

### 32.05-11

26/10/2018

VC152

**Maximum building height requirement for a dwelling or residential building**

A building must not be constructed for use as a dwelling or a residential building that exceeds the maximum building height specified in a schedule to this zone.

If no maximum building height is specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 and Clause 55 applies.

A building may exceed the maximum building height specified in a schedule to this zone if:
- It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.

- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.

- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.

- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in a schedule to this zone applies whether or not a planning permit is required for the construction of a building.

**Building height if land is subject to inundation**

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

---

### Application requirements

**Use for industry and warehouse**

Unless the circumstances do not require, an application to use land for an industry or warehouse must be accompanied by the following information:

- The purpose of the use and the types of activities to be carried out.

- The type and quantity of materials and goods to be stored, processed or produced.

- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.

- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.

- How land not required for immediate use is to be maintained.

- The likely effects, if any, on the neighbourhood, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation (including the hours of delivery and despatch of materials and goods).

- Any other application requirements specified in a schedule to this zone.

---

### Decision guidelines

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General**

The objectives set out in a schedule to this zone.

The protection and enhancement of the character of the town and surrounding area including the retention of vegetation.

The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.

In the absence of reticulated sewerage, the capability of the lot to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

The design, height, setback and appearance of the proposed buildings and works including provision for solar access.

The need for a verandah along the front or side of commercial buildings to provide shelter for pedestrians.

Provision of car and bicycle parking and loading bay facilities and landscaping.

The effect that existing uses on adjoining or nearby land may have on the proposed use.

The scale and intensity of the use and development.

The safety, efficiency and amenity effects of traffic to be generated by the proposal.

The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Any other decision guidelines specified in a schedule to this zone.

**Use for industry and warehouse**

Before deciding on an application to use land for an industry or warehouse, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The design of buildings, including provision for solar access.
- The availability and provision of utility services.
- The effect of traffic to be generated by the use.
- The interim use of those parts of the land not required for the proposed use.
- Any other decision guidelines specified in a schedule to this zone.

**Subdivision**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.
- Any other decision guidelines specified in a schedule to this zone.

**Construction and extension of one dwelling on a lot**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

• The objectives, standards and decision guidelines of Clause 54.
• Any other decision guidelines specified in a schedule to this zone.

**Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

• The Municipal Planning Strategy and the Planning Policy Framework.

• For two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.

• For an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

• Any other decision guidelines specified in a schedule to this zone.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 3.
SCHEDULE TO CLAUSE 32.05 TOWNSHIP ZONE

Shown on the planning scheme map as TZ.

MOUNT ALEXANDER TOWNSHIPS

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

No

1.0

Clause 54 and Clause 55 requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

2.0

Maximum building height requirement for a dwelling or residential building

None specified.

3.0

Application requirements

None specified.

4.0

Decision guidelines

None specified.
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>No more than 2 animals.</td>
</tr>
<tr>
<td>Home based business</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
</tbody>
</table>

Medical centre                          | The gross floor area of all buildings must not exceed 250 square metres. |
|                                         | Must not require a permit under Clause 52.06-3.                           |
| Place of worship                        | 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.            |
| Racing dog husbandry                    | Must be no more than 2 animals.                                            |
| Railway                                 |                                                                          |
## Condition Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person’s unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Agriculture (other than Animal production, Animal training, Apiculture, Domestic animal husbandry, Horse husbandry and Racing dog husbandry)</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus, Nightclub and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>• Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>• Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not exceed either:</td>
</tr>
</tbody>
</table>

---

MOUNT ALEXANDER PLANNING SCHEME
### Condition
- 3000 square metres.
- 3600 square metres if it adjoins on two boundaries a road in a Road Zone.

### Store
- Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.

### Take away food premises
- The site must adjoin, or have access to, a road in a Road Zone.

### Utility installation (other than Minor utility installation and Telecommunications facility)

### Any other use not in Section 1 or 3

### Section 3 – Prohibited

<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.

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>
<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>
**Construction or extension of a dwelling or residential building**

**Minimum garden area requirement**

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

<table>
<thead>
<tr>
<th>Lot size</th>
<th>Minimum percentage of a lot set aside as garden area</th>
</tr>
</thead>
<tbody>
<tr>
<td>400 - 500 sqm</td>
<td>25%</td>
</tr>
<tr>
<td>Above 500 - 650 sqm</td>
<td>30%</td>
</tr>
<tr>
<td>Above 650 sqm</td>
<td>35%</td>
</tr>
</tbody>
</table>

This does not apply to:

- An application to construct or extend a dwelling or residential building if specified in a schedule to this zone as exempt from the minimum garden area requirement;
- An application to construct or extend a dwelling or residential building on a lot if:
  - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
  - The lot is designated as a medium density housing site in an incorporated plan or approved development plan;
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.08-4 on the approval date of Amendment VC110.

**Construction and extension of one dwelling on a lot**

**Permit requirement**

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of between 300 square metres and 500 square metres if specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
  - A lot of less than 300 square metres, or
  - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

**No permit required**

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.
VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development:</td>
<td>Clause 59.14</td>
</tr>
<tr>
<td>Meets the minimum garden area requirement of Clause 32.08-4.</td>
<td></td>
</tr>
<tr>
<td>• Does not exceed a building height of 5 metres.</td>
<td></td>
</tr>
<tr>
<td>• Is not visible from the street (other than a lane) or a public park.</td>
<td></td>
</tr>
<tr>
<td>• Meets the requirements in the following standards of Clause 54:</td>
<td></td>
</tr>
<tr>
<td>– A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>– A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>– A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>– A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>– A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>– A15 Overlooking.</td>
<td></td>
</tr>
</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 construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

**Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.08-2.
**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

---

**32.08-10**

**Maximum building height requirement for a dwelling or residential building**

A building must not be constructed for use as a dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 11 metres; and
- the building must contain no more than 3 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.

- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

**Building height if land is subject to inundation**

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

### Application requirements

An application must be accompanied by the following information, as appropriate:

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.

- For an apartment development of five or more storeys, an urban context report and design response as required in Clause 58.01.

- For an application for subdivision, a site and context description and design response as required in Clause 56.

- Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
  - The siting and use of existing and proposed buildings.
  - Adjacent buildings and uses.
  - The building form and scale.
  - Setbacks to property boundaries.

- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.

- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.
Exemption from notice and review

Subdivision

An application to subdivide land into lots each containing an existing dwelling or car parking space is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Dwellings and residential buildings

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

Non-residential use and development

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.
Transitional provisions

The minimum garden area requirements of Clause 32.08-4 and the maximum building height and number of storeys requirements of Clause 32.08-9 introduced by Amendment VC110 do not apply to:

- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.

- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
  - A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
  - A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.
  - A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.08-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.
SCHEDULE 1 TO CLAUSE 32.08 GENERAL RESIDENTIAL ZONE

Shown on the planning scheme map as GRZ1.

MOUNT ALEXANDER GENERAL RESIDENTIAL AREA

1.0 Permit requirement for the construction or extension of one dwelling on a lot

Is a permit required to construct or extend one dwelling on a lot of between 300 square metres and 500 square metres?

None specified

2.0 Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0 Maximum building height requirement for a dwelling or residential building

None specified

4.0 Application requirements

None specified

5.0 Decision guidelines

None specified
INDUSTRIAL ZONES
INDUSTRIAL 1 ZONE
Shown on the planning scheme map as IN1Z.

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.

Table of uses
Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></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>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td></td>
<td>Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td></td>
<td>Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td></td>
<td>Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Shipping container storage</strong></td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>1. The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>2. 100 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Shipping containers must be setback at least 9 metres from a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The height of shipping container stacks must not exceed 6 containers or 16 metres, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td></td>
<td>1. Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td></td>
<td>2. Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td></td>
<td>3. Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</td>
</tr>
<tr>
<td><strong>Take away food premises</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Tramway</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Warehouse (other than Mail centre and Shipping container storage)</strong></td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>1. The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>2. 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td></td>
<td>1. Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td></td>
<td>2. Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td></td>
<td>3. Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</td>
</tr>
<tr>
<td><strong>Any use listed in Clause 62.01</strong></td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>
### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td>Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm)</td>
<td></td>
</tr>
<tr>
<td>Caretaker's house</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td>Must not be a primary or secondary school.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Office</td>
<td>The leasable floor area must not exceed the amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema based entertainment facility and Circus)</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Shop and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Transfer Station</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility).</td>
<td>Any gas holder, or sewerage or refuse treatment or disposal works, must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Caretaker's house)</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
</tbody>
</table>
Use

Hospital

Intensive animal production

Pig farm

Poultry farm

Shop (other than Adult sex product shop, Convenience shop and Restricted retail premises)

Use of land

Application requirements

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
Subdivision

Permit requirement

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

**Buildings and works**

**Permit requirement**

A permit is required to construct a building or construct or carry out works. This does not apply to:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising or informal outdoor recreation.
- A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
  - The rainwater tank is not located within the building’s setback from a street (other than a lane).
  - The rainwater tank is no higher than the existing building on the site.
  - The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.
- A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<tr>
<td>- Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

**Application requirements**

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
- The layout of existing and proposed buildings and works.
- Driveways and vehicle parking and loading areas.
- Proposed landscape areas.
- External storage and waste treatment areas.

- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

**Exemption from notice and review**

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.

**Maintenance**

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 2.
<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>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Take away food premises</td>
<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>
</tr>
<tr>
<td>Tramway</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
</tbody>
</table>
| Warehouse (other than Fuel depot, Mail centre or Shipping container storage) | The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:  
  • The threshold distance, for a purpose listed in the table to Clause 53.10.  
  • 30 metres, for a purpose not listed in the table to Clause 53.10.  
  Must not adversely affect the amenity of the neighbourhood, including through the:  
  • Transport of materials, goods or commodities to or from the land.  
  • Appearance of any stored goods or materials.  
  • Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil. |
| Any use listed in Clause 62.01                                      | Must meet the requirements of Clause 62.01.                                                                                                                                                              |

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td>Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm)</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td>Must not be a primary or secondary school.</td>
</tr>
<tr>
<td>Education centre</td>
<td>Must not be a primary or secondary school.</td>
</tr>
<tr>
<td>Industry (other than Service industry)</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track)</td>
<td>Must not be a primary or secondary school.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Office</td>
<td>The leasable floor area must not exceed the amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema based entertainment facility and Circus)</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Shop and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
<tr>
<td><strong>Section 3 - Prohibited</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Use</strong></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 Municipal Planning Strategy and the Planning Policy Framework.

• The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.

• The effect that nearby industries may have on the proposed use.

• The drainage of the land.

• The availability of and connection to services.

• The effect of traffic to be generated on roads.

• The interim use of those parts of the land not required for the proposed use.

• The effect on nearby industries.

Subdivision

Permit requirement

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>• The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>• The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>where:</td>
<td></td>
</tr>
</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</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>$1,000,000 where the land is not:</td>
<td></td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<tr>
<td>- Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

**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>Accommodation (other than Community care accommodation, Corrective institution and Rooming house)</td>
<td>Any frontage at ground floor level must not exceed 2 metres (other than a bed and breakfast and caretaker's house).</td>
</tr>
<tr>
<td>Art and craft centre</td>
<td></td>
</tr>
<tr>
<td>Child care centre</td>
<td>Any frontage at ground floor level must not exceed 2 metres and access must not be shared with a dwelling (other than a caretaker's house).</td>
</tr>
<tr>
<td>Cinema</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Any frontage at ground floor level must not exceed 2 metres. Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Education centre (other than Child care centre)</td>
<td></td>
</tr>
<tr>
<td>Exhibition centre</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>The leasable floor area for all offices must not exceed any amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Retail premises (other than Shop)</strong></td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Any frontage at ground floor level must not exceed 2 metres.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td><strong>Shop (other than Adult sex product shop)</strong></td>
<td>The leasable floor area for all shops must not exceed any amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td><strong>Tramway</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Any use listed in Clause 62.01</strong></td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td>Agriculture (other than Animal production and Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Leisure and recreation facility (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema, Cinema based entertainment facility, Circus, Exhibition centre and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td><strong>Any other use not in Section 1 or 3</strong></td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Corrective institution</td>
</tr>
</tbody>
</table>
### Use

**Major sports and recreation facility**

**Motor racing track**

### Use of land

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

### Subdivision

A permit is required to subdivide land.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
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<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>where:</td>
<td></td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the</td>
<td></td>
</tr>
<tr>
<td>provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under</td>
<td></td>
</tr>
<tr>
<td>the Building Regulations in relation to the buildings within 5 years prior to the</td>
<td></td>
</tr>
<tr>
<td>application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the</td>
<td></td>
</tr>
<tr>
<td>land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and</td>
<td></td>
</tr>
<tr>
<td>the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

### 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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<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
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<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>$500,000 where the land is not:</td>
<td></td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<tr>
<td>- Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

**Transitional provisions**

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**Maintenance**

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

**Neighbourhood and site description and design response**

An application for any of the following must be accompanied by a neighbourhood and site description and a design response as described in Clause 54.01 or 55.01, as appropriate:

- Construction or extension of one dwelling on a lot of less than 300 square metres.
- Construction of a dwelling if there is at least one dwelling existing on the lot.
- Construction of two or more dwellings on a lot.
- Extension of a dwelling if there are two or more dwellings on the lot.
- Construction or extension of a dwelling on common property.
- Construction or extension of a residential building.

Clause 34.01-5 does not apply to an apartment development.
Satisfactory neighbourhood and site description before notice and decision

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 54.01 or 55.01 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

Application requirements

Use

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.
- The means of maintaining land not required for immediate use.
- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced.
  - Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
  - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
  - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

Buildings and works

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

### Exemption from notice and review

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General**
- The interface with adjoining zones, especially the relationship with residential areas.

**Use**
- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

**Subdivision**
- Provision for vehicles providing for supplies, waste removal and emergency services and public transport.
- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.

**Building and works**
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

The impact of overshadowing on existing rooftop solar energy 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.
<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>Part of Allotment 5, Section 15A, Township of Maldon, Vincents Road, Maldon</td>
<td>None specified</td>
<td>1,000</td>
</tr>
</tbody>
</table>
COMMERCIAL 2 ZONE

Shown on the planning scheme map as B3Z, B4Z or C2Z.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art and craft centre</td>
<td></td>
</tr>
<tr>
<td>Art gallery</td>
<td></td>
</tr>
<tr>
<td>Cinema</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>The leasable floor area must not exceed 100 square metres.</td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Commercial 1 Zone, Capital City Zone, Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>- The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>- 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td>Museum</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Postal agency</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Restricted retail premises and Supermarket)</td>
<td>Must adjoin, or be on the same land as, a supermarket when the use commences.</td>
</tr>
<tr>
<td></td>
<td>The combined leasable floor area for all shops adjoining or on the same land as the supermarket must not exceed 500 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
</tbody>
</table>
### Use | Condition
--- | ---
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  
Tramway

Warehouse (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

| 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, 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)  
Caretaker's house  
Education centre  
Grazing animal production  
Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)  
Materials recycling  
Place of assembly (other than Art gallery, Carnival, Cinema, Cinema based entertainment facility, Circus and Museum)  
Residential hotel  
Retail premises (other than Food and drink premises, Postal agency, Restricted retail premises, Supermarket and Trade supplies)
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Supermarket – if the Section 1 conditions are not met</strong></td>
<td>The leasable floor area must not exceed 1800 square metres unless on land within the City of Greater Geelong or within an urban growth boundary in metropolitan Melbourne. The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td><strong>Transfer station</strong></td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td><strong>Utility installation (other than Minor utility installation and Telecommunications facility)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Any other use not in Section 1 or 3</strong></td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Accommodation (other than Caretaker's house and Residential hotel)</strong></td>
</tr>
<tr>
<td><strong>Animal production (other than Grazing animal production)</strong></td>
</tr>
<tr>
<td><strong>Hospital</strong></td>
</tr>
<tr>
<td><strong>Major sports and recreation facility</strong></td>
</tr>
<tr>
<td><strong>Motor racing track</strong></td>
</tr>
</tbody>
</table>

### Use of land

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

### Subdivision

A permit is required to subdivide land.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
</tbody>
</table>
### Information requirements and decision guidelines

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
</table>
|                      | - The area of either lot is reduced by less than 15 percent.  
|                      | - The general direction of the common boundary does not change. |

#### Subdivide land into lots each containing an existing building or car parking space where:

- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.
- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

#### Subdivide land into 2 lots if:

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

### Buildings and works

A permit is required to construct a building or construct or carry out works. This does not apply to:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.
- An awning that projects over a road if it is authorised by the relevant public land manager.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<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.

34.02-8  Signs

Sign requirements are at Clause 52.05. This zone is in Category 1.
RURAL LIVING ZONE

Shown on the planning scheme map as RLZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for residential use in a rural environment.
To provide for agricultural land uses which do not adversely affect the amenity of surrounding land uses.
To protect and enhance the natural resources, biodiversity and landscape and heritage values of the area.
To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>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 35.03-2.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>The lot must be at least the area specified in a schedule to this zone. If no area is specified, the lot must be at least 2 hectares.</td>
</tr>
<tr>
<td></td>
<td>Must be the only dwelling on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.03-2.</td>
</tr>
<tr>
<td>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><strong>Accommodation (other than Community care accommodation, Dependent person’s unit and Dwelling)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Agriculture (other than Apiculture, Broiler farm, Domestic animal husbandry, Intensive animal production, Racing dog husbandry and Timber production)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Bar</strong></td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td><strong>Broiler farm - if the Section 1 condition to Poultry farm is not met</strong></td>
<td>Must be no more than 10,000 chickens.</td>
</tr>
<tr>
<td><strong>Car park</strong></td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td><strong>Convenience shop</strong></td>
<td>The leasable floor area must not exceed 80 square metres.</td>
</tr>
<tr>
<td><strong>Dependent person’s unit - if the Section 1 condition is not met</strong></td>
<td>Must meet the requirements of Clause 35.03-2.</td>
</tr>
<tr>
<td><strong>Domestic animal boarding</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Dwelling (other than Bed and breakfast) - if the Section 1 condition is not met</strong></td>
<td>Must meet the requirements of Clause 35.03-2.</td>
</tr>
<tr>
<td><strong>Freeway service centre</strong></td>
<td>Must meet the requirements of Clause 53.05.</td>
</tr>
<tr>
<td><strong>Hotel</strong></td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td><strong>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Market</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Medical centre</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Place of assembly (other than Amusement parlour, Carnival, Cinema based entertainment facility, Circus and Nightclub)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Plant nursery</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Postal agency</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Primary produce sales</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Racing dog husbandry – if the Section 1 condition is not met</strong></td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td><strong>Restaurant</strong></td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
</tbody>
</table>
### Use

#### Rural industry (other than Abattoir and Sawmill)

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service station</td>
<td>The site must either:&lt;br&gt;  - Adjoin a commercial zone or industrial zone.&lt;br&gt;  - Adjoin, or have access to, a road in a Road Zone.&lt;br&gt;  - The site must exceed either:&lt;br&gt;    - 3000 square metres.&lt;br&gt;    - 3600 square metres if it adjoins on two boundaries a road in a Road Zone.&lt;br&gt;  - The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td>Store</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
</tbody>
</table>

#### Timber production

Must meet the requirements of Clause 53.11.

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
</tr>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Industry (other than Rural Industry)</td>
</tr>
<tr>
<td>Intensive animal production</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
</tr>
<tr>
<td>Retail premises (other than Bar, Convenience shop, Hotel, Market, Plant nursery, Postal agency, Primary produce sales and Restaurant)</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Sawmill</td>
</tr>
<tr>
<td>Transport terminal</td>
</tr>
<tr>
<td>Warehouse (other than Store)</td>
</tr>
</tbody>
</table>
Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

Subdivision

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 2 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The number of lots is no more than the number the land could be subdivided into in accordance with a schedule to this zone.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

### Class of application

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- Each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td></td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td>Clause 59.12</td>
</tr>
</tbody>
</table>

Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.03-1. This does not apply to:
- An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.
- An out-building associated with an existing dwelling provided the floor area of the out-building is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.
- An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is not more than the area specified in the schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres. The building must not be used to keep, board, breed or train animals.
- A rainwater tank.

- Earthworks specified in a schedule to this zone, if on land specified in a schedule.
- A building which is within any of the following setbacks:
  - The setback from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1 specified in the schedule to this zone or, if no setback is specified, 30 metres.
  - The setback from any other road or boundary specified in the schedule to this zone.
  - The distance from a dwelling not in the same ownership specified in the schedule to this zone.
  - 100 metres from a waterway, wetlands or designated flood plain.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $250,000 where the land is not:</td>
<td>Clause 59.13</td>
</tr>
<tr>
<td>- Used for Domestic animal husbandry, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry.</td>
<td></td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>Any works must not be earthworks specified in the schedule to the zone.</td>
<td></td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General issues**

- Any Regional Catchment Strategy and associated plan applying to the land.
- The capability of the land to accommodate the proposed use or development.
• Whether the site is suitable for the use or development and whether the proposal is compatible with adjoining and nearby land uses.

Agricultural issues
• The capacity of the site to sustain the agricultural use.
• Any integrated land management plan prepared for the site.
• The potential for the future expansion of the use or development and the impact of this on adjoining and nearby agricultural and other land uses.

Environmental issues
• The impact on the natural physical features and resources of the area and in particular any impact caused by the proposal on soil and water quality and by the emission of noise, dust and odours.
• The impact of the use or development on the flora, fauna and landscape features of the locality.
• The need to protect and enhance the biodiversity of the area, including the need to retain vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge area.
• The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

Design and siting issues
• The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
• The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
• The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
• Whether the use or development will require traffic management measures.

35.03-6
31/07/2018
VC148

Signs
Sign requirements are at Clause 52.05. This zone is in Category 3.
## SCHEDULE TO THE RURAL LIVING ZONE

Shown on the planning scheme map as **RLZ**.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>Area A on attached plan 1 ha with reticulated water 2 ha without reticulated water</td>
</tr>
<tr>
<td></td>
<td>Area B on attached plan 2 ha with reticulated water 4 ha without reticulated water</td>
</tr>
<tr>
<td></td>
<td>Area C on attached plan 1 ha</td>
</tr>
<tr>
<td></td>
<td>Area D on attached plan 4 ha</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to use land for a dwelling (hectares).</td>
<td>Area A 2 ha or 1 ha if serviced with reticulated water</td>
</tr>
<tr>
<td></td>
<td>Area B 4 ha or 2 ha if serviced with reticulated water</td>
</tr>
<tr>
<td></td>
<td>Area C 1 ha</td>
</tr>
<tr>
<td></td>
<td>Area D 4 ha</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with an existing dwelling (square metres)</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a road (metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a boundary (metres).</td>
<td>All land 15 metres</td>
</tr>
<tr>
<td>Minimum setback from a dwelling not in the same ownership (metres).</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
<th>Permit requirement for earthworks</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land, except land contained within the Public Acquisition Overlay or impacted by construction for the new Calder Highway/Freeway and associated works.</td>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
</tr>
<tr>
<td>All land, except land contained within the Public Acquisition Overlay or impacted by construction for the new Calder Highway/Freeway and associated works.</td>
<td>Earthworks which increase the discharge of saline groundwater.</td>
</tr>
</tbody>
</table>
RURAL CONSERVATION ZONE

Shown on the planning scheme map as RCZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To conserve the values specified in a schedule to this zone.

To protect and enhance the natural environment and natural processes for their historic, archaeological and scientific interest, landscape, faunal habitat and cultural values.

To protect and enhance natural resources and the biodiversity of the area.

To encourage development and use of land which is consistent with sustainable land management and land capability practices, and which takes into account the conservation values and environmental sensitivity of the locality.

To provide for agricultural use consistent with the conservation of environmental and landscape values of the area.

To conserve and enhance the cultural significance and character of open rural and scenic non urban landscapes.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Domestic animal husbandry (other than Domestic animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Must be no more than 100 poultry (not including emus or ostriches).</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. Must meet the requirements of Clause 35.06-2.</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling. Must meet the requirements of Clause 35.06-2.</td>
</tr>
<tr>
<td>Emergency services facility</td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td></td>
</tr>
<tr>
<td>Group accommodation</td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td></td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Primary produce sales</td>
<td></td>
</tr>
<tr>
<td>Primary school</td>
<td></td>
</tr>
<tr>
<td>Racing dog husbandry - if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td>Recreational boat facility</td>
<td></td>
</tr>
<tr>
<td>Renewable energy facility (other than Wind energy facility)</td>
<td>Must meet the requirements of Clause 53.13.</td>
</tr>
<tr>
<td>Residential hotel</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td></td>
</tr>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
<td></td>
</tr>
<tr>
<td>Rural store</td>
<td></td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
</tr>
<tr>
<td>Timber production</td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>---------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td>Must meet the requirements of Clause 52.32.</td>
</tr>
<tr>
<td>Wind energy facility</td>
<td></td>
</tr>
<tr>
<td>Winery</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
</tr>
<tr>
<td>Accommodation (other than Bed and breakfast, Dependent person’s unit, Dwelling, Group accommodation, Host farm and Residential hotel)</td>
</tr>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Education centre (other than Primary school and Secondary school)</td>
</tr>
<tr>
<td>Industry (other than Rural industry)</td>
</tr>
<tr>
<td>Intensive animal production</td>
</tr>
<tr>
<td>Office</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
</tr>
<tr>
<td>Place of assembly (other than Carnival and Circus)</td>
</tr>
<tr>
<td>Retail premises (other than Landscape gardening supplies, Market, Primary produce sales and Restaurant)</td>
</tr>
<tr>
<td>Rice growing</td>
</tr>
<tr>
<td>Sawmill</td>
</tr>
<tr>
<td>Transport terminal</td>
</tr>
<tr>
<td>Warehouse (other than Freezing and cool storage and Rural store)</td>
</tr>
</tbody>
</table>

### Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.

- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the **Environment Protection Act 1970**.

- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.

- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.
Subdivision

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<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

• The Municipal Planning Strategy and the Planning Policy Framework.
• Any Regional Catchment Strategy and associated plan applying to the land.
• The capability of the land to accommodate the proposed use or development.
• 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

- Adjacent Castlemaine Diggings National Heritage Park.
- Statewide heritage significance of Pennyweight Flat Cemetery.
- Cultural heritage and landscape significance of the setting and environs of Pennyweight Flat Cemetery.
- Goldfields heritage and cultural landscape significance of Pennyweight Flat, Forest Creek and Moonlight Creek.
- Open rural and scenic landscape of Pennyweight Flat.
- Remnant native vegetation in Pennyweight Flat, Moonlight Flat and Lady’s Gully.
- Wildlife habitat and corridors for movement of wildlife in Pennyweight Flat, Moonlight Flat and Lady’s Gully
- Lombardy Poplar trees in Pennyweight Flat.
- Archaeological remains situated in Lady’s Gully.
- Water resource and creek reserves of Forest Creek and Moonlight Creek.

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares). Lady Gully Area east of Colles Road and south of Stronels Road</td>
<td>2.0 hectares</td>
</tr>
<tr>
<td>All other land</td>
<td>40 hectares</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum 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.

<table>
<thead>
<tr>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land</td>
</tr>
</tbody>
</table>

Earthworks which increase the discharge of saline groundwater.

<table>
<thead>
<tr>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land</td>
</tr>
</tbody>
</table>
FARMING ZONE

Shown on the planning scheme map as \textbf{FZ} with a number (if shown).

\textbf{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.

\textbf{Table of uses}

\textbf{Section 1 – Permit not required}

\begin{tabular}{|l|l|}
\hline
\textbf{Use} & \textbf{Condition} \\
\hline
Agriculture (other than Animal production, Apiculture, Domestic animal husbandry, Racing dog husbandry, Rice growing and Timber production) & No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence. \\
\hline
Bed and breakfast & Must meet the requirements of Clause 53.08. The total number of cattle to be housed in the cattle feedlot must be 1000 or less. The site must be located outside a special water supply catchment under the \textit{Catchment and Land Protection Act 1994}. The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995. \\
\hline
Cattle feedlot & Must be the only dependent person’s unit on the lot. Must meet the requirements of Clause 35.07-2. \\
\hline
Dependent person’s unit & Must be no more than 5 animals. \\
\hline
Domestic animal husbandry (other than Domestic animal boarding) & Must be the only dwelling on the lot. The lot must be at least the area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares. \\
\hline
Dwelling (other than Bed and breakfast) & \\
\hline
\end{tabular}
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grazing animal production</td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td>Home based business</td>
<td>Must be no more than 100 poultry (not including emus or ostriches).</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td>Must be no more than 10 emus and ostriches.</td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Must be no more than 100 poultry (not including emus or ostriches).</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>Must be no more than 10 emus and ostriches.</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td>Must not be within 100 metres of a dwelling in separate ownership.</td>
</tr>
<tr>
<td>Racing dog husbandry</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>Must be no more than 5 animals.</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 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 used in conjunction with Agriculture.</td>
</tr>
<tr>
<td>Timber production</td>
<td>Must be the only Rural store on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
<tr>
<td></td>
<td>The plantation area must not exceed any area specified in a schedule to this zone. Any area specified must be at least 40 hectares.</td>
</tr>
<tr>
<td></td>
<td>The total plantation area (existing and proposed) on contiguous land which was in the same ownership on or after 28 October 1993 must not exceed any scheduled area.</td>
</tr>
<tr>
<td></td>
<td>The plantation must not be within 100 metres of:</td>
</tr>
<tr>
<td></td>
<td>- Any dwelling in separate ownership.</td>
</tr>
<tr>
<td></td>
<td>- Any land zoned for residential, commercial or industrial use.</td>
</tr>
<tr>
<td></td>
<td>- Any site specified on a permit which is in force which permits a dwelling to be constructed.</td>
</tr>
<tr>
<td></td>
<td>The plantation must not be within 20 metres of a powerline whether on private or public land, except with the consent of the relevant electricity supply or distribution authority.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Tramway</td>
<td>Any use listed in Clause 62.01 Must meet requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Section 2 – Permit required</td>
<td></td>
</tr>
<tr>
<td>Abattoir</td>
<td></td>
</tr>
<tr>
<td>Animal production (other than Broiler farm, Cattle feedlot and Grazing animal production)</td>
<td></td>
</tr>
<tr>
<td>Broiler farm - if the Section 1 condition to Poultry farm is not met</td>
<td>Must meet the requirements of Clause 53.09.</td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Cattle feedlot – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.08.</td>
</tr>
<tr>
<td></td>
<td>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.</td>
</tr>
<tr>
<td>Cemetery</td>
<td></td>
</tr>
<tr>
<td>Crematorium</td>
<td></td>
</tr>
<tr>
<td>Dependent person's unit – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td>Domestic animal boarding</td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td>Emergency services facility</td>
<td></td>
</tr>
<tr>
<td>Freeway service centre</td>
<td>Must meet the requirements of Clause 53.05.</td>
</tr>
<tr>
<td>Group accommodation</td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Rural industry)</td>
<td></td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<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 may use this land if the requirements of Clause 53.12 are met.</td>
</tr>
<tr>
<td>Racing dog husbandry – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 53.13.</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>
</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 |

### 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.

Construct a building or construct or carry out works associated with a Section 2 use in the Table of uses of the zone with an estimated cost of up to $500,000 where the land is not:

- Used for Domestic animal husbandry, Intensive animal production, Pig farm, Poultry farm, Poultry hatchery, Racing dog husbandry or Rural industry.
- Within 30 metres of land (not a road) which is in a residential zone.

Any works must not be earthworks specified in the schedule to the zone.

**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</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to use land for a dwelling (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>Maximum area for which no permit is required to use land for timber production (hectares).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)</td>
<td>None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres).</td>
<td>None specified</td>
</tr>
<tr>
<td>Minimum setback from a road (metres).</td>
<td>A Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1</td>
</tr>
<tr>
<td></td>
<td>A Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2</td>
</tr>
<tr>
<td></td>
<td>Any other road</td>
</tr>
<tr>
<td>Minimum setback from a boundary (metres).</td>
<td>Any other boundary</td>
</tr>
<tr>
<td>Minimum setback from a dwelling not in the same ownership (metres).</td>
<td>Any dwelling not in the same ownership</td>
</tr>
</tbody>
</table>

<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, except land contained within the Public Acquisition Overlay or impacted by construction for the new Calder Highway/Freeway and associated works.</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>All land, except land contained within the Public Acquisition Overlay or impacted by construction for the new Calder Highway/Freeway and associated works.</td>
</tr>
</tbody>
</table>
PUBLIC LAND ZONES

MOUNT ALEXANDER PLANNING SCHEME
PUBLIC USE ZONE

Shown on the planning scheme map as PUZ with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise public land use for public utility and community services and facilities.
To provide for associated uses that are consistent with the intent of the public land reservation or purpose.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Railway station</td>
<td>The total leasable floor area for the selling of food, drink and other</td>
</tr>
<tr>
<td></td>
<td>convenience goods and services must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Any other use</td>
<td>The use must be for the purpose described in the table to Clause 36.01-6 which corresponds to the notation on the planning scheme map. The use must be carried out by or on behalf of the public land manager.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<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></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td></td>
</tr>
<tr>
<td>Any other use</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
</tr>
</tbody>
</table>

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works for any use in Section 2 of Clause 36.01-1. This does not apply to navigational beacons and aids.
- Subdivide land.

Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
To the application for permit being made and to the proposed use or development.

Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The comments of any Minister or public land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

Permit not required

A permit is not required to use land, or to construct a building or construct or carry out works on land, listed in a schedule to this zone, provided any condition in the schedule is complied with.

Table of public land use

<table>
<thead>
<tr>
<th>Shown on the planning scheme map</th>
<th>Purpose of public land use</th>
</tr>
</thead>
<tbody>
<tr>
<td>PUZ1</td>
<td>Service &amp; Utility</td>
</tr>
<tr>
<td>PUZ2</td>
<td>Education</td>
</tr>
<tr>
<td>PUZ3</td>
<td>Health &amp; Community</td>
</tr>
<tr>
<td>PUZ4</td>
<td>Transport</td>
</tr>
<tr>
<td>PUZ5</td>
<td>Cemetery/Crematorium</td>
</tr>
<tr>
<td>PUZ6</td>
<td>Local Government</td>
</tr>
<tr>
<td>PUZ7</td>
<td>Other public use</td>
</tr>
</tbody>
</table>

Signs

Sign requirements are at Clause 52.05. This zone, except for the PUZ4 (Transport), is in Category 4 unless a different requirement is specified in the schedule to this zone.

For land within the PUZ4 (Transport), the sign category which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

Where the Road Zone is the nearest adjoining zone, a permit is required to display a sign.
## SCHEDULE TO THE PUBLIC USE ZONE

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
PUBLIC PARK AND RECREATION ZONE

Shown on the planning scheme map as PPRZ.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise areas for public recreation and open space.
To protect and conserve areas of significance where appropriate.
To provide for commercial uses where appropriate.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Informal outdoor recreation</td>
<td>Must be conducted by or on behalf of the public land manager.</td>
</tr>
<tr>
<td>Open sports ground</td>
<td>Must not be on coastal Crown land under the Coastal Management Act 1995.</td>
</tr>
<tr>
<td></td>
<td>Must not be costeaning or bulk sampling.</td>
</tr>
</tbody>
</table>

Any use listed in Clause 62.01  Must meet the requirements of Clause 62.01.

Contractor’s depot  Must be either of the following:

Heliport  A use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958, or the Crown Land (Reserves) Act 1978.

Office  Must be associated with the public land use.

Retail premises  Must be associated with the public land use.

Store  Must be associated with the public land use.

Any other use not in Section 3  A use specified in an Incorporated plan in a schedule to this zone.

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractor’s depot - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Heliport - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Office - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Retail premises - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Store - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
</tbody>
</table>
Section 3 - Prohibited

Use

Brothel
Cinema based entertainment facility
Corrective institution
Display home centre
Funeral parlour
Industry
Saleyard
Transport terminal (other than Heliport)
Veterinary centre
Warehouse (other than Store)

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply to:
  - Pathways, trails, seating, picnic tables, drinking taps, shelters, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure.
  - Playground equipment or sporting equipment, provided these facilities do not occupy more than 10 square metres of parkland.
  - Navigational beacons and aids.
  - Planting or landscaping.
  - Fencing that is 1 metre or less in height above ground level.
  - A building or works shown in an Incorporated plan which applies to the land.
  - A building or works carried out by or on behalf of a public land manager or Parks Victoria under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978.

- Subdivide land.

Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.
Exemption from notice and review

An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

Incorporated plan

An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of any proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses or a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.
- The location of existing native and other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.

Use and development of land identified in a schedule

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.
## SCHEDULE TO THE PUBLIC PARK AND RECREATION ZONE

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></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>

PUBLIC CONSERVATION AND RESOURCE ZONE

Showed 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>• Specified in an Incorporated plan in a schedule to this zone.</td>
</tr>
<tr>
<td>Kiosk</td>
<td></td>
</tr>
<tr>
<td>Marine dredging</td>
<td></td>
</tr>
<tr>
<td>Mooring pole</td>
<td></td>
</tr>
<tr>
<td>Open sports ground</td>
<td></td>
</tr>
<tr>
<td>Pier</td>
<td></td>
</tr>
<tr>
<td>Pontoon</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 2 or 3</td>
<td>• Must be a use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forests Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978.</td>
</tr>
</tbody>
</table>
Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emergency services facility</td>
<td>Must not be located on land reserved under the National Parks Act 1975.</td>
</tr>
<tr>
<td>Renewable energy facility (other than Wind energy facility)</td>
<td>Must meet the requirements of Clause 53.13. Must not be located on land reserved under the National Parks Act 1975. Necessary conditions for Wind energy facilities.</td>
</tr>
</tbody>
</table>

Wind energy facility

- Must not be located on land described in a schedule to the National Parks Act 1975. Necessary conditions for Wind energy facilities.
- 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.

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 exercising 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 Water Act 1975, the Forests Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958 or the Crown Land (Reserves) Act 1978.
  - A building or works carried out by or on behalf of a public land manager or Parks Victoria under the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forests Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958, the Crown Land (Reserves) Act 1978, or the Road Management Act 2004.

- Subdivide land.

**Application requirements**

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.
Where there is no public land manager, an application for a permit must be accompanied by the written consent of the Secretary to the Department of Environment, Land, Water and Planning.

36.03-4  
3/07/2018  
VC148  

Exemption from notice and review

An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of section 52(1) (a), (b), and (d), the decision requirements of sections 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

36.03-5  
18/06/2010  
VC62  

Referral of applications

An application to use or develop land for the purpose of an emergency services facility must be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

36.03-6  
3/07/2018  
VC148  

Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

36.03-7  
18/06/2010  
VC62  

Incorporated plan

An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses and a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.
- The location of existing native or other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural, heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.
Use and development of land identified in a schedule

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.
SCHEDULE TO THE PUBLIC CONSERVATION AND RESOURCE ZONE

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Land</th>
<th>Advertising Sign Category</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
ROAD ZONE

Shown on the planning scheme map as **RDZ1** for a Category 1 road and **RDZ2** for a Category 2 road.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify significant existing roads.

To identify land which has been acquired for a significant proposed road.

**Table of uses**

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utility installation (other than Minor utility installation and Telecomunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td></td>
</tr>
</tbody>
</table>

**Permit requirement**

A permit is required to:

- Construct a building or construct or carry out works for a use in Section 2 of Clause 36.04-1.
- Subdivide land.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The views of the relevant road authority.
- The effect of the proposal on the operation of the road and on public safety.
Signs

Sign requirements are at Clause 52.05. A permit is required to display a sign over the road formation or over land within 600 millimetres of the road formation. For other land in this zone, the category of advertising control which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

Where the Public Use Zone 4 is the nearest adjoining zone, a permit is required to display a sign.
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.

**Class of application**

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>Class of application</td>
<td>Information requirements and decision guidelines</td>
</tr>
<tr>
<td>----------------------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
</tbody>
</table>

Subdivide land into 2 lots if:

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

Construct a fence. Clause 59.05

Remove, destroy or lop one tree. Clause 59.06

Construct a building or construct or carry out works for: Clause 59.05

- A carport, garage, pergola, verandah, deck, shed or similar structure.
- A rainwater tank.

The buildings and works must be associated with a dwelling.

### Table of exemptions

The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Emergency works</th>
<th>Vegetation that is to be removed, destroyed or lopped:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or</td>
</tr>
<tr>
<td></td>
<td>where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fire protection</th>
<th>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>fire fighting;</td>
</tr>
<tr>
<td></td>
<td>planned burning;</td>
</tr>
<tr>
<td></td>
<td>making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;</td>
</tr>
<tr>
<td></td>
<td>making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);</td>
</tr>
<tr>
<td></td>
<td>is ground fuel within 30 metres of a building and is vegetation other than native vegetation;</td>
</tr>
<tr>
<td></td>
<td>in accordance with a fire prevention notice issued under either:</td>
</tr>
<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>
</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 Geothermal Energy Resources Act 2005.</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 Greenhouse Gas Geological Sequestration Act 2008.</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 Catchment and Land Protection Act 1994.</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 Catchment and Land Protection Act 1994.</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>Road safety</th>
<th>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</th>
</tr>
</thead>
</table>
| Stone exploration                                                        | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:  
  - 1 hectare of vegetation which does not include a tree.  
  - 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.  
  - 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.  
  This exemption does not apply to costeasing and bulk sampling activities. |
| Stone extraction                                                          | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 and authorised by a work authority granted under that Act. |
| Surveying                                                                 | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the Surveying Act 2004) using hand-held tools to establish a sightline for the measurement of land. |
| Traditional owners                                                        | Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:  
  - a natural resources agreement under Part 6 of the Traditional Owners Settlement Act 2010; or  
  - an authorisation order made under sections 82 or 84 of the Traditional Owner Settlement Act 2010 as those sections were in force immediately before the commencement of section 24 of the Traditional owners Settlement Amendment Act in 2016 (1 May 2017). |

**Application requirements**

An application must be accompanied by any information specified in a schedule to this overlay.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The statement of environmental significance and the environmental objective contained in a schedule to this overlay.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- Any other matters specified in a schedule to this overlay.
SCHEDULE 1 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO1.

LAKE EPPALOCK CATCHMENT

1.0

Statement of environmental significance

Lake Eppalock is a major water storage and recreational facility located within the Campaspe River catchment. It is a major source of water for irrigation, stock and domestic and urban water supplies for towns located along the Campaspe River. It also supplies 15% of Bendigo’s water supply. The water quality of Lake Eppalock and the Campaspe River catchment is affected by salinity and erosion.

2.0

Environmental objective to be achieved

To ensure the protection and maintenance of water quality and water yield within the Eppalock Water Supply Catchment Area as listed under Section 5 of the Catchment and Land Protection Act 1994.

3.0

Permit requirement

Application of the kind listed below must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause:

- Subdivision creating lots less than 40 hectares.
- Intensive agriculture, lot feeding, poultry farming and pig keeping or any other intensive land use.
- Any use or development which the responsible authority considers may not satisfy the environmental objective of this schedule.
- All applications for use and development of land within 100 metres of the full supply level of Lake Eppalock or from any watercourse within the catchment area.

A permit is not required for:

- Routine maintenance works on land managed by Department of Environment and Primary Industries.
- Works associated with a road required for the construction of the Calder Freeway/Highway between Kyneton and Ravenswood and carried out by or on behalf of the Roads Corporation, within a Road Zone Category 1, or local access, service and deviation roads, or within a Public Acquisition Overlay.
- Removal, destruction or lopping of any vegetation required for the construction of the Calder Freeway/Highway between Kyneton and Ravenswood, carried out by or on behalf of the Roads Corporation, on land within a Road Zone Category 1, or local access, service and deviation roads, or within a Public Acquisition Overlay.
- A pergola, verandah, patio, carport or decking associated with an existing dwelling
- Buildings and works to construct an outbuilding associated with an existing dwelling on the land or for the use of agriculture provided:
  - The proposed floor area does not exceed 100 square metres.
  - The buildings and works are not within 30 metres of a waterway or spring.
  - The outbuilding does not contain any sanitary or laundry fixtures or otherwise impose any additional or new load on an existing septic tank facility.
  - Cut and fill of a depth of less than 1 metre.
Decision guidelines

An applicant must demonstrate that the proposed development has considered the following issues, prior to the responsible authority deciding on an application:

- The Catchment Management Authority Regional Strategy for the Loddon-Campaspe water catchment.
- The effect that the proposed development will have on water quality.
- The need to protect vegetation and habitat and the role these attributes play in improving and assisting in the maintenance of water quality.
- The need to retain vegetation which prevents or limits adverse effects on ground water recharge.
SCHEDULE 2 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

shown on the planning scheme map as ESO2.

LAKE CAIRN CURRAN CATCHMENT

1.0

Statement of environmental significance

Lake Cairn Curran is a major water storage for the Loddon River system. It supplies water for irrigation and stock and domestic purposes and is also used as a major recreation facility.

2.0

Environmental objective to be achieved

To ensure the protection and maintenance of water quality and water yield within the Cairn Curran Water Supply Catchment Area.

3.0

Permit requirement

Application of the kind listed below must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause:

- Subdivision creating lots less than 40 hectares.
- Intensive agriculture, lot feeding, poultry farming and pig keeping or any other intensive land use.
- Any use or development which the responsible authority considers may not satisfy the environmental objective of this schedule.
- All applications for use and development of land within 100 metres of the full supply level of Lake Cairn Curran or from any watercourse within the catchment area.

A permit is not required for routine maintenance works on land managed by Department of Environment and Primary Industries.

- A pergola, verandah, patio, carport or decking associated with an existing dwelling.
- Buildings and works to construct an outbuilding associated with an existing dwelling on the land or for the use of agriculture provided:
  - The proposed floor area does not exceed 100 square metres.
  - The buildings and works are not within 30 metres of a waterway or spring.
  - The outbuilding does not contain any sanitary or laundry fixtures or otherwise impose any additional or new load on an existing septic tank facility.
  - Any cut and fill of a depth of less than 1 metre.

4.0

Decision guidelines

An applicant must demonstrate that the proposed development has considered the following issues, prior to the responsible authority deciding on an application:-

- The Catchment Management Authority Regional Strategy for the Loddon-Campaspe water catchment.
- The effect that the proposed development will have on water quality.
- The need to protect vegetation and habitat and the role these attributes play in improving and assisting in the maintenance of water quality.
- The need to retain vegetation which prevents or limits adverse effects on ground water recharge.
BARFOLD GORGE

Statement of environmental significance

Barfold gorge is significant for a diversity of volcanic features including basalt columns, waterfalls, lava caves and tessellated pavements. The gorge represents a very good example of geological processes associated with the volcanic history of north west Victoria.

It contains very good examples of active erosion and the resultant talus piles. The Campaspe River has exposed a lava sequence which is one of the best exposures of magmatic differentiation in the new volcanics in Victoria. The area has high education value as a geological excursion site.

The rare plant Discaria pubescens is found growing in the gorge and platypuses have been seen in pools below the falls.

The dramatic scenery of the 80m gorge is of aesthetic significance in a mostly undulating topography.

The area is also of historical significance as the site of the 1860 Campaspe River gold rush, some evidence of which is still visible. It is a good example of a small scale short-lived gold field.

Description

Barfold Gorge is approximately 300ha in size and is located 6.5km south of Redesdale between the Campaspe River and Pipers Creek. It is a steep-sided, narrow gorge up to 80m deep, incised into the volcanic plain by the Campaspe River, exposing a sequence of three lava flows with intervening fossil soils. There are cliffs of basaltic columns, waterfalls, lava caves etc. which add to the dramatic scenery of the Gorge.

Much native vegetation, including River Red Gums, remains and provides habitat for more than 95 species of bird recorded in the vicinity.

The Italian prospector, Geo Antagnini, found gold in July 1860 at the foot of the Gorge slope. A small rush to the Campaspe River diggings, later to be called the Italian Diggings, peaked at around 200 miners. This quickly dwindled to half when it was realised shafts would be necessary. By March 1861 only a few miners remained. More recent attempts at gold mining took place in the 1930’s. The remains of tunnels into the sub-basaltic gravels on the western side of the ‘Italian Diggings’ can still be seen.

The area has been grazed since 1850s but steepness and ruggedness or gorge has ensured relatively little disturbance.

Environmental objective to be achieved

- To provide for the conservation, maintenance and enhancement of significant environmental features which are of scientific importance, natural beauty, environmental interest, environmental importance or natural heritage value and which therefore form an essential component of the natural heritage and character of the area.

- To protect natural environmental processes, maintain bio-diversity and protect natural resources of soil, water, flora and fauna.

Permit requirement

Application of the kind listed below must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause

- Subdivision creating lots less than 40 hectares.
- Intensive agriculture, lot feeding, poultry farming and pig keeping or any other intensive land use.

- Any use or development which the responsible authority considers may not satisfy the environmental objective of this schedule.

- All applications for use and development of land within 100 metres of the Barfold Gorge. Before deciding on an application of the kind listed below, notice must be given under section 52(1)(c) of the Planning and Environment Act 1987 to the person or body specified as a person or body to be notified in Clause 66.06 or a schedule to that clause:

  - Subdivision creating lots less than 40 hectares.

  - Intensive agriculture, lot feeding, poultry farming and pig keeping or any other intensive land use.

  - Any use or development which the responsible authority considers may not satisfy the environmental objective of this schedule.

  - All applications for use and development of land within 100 metres of the Barfold Gorge.

A permit is not required for routine maintenance works on land managed by Department of Sustainability and Environment.

### Decision guidelines

An applicant must demonstrate that the proposed development has considered the following issues, prior to the responsible authority deciding on an application:

- the primary purpose for which the land is zoned.

- the orderly and proper planning of the relevant zone.

- the preservation of the amenity of the area and the need to prevent unnecessary intrusive development from occurring in visually exposed areas.

- the preservation of the natural environment and the prevention of erosion.

- the necessity or otherwise of retaining a buffer strip of vegetation in the vicinity of water courses, roads and property boundaries or in visually prominent areas of the site.

Any consent granted may include conditions requiring replanting, sowing down or other treatment of any area to be cleared, including fencing, protection and management of remnant vegetation and exclusion of stock and domestic animals.
SCHEDULE 4 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO4.

MOUNT ALEXANDER AND SURROUNDS

1.0

Statement of environmental significance

Mount Alexander is a granitic intrusion that rises 350 metres above the surrounding plains. Its significance arises from:

- Its impact on the surrounding landscape,
- Its aboriginal history,
- Its connection with Major Mitchell and the discovery of gold and the settlement of the area,
- Its silvicultural history with the oak plantation, the sericulture site and the pine plantation,
- Its vegetation type not found at other locations in this area, the age of the dominant trees and some rare or threatened species,
- The richness of its fauna including rare or threatened species,
- Its geology and geomorphology.

Description

Mount Alexander is a granitic intrusion through sedimentary rock that dominates the surrounding landscape. The eastern and western slopes are steep with large rock outcrops and sheet of granitic rock. There are three sites of geological and geomorphological significance including one of National Significance. The Mount itself is of Regional Significance. The impact of the granite quarries on the tourist road and the Calder Highway is also being addressed.

An open forest of *Eucalyptus obliqua* and *E viminalis* has developed on the granitic soils. This is a different type of vegetation to that found on the surrounding plains. The mature woodland has a significant number of senescent trees that, along with trees that died as a result of the 1982-3 drought, provide hollows for native fauna. The large area of the public land, the abundance of hollows and the particular vegetation type contribute to the Mount’s rich habitat. There are a number of rare or threatened species that have been recorded on the Mount. They include *Ninox strenus* Powerful Owl, *Pomatostomus temporalis* Grey-crowned Babbler, and the *Phascogale tapotafa* Tuan. Rare of threatened plants include *Balianitia antipoda*, *Diurus palustris* Swamp Diuris, *Epilobium pallidiorum* Showy willow herb, and *Glycine latrobeansa* Clover glycine.

2.0

Environmental objective to be achieved

- To recognise and protect the landscape conservation and importance of Mount Alexander.
- To protect Mount Alexander and the surrounding landscape from inappropriate development and visual intrusion.
- To protect the area and the surrounding landscapes from visual intrusion and inappropriate development.
- To maintain the passive recreational value of the land for the enjoyment of all visitors.

3.0

Permit requirement

Applications of the kind listed below must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause.

- Subdivision creating lots less than 40 hectares.
- Intensive agriculture, lot feeding, poultry farming and pig keeping or any other intensive land use.
- Any use or development which the responsible authority considers may not satisfy the environmental objective of this schedule.
- All applications for use and development of land within 100 metres of the Mount Alexander Regional Park.

A permit is not required for routine maintenance works on land managed by Department of Sustainability and Environment.

4.0  
19/01/2006  
VC37

Decision guidelines

An applicant must demonstrate that the proposed development has considered the following issues, prior to the responsible authority deciding on an application:

- the primary purpose for which the land is zoned.
- the orderly and proper planning of the relevant zone.
- the preservation of the amenity of the area and the need to prevent unnecessary intrusive development from occurring in visually exposed areas.
- the preservation of the natural environment and the prevention of erosion.
- the necessity or otherwise of retaining a buffer strip of vegetation in the vicinity of water courses, roads and property boundaries or in visually prominent areas of the site.
SCHEDULE 5 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO5.

WATERCOURSE PROTECTION

1.0

Statement of environmental significance

The Mount Alexander Shire is located in the headwaters of the Loddon-Campaspe water catchment, which is the fourth most degraded catchment in the Murray Darling Basin. The management of land adjacent to watercourses is necessary to reduce erosion, maintain vegetation, habitat and improve water quality.

2.0

Environmental objective to be achieved

- To maintain the quality and quantity of water within the watercourse.
- To maintain the ability of streams and watercourses to carry natural flows.
- To prevent erosion of banks, streambeds and adjoining land and the siltation of watercourses, drains and other features.
- To protect and encourage the long term future of flora and fauna habitats along watercourses.
- To ensure development does not occur on land liable to flooding.
- To prevent pollution and increased turbidity of water in natural watercourses.
- To prevent increased surface runoff or concentration of surface water run-off leading to erosion or siltation of watercourses.
- To conserve existing wildlife habitats close to natural watercourses and, where appropriate, to allow for generation and regeneration of habitats.
- To minimise the potential damage caused to human life, buildings and property by flood waters.
- To restrict the intensity of use and development of land and to activities which are environmentally sensitive and which are compatible with potential drainage or flooding hazards.

3.0

Permit requirement

A permit is not required for:

- Any building or works located more than 200 metres from the centre point of the watercourse, drainage line or channel.
- Repairs and routine maintenance to existing buildings and works.
- Works undertaken by a public authority to:
  - Regulate the flow of water in a watercourse.
  - Regulate flooding.
  - Construct or redirect a watercourse.
- Any buildings for works associated with a Minor utility installation.
- Any buildings for works associated with Passive recreation.
- Routine maintenance works on land managed by Department of Natural Resources and Environment.
- Works associated with a road required for the construction of the Calder Freeway/Highway between Kyneton and Ravenswood and carried out by or on behalf of VicRoads, within a Road Zone Category 1, or local access, service and deviation roads, or within a Public Acquisition Overlay.
- Removal, destruction or lopping of any vegetation required for the construction of the Calder Freeway/Highway between Kyneton and Ravenswood, carried out by or on behalf of VicRoads, on land within a Road Zone Category 1, or local access, service and deviation roads, or within a Public Acquisition Overlay.

- For the removal, destruction or lopping of all vegetation including trees, shrubs, herbs and grasses, to the minimum extent necessary for works undertaken by or on behalf of Central Highlands Water required for the construction of the Goldfields Superpipe Project in accordance with the Project Impact Assessment and Environmental Management Plan approved by the Secretary of the Department of Sustainability and Environment and the native vegetation offset plan approved by the Minister for Environment.

4.0
19/01/2006
VC37

Decision guidelines

An applicant must demonstrate that the proposed development has considered the following issues, prior to the responsible authority deciding on an application:

- The Catchment Management Authority Regional Strategy for the Loddon-Campaspe water catchment
- The effect that the proposed development will have on water quality
- The need to protect vegetation and habitat and the role these attributes play in improving and assisting in the maintenance of water quality
- The need to retain vegetation which prevents or limits adverse effects on ground water recharge
SCHEDULE 6 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO6.

LAND SOUTH OF DIAMOND GULLY ROAD AND EAST OF SLUICERS ROAD

1.0

Statement of environmental significance

An environmental audit has been undertaken to assess the potential for areas identified for residential development in the Diamond Gully Structure Plan, July 2016 to be at risk from the potential migration of landfill gas from the existing and former Castlemaine Landfill cells.

The landfill gas risk for most of the areas concerned was identified as being very low. However, before residential development proceeds in an area to the south of Diamond Gully Road and west of Sluicers Road, a further site specific audit must be undertaken for this area in accordance with the requirements of Section 53V of the Environment Protection Act 1970 to ensure that there is not an unacceptable risk of landfill gas migration.

2.0

Environmental objective to be achieved

To reduce the risk to any future residential development from potential landfill gas migration from the existing and former Castlemaine Landfill cells.

3.0

Permit requirement

A permit is not required to:

- Construct a fence.
- Construct a building or construct or carry out works that do not include any confined spaces.
- Construct an outbuilding, including a shed, with a floor area of less than 50 square metres with either:
  - a gas barrier incorporated into the foundation; or
  - a ventilation system (passive or mechanical);

that will prevent the accumulation of landfill gas within any confined space of the building.

- Construct a bicycle pathway and trail.

4.0

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the potential risk of landfill gas migration has been reduced to an acceptable level.
- Whether the proposal includes appropriate mitigation measures to reduce the risk of landfill gas migration.

Reference documents

Castlemaine Landfill Odour and Buffer Assessment, May 2016

Section 53 Environmental Audit of Development encroaching on Castlemaine landfill Buffer’, December 2012.
SCHEDULE 7 TO THE ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO7

CALDER BUFFER ZONE, REMNANT VEGETATION AND WILDLIFE CORRIDOR PROTECTION

1.0 Statement of environmental significance

The native vegetation in the area covered by this overlay has been identified as of State significance as it provides important habitat for the State threatened Brush-tailed Phascogale (*Phascogale tapoatafa*). The habitat of the Brush-tailed Phascogale has been extensively cleared and degraded. Remaining patches represent important feeding resources of this species and trees with hollows provide essential breeding sites. The native vegetation in this area also provides vital links between the Taradale Bushland Reserve and the Metcalfe State Forest.

Also within the area of the overlay there are Regionally significant patches of remnant native vegetation including populations of the State vulnerable Golden Cowslips orchid (*Diuris behrii*). This species has been identified as a Priority 1A species in the Goldfields Bioregion. There are also populations of Regionally significant Pale-flowered Cranesbill (*Geranium* sp. 3) and Emerald-lip Greenhood orchid (*Ptereostylis smaragdyna*).

2.0 Environmental objective to be achieved

To protect remnant habitat for the Brush-tailed Phascogale, particularly hollow trees and foraging sources.

To protect populations of threatened flora species.

To encourage the revegetation of wildlife corridors to connect the remaining habitat in the area.

To protect and to maintain or improve the viability of habitats, ecological communities, flora and fauna and genetic diversity in 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 maintain the integrity of the sites through protection from potentially threatening processes listed in the *Flora and Fauna Guarantee Act 1988*.

3.0 Permit requirement

A permit is not required to:

- Undertake development or works that are carried out as part of an approved management plan specifically to enhance habitat values for the Brush-tailed Phascogale habitat or other threatened fauna species;
- Undertake development or works that are carried out as part of an approved management plan specifically to protect populations of Golden Cowslips or other threatened flora species; and
- Remove vegetation not native to Victoria.

4.0 Application requirements

An application must be accompanied by:

A report including:

- Identification of any native vegetation or other habitat components to be removed, destroyed, damaged or otherwise disturbed;
- The reasons for any removal, destruction or lopping of any native vegetation or habitat components;
- How the proposal is consistent with the SPPF, the LPPF and the zone and overlay provisions;
- How the proposal responds to the purpose and decision guidelines of the native vegetation provisions;
- The likely impact on the protection and conservation of biodiversity;
- The type, significance and fauna values of the vegetation or other habitat components to be removed (to be prepared by an appropriately qualified ecologist/biologist), with particular reference to, but not restricted to the known assets contributing to the biological significance of the wildlife corridors in the area;
- The measures to be taken to ensure that any impacts on native vegetation, flora and fauna are compensated for by revegetation to meet the requirements of net gain in quantity or quality of native vegetation; and
- How the proposal supports the objective of improving wildlife corridors through revegetation.

Scaled and dimensional plans showing, where relevant:
- Property boundaries;
- Adjacent properties;
- Nearest public roads and intersection;
- Existing development on the site;
- Existing fencing;
- Records of threatened species or communities and the boundaries of any sites of significance;
- Existing native vegetation or other habitat on the site and any native vegetation or other habitat to be removed, destroyed or lopped;
- Location of watercourses, water bodies and drainage lines;
- Location of any known fauna habitats or corridors; and
- Location and management of rehabilitation and revegetation activities proposed to compensate in appropriate quality and quantity for clearing of native vegetation or other habitat.

**Decision guidelines**

Before deciding on an application to construct a building; construct or carry out works; remove, destroy or lop any vegetation; or to subdivide land, the responsible authority must consider, as appropriate:

- The potential impacts on Brush-tailed Phascogale and Golden Cowslips habitat value and potential habitat value of the area, or on other threatened species utilising the area
- The impact of the proposal on the biodiversity conservation values of the area and its immediate locality;
- The reason for removing any vegetation and the practicality of any alternative options which do not require removal of native vegetation or other habitat components. Where alternative exist which do not require the loss of native vegetation of other habitat values these alternative should be favoured;
- The results of any flora and fauna survey and assessment of the biological values of the land and consideration of whether the survey and assessment has been adequately completed under appropriate seasonal conditions and by suitably qualified personnel;
- Whether the flora and fauna of the area are to be adequately protected and their sustainability and long-term conservation ensured;

**5.0 19/01/2006 VC37**
- The conservation requirements of Brush-tailed Phascogale and other threatened species or communities known from the site including those in recovery plans or action statements;

- Critical habitat, if determined under the Flora and Fauna Guarantee Act 1988;

- Whether there are statutory requirements under the Environment Protection and Biodiversity Conservation Act 1999 of the Flora and Fauna Guarantee Act 1988;

- Whether appropriate management practices are proposed, including the control of environmental weeds;

- The contribution of the proposal towards the ecological restoration of the remnant vegetation and habitat, or the potential for the proposal to reduce the capability for ecological restoration of the site;

- The need to impose conditions on any development in the area to contribute towards the use of the area for wildlife corridor purposes; and

- The views of any other appropriate committee or authority (for example, relevant threatened species recovery team, friends of species etc).

### 6.0

**19/01/2006**

VC37

**Referral requirements**

An application must be referred in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause regarding the potential impacts of the proposal and actions proposed to avoid, minimise or mitigate those impacts.

### 7.0

**19/01/2006**

VC37

**References/information sources**

Action Statement No 79 – Brush-tailed Phascogale (*Phascogale tapoatafa*)

*Biodiversity Action Planning Strategic Overview for the Goldfields Bioregion, Victoria*, East Melbourne, DNRE

*Calder Freeway Kyneton to Faraday Supplementary Flora Assessment KFb Section*, Ecology Australia 2002

Schedule 2 and 3 to the Flora and Fauna Guarantee act 1988

*Threatened Vertebrate Fauna in Victoria 2000: A systematic list of vertebrate fauna considered extinct, or risk of extinction or in major decline in Victoria*, East Melbourne, DNRE
VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as VPO with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To protect areas of significant vegetation.

To ensure that development minimises loss of vegetation.

To preserve existing trees and other vegetation.

To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.

To maintain and enhance habitat and habitat corridors for indigenous fauna.

To encourage the regeneration of native vegetation.

**Vegetation significance and objectives**

A schedule to this overlay must contain:

- A statement of the nature and significance of the vegetation to be protected.
- The vegetation protection objectives to be achieved.

**Permit requirement**

A permit is required to remove, destroy or lop any vegetation specified in a schedule to this overlay.

This does not apply:

- If the table to Clause 42.02-3 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Remove, destroy or lop one tree.</td>
<td>Clause 59.06</td>
</tr>
</tbody>
</table>

**Table of exemptions**

The requirement to obtain a permit does not apply to:

**Emergency works**

- Vegetation that is to be removed, destroyed or lopped:
  - in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or
  - where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.

**Fire protection**

- Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:
  - fire fighting;
The requirement to obtain a permit does not apply to:

- planned burning;
- making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;
- making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);
- is ground fuel within 30 metres of a building and is vegetation other than native vegetation;
- in accordance with a fire prevention notice issued under either:
  - Section 65 of the Forests Act 1958; or
  - Section 41 of the Country Fire Authority Act 1958.
- keeping vegetation clear of, or minimising risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998;
- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the Road Management Act 2004.

Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.

<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 Geothermal Energy Resources Act 2005.</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 Greenhouse Gas Geological Sequestration Act 2008.</td>
</tr>
<tr>
<td>Land management and 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 Catchment and Land Protection Act 1994.</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 Catchment and Land Protection Act 1994.</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. |
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Plants and Vegetation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planted vegetation</td>
<td>Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.</td>
</tr>
<tr>
<td>Railways</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Regrowth</td>
<td>Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:</td>
</tr>
<tr>
<td></td>
<td>- bracken (Pteridium esculentum); or</td>
</tr>
<tr>
<td></td>
<td>- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.</td>
</tr>
<tr>
<td>Road safety</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Stone exploration</td>
<td>Vegetation is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.</td>
</tr>
<tr>
<td></td>
<td>The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:</td>
</tr>
<tr>
<td></td>
<td>- 1 hectare of vegetation which does not include a tree.</td>
</tr>
<tr>
<td></td>
<td>- 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>- 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to costeasing and bulk sampling activities.</td>
</tr>
<tr>
<td>Stone extraction</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the Mineral Resources (Sustainable Development) Act 1990 and authorised by a work authority granted under that Act.</td>
</tr>
<tr>
<td>Surveying</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the Surveying Act 2004) using hand-held tools to establish a sightline for the measurement of land.</td>
</tr>
<tr>
<td>Traditional owners</td>
<td>Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:</td>
</tr>
<tr>
<td></td>
<td>- a natural resources agreement under Part 6 of the Traditional Owners Settlement Act2010; or</td>
</tr>
<tr>
<td></td>
<td>- an authorisation order made under sections 82 or 84 of the Traditional Owner Settlement Act 2010 as those sections were in force immediately before the commencement of section 24 of the Traditional owners Settlement Amendment Act in 2016 (1 May 2017).</td>
</tr>
</tbody>
</table>

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:
- The statement of the nature and significance of the vegetation to be protected and the vegetation protection objective contained in a schedule to this overlay.
- The effect of the proposed use, building, works or subdivision on the nature and type of vegetation to be protected.
- The role of native vegetation in conserving flora and fauna.
- The need to retain native or other vegetation if it is rare, supports rare species of flora or fauna or forms part of a wildlife corridor.
- The need to retain vegetation which prevents or limits adverse effects on ground water recharge.
- The need to retain vegetation:
  - Where ground slopes exceed 20 percent.
  - Within 30 metres of a waterway or wetland.
  - On land where the soil or subsoil may become unstable if cleared.
  - On land subject to or which may contribute to soil erosion, slippage or salinisation.
  - In areas where the removal, destruction or lopping of vegetation could adversely affect the integrity or long term preservation of an identified site of scientific, nature conservation or cultural significance.
  - Which is of heritage or cultural significance.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- Any relevant permit to remove, destroy or lop vegetation in accordance with a land management plan or works program.
- Whether the application includes a land management plan or works program.
- Whether provision is made or is to be made to establish and maintain vegetation elsewhere on the land.
- Any other matters specified in a schedule to this overlay.
SCHEDULE 1 TO THE VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as VPO1.

BULKELEY'S ROAD, MCKENZIE HILL

1.0

Statement of nature and significance of vegetation to be protected

This schedule relates specifically to seven Large Old Indigenous Trees and one Very Large Old Indigenous Tree located between Bulkeleys Road and Ireland Street in McKenzie Hill. The eight significant trees fall into the Heathy Dry Forest Ecological Vegetation Class. Trees of this size and type are rarely found in the Castlemaine area due to its mining and farming history.

2.0

Vegetation protection objective to be achieved

To provide aesthetic and amenity value. To recognise the significance of Large and Very Large Old Indigenous Trees in this landscape. To protect the identified trees and associated vegetation from unwarranted damage or destruction.

3.0

Permit requirement

A permit is required to remove, destroy or lop any of the trees identified in the Table below, including any vegetation under the outermost circumference of the canopy of the trees.

<table>
<thead>
<tr>
<th>Scientific name</th>
<th>Common name</th>
<th>Location</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eucalyptus goniocalyx</td>
<td>Long-leaved Box</td>
<td>Southern most tree in eastern clump</td>
<td>Trunk divides into three branches.</td>
</tr>
<tr>
<td>Eucalyptus goniocalyx</td>
<td>Long-leaved Box</td>
<td>Eastern clump</td>
<td>Trunk around 80 centimetres in diameter. Dead branches at base and 2.5 metres from ground level.</td>
</tr>
<tr>
<td>Eucalyptus goniocalyx</td>
<td>Long-leaved Box</td>
<td>Eastern clump</td>
<td>Trunk divides into four branches with one dead branch on eastern side. Good foliage cover though sparser on western branch.</td>
</tr>
<tr>
<td>Eucalyptus goniocalyx</td>
<td>Long-leaved Box</td>
<td>Centre clump</td>
<td>Trunk is approximately 1.2 metres in diameter and splits. Northern branches touch the ground and are parallel to the ground.</td>
</tr>
<tr>
<td>Eucalyptus goniocalyx</td>
<td>Long-leaved Box</td>
<td>Centre clump</td>
<td>Three branches- south and north branches have sparse cover, middle branch is dead.</td>
</tr>
<tr>
<td>Eucalyptus goniocalyx</td>
<td>Long-leaved Box</td>
<td>Centre clump</td>
<td>Very Large Old Tree, splits into five branches and has good foliage cover.</td>
</tr>
<tr>
<td>Eucalyptus sp.</td>
<td>Unidentified</td>
<td>Western clump</td>
<td>Split trunk at ground level, tallest of recognised trees. Bark is pale grey and canopy is sparser on southern branch.</td>
</tr>
<tr>
<td>Eucalyptus sp.</td>
<td>Unidentified</td>
<td>Western clump</td>
<td>Extensive single trunk splits into five branches halfway up. Some die back is evident in crown.</td>
</tr>
</tbody>
</table>

4.0

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Whether vegetation is to be removed, destroyed or lopped.
- The impact the proposed removal, destruction or lopping of the vegetation will have on the amenity and aesthetic value the vegetation provides.
- Whether the proposed removal, destruction or lopping of vegetation will contribute to the health of one or more of the identified trees.
- The reason for removal, destruction or lopping of vegetation and alternative ways of carrying out development on the site.
- The preservation of and impact on the natural environment or landscape values.
- The need to retain understorey species and ground litter.

Reference Document

*Ecological Assessment of Area Proposed for rezoning from Rural Living to Residential One, 2012*
SCHEDULE 2 TO THE VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as VPO2.

CAPTAIN DAY ROAD SIGNIFICANT TREES

1.0

Statement of nature and significance of vegetation to be protected

The native vegetation to be protected comprises of Yellow Gum (Eucalyptus leucoxylon) and Grey Box (Eucalyptus macrocarpa) trees, including works within a 20 metre diameter area of each tree. Large or very large trees are rare in the Castlemaine area due to past mining and logging activities. All of the Yellow Gum and Grey Box trees to be protected have a diameter at breast height of at least 70cm and meet the thresholds of a large or very large tree.

2.0

Vegetation protection objective to be achieved

To protect the Yellow Gum and Grey Box trees by encouraging site responsive design, by locating them on future public open space, larger private blocks or in road reserves.

3.0

Permit requirement

None specified.

4.0

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.02, in addition to those specified in Clause 42.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The reason for the proposed removal, destruction or lopping of the Yellow Gum or Grey Box tree(s) and the practicality of alternate options which do not require removal, destruction or lopping of the native vegetation.

- Whether there are any reasonable alternative means of siting buildings and works in order to conserve the Yellow Gum or Grey Box tree(s) on the site.

- The need for replacement native vegetation or an appropriate species.

- Any need for a report, by a properly qualified person and to the satisfaction of the responsible authority, on the vegetation and habitat significance of the vegetation to be removed.
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

### 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>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).</td>
</tr>
<tr>
<td></td>
<td>Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.</td>
</tr>
<tr>
<td><strong>Geothermal energy exploration and extraction</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with operation plan approved under the Geothermal Energy Resources Act 2005.</td>
</tr>
<tr>
<td><strong>Greenhouse gas sequestration and exploration</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008.</td>
</tr>
<tr>
<td><strong>Land management or directions notice</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td><strong>Land use conditions</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td><strong>Mineral exploration and extraction</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the Mineral Resources (Sustainable Development) Act 1990:</td>
</tr>
<tr>
<td></td>
<td>- that is low impact exploration within the meaning of Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990; or</td>
</tr>
<tr>
<td></td>
<td>- in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990.</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Noxious weeds</td>
<td>Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the Catchment and Land Protection Act 1994. This exemption does not apply to Australian Dodder (Cuscuta australis).</td>
</tr>
<tr>
<td>Pest animal burrows</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows. In the case of native vegetation the written agreement of an officer of the department responsible for administering the Flora and Fauna Guarantee Act 1988 is required before the vegetation can be removed, destroyed or lopped.</td>
</tr>
<tr>
<td>Planted vegetation</td>
<td>Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.</td>
</tr>
<tr>
<td>Railways</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
</tbody>
</table>
| Regrowth                  | Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is  
  - bracken (Pteridium esculentum); or  
  - within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.  
  This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster. |
| Road safety               | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with 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 licenced surveyor (within the meaning of section 3 of the Surveying Act 2004) using hand-held tools to establish a sightline for the measurement of land. |
| Traditional owners        | Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with: |
The requirement to obtain a permit does not apply to:

- a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or
- an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017).

### 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.

MALDON LANDSCAPE AREA

1.0

Statement of nature and key elements of landscape

The Maldon landscape is classified by the National Trust as a significant landscape. The key elements of the Maldon landscape are both natural and man made. They include Mount Tarrengower and its environs along with the significant gold mining landscapes that were created in the 19th century. These elements surround the township and produce a unique gold mining landscape that contributes towards the heritage significance of Maldon.

2.0

Landscape character objective to be achieved

- To prevent the destruction of significant tracts of bushland or trees which would detract from the value of the landscape, or area of significant vegetation.
- To preserve and enhance the character of the roadside along major approach roads to towns, the areas of landscape significance as identified by the National Trust and the former Department of Natural Resources and Environment, prominent vegetation within the township area, the environs of the Cairn Curran Reservoir and other areas of visual landscape interest.
- To minimise the impact that mining activities are able to have on land of landscape significance.
- To encourage development of a type which does not detract from the value of the landscape due to its siting, height or general appearance.

3.0

Permit requirement

A permit is required for:

- The removal, destruction or lopping of all trees with a diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

A permit is not required for:

- Routine maintenance works on land managed by the Department of Environment, Land, Water and Planning.

4.0

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The effect on the whole landscape of buildings, works or activities in the specified area, particularly prominent hilltops and visually significant landforms.
- The siting and design of building and works.
- The retention of areas of vegetation or remnant vegetation as a habitat for native animals and birds and as an important visual element of the overall landscape.
- The retention of a buffer strip of vegetation within specified distances of roads, watercourses, property boundaries or in visually prominent areas.
- The contents and recommendations of any National Trust of Australia (Victoria) Classified or Recorded Landscape.
- The preservation of existing natural vegetation.
- The preservation of natural beauty and prevention of soil erosion.
- The comments of the Department of Environment, Land, Water and Planning.
- The provisions of the Maldon Design Guidelines, 1988 incorporated in this scheme.
SCHEDULE 2 TO THE SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO2.

CASTLEMAINE LANDSCAPE SIGNIFICANCE AREA

1.0 Statement of nature and key elements of landscape

Castlemaine’s key elements are a collection of heritage buildings, dispersed across a varied terrain, abutting significant trees. This combination provides a unique environment that forms part of the numerous visual corridors that dissect the township.

2.0 Landscape character objective to be achieved

- To provide for the protection of existing vegetation and land forms in areas which are visually or environmentally sensitive or which are considered by the responsible authority to possess natural features which have a high degree of landscape character and importance.
- To require that new buildings be located so as to avoid the necessity for major alterations of the topography of the immediate surrounding lands, and to avoid significant intrusion into the established landscape.
- To ensure that all existing trees and natural features which are within the area are conserved within the limits of practicality and are not willingly damaged, destroyed or removed.
- To require that new buildings and their associated works, gardens landscaped areas to be designated and thereafter maintained in such a manner as to harmonise with the visual character of their surroundings.
- To ensure that all natural watercourses within the area are conserved and enhanced, preventing water pollution and regulating development that may increase surface water run off or concentration of surface water run off leading to erosion.
- To ensure that existing wildlife habitats within the policy area are preserved and maintained.

3.0 Permit requirement

A permit is required for:

- Removal, destruction or lopping of all native vegetation, including trees, shrubs, herbs and grasses.

A permit is not required for:

- Routine maintenance works on land managed by the Department of Environment, Land, Water and Planning.
- The removal of any dead, diseased or dangerous tree or branches, provided that it has been assessed and approved by an officer of the responsible authority for freehold land and the Department of Environment, Land, Water and Planning for public land.
- The destruction or removal of plants for fire fighting purposes when authorised by an officer of the Country Fire Authority in accordance with the provisions of the *Country Fire Authority Act 1958*, during the course of fighting a fire.
- The proper pruning of any tree for the purpose of improving its health or appearance provided its normal growth habitat is retained.
- The pruning or clipping of any trees cultivated as a hedge.

4.0 Decision guidelines

Before deciding on an application, the responsible authority must consider:
- The primary purpose for which the land is zoned.
- The orderly and proper planning of the relevant zone.
- The preservation of the amenity of the neighbourhood and the need to prevent unnecessary intrusive development from occurring in visually exposed areas or on prominent hilltops.
- Where land is not provided with reticulated sewerage services the means of treatment and disposal of all sewerage, sullage and other perishable wastes.
- The preservation of the natural environment and the prevention of erosion.
- The necessity or otherwise of retaining a buffer strip of vegetation in the vicinity of water courses roads and property boundaries or in visually prominent areas of the site.
- Any consent granted may include conditions requiring replanting, sowing down or other treatment of any area to be cleared, including fencing, protection and management of remnant vegetation and exclusion of stock and domestic animals.
SCHEDULE 3 TO THE SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO3.

SCENIC LANDSCAPE AREA (APPROACHES TO MALDON)

1.0

Statement of nature and key elements of landscape

The key elements of the Maldon landscape are both natural and man made. They include Mount Tarrengower and its environs along with the significant gold mining landscapes that were created last century. These elements surround the township and produce a unique gold mining landscape that contributes towards the heritage significance of Maldon.

2.0

Landscape character objective to be achieved

- To recognise, conserve and enhance the character of the approach roads to Maldon, their immediate environments and other prominent scenic areas.
- To preserve, maintain and enhance historic items which contribute to the heritage and character of Maldon.
- To restrict the impact that mining activities or tailings removal or treatment may have on these important approaches to Maldon, and other scenic areas.
- To ensure that any development, excavation or works associated with mining does not adversely affect the appearance and significance of the area.
- To encourage development which complements the density, scale and setback of existing development.
- To discourage development which is not in harmony with the existing character and appearance of the area.

3.0

Permit requirement

A permit is required for:

- Removal, destruction or lopping of all trees with a diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

A permit is not required for:

- Works within an existing building which do not affect its structure or external appearance.
- Routine maintenance works on land managed by Department of Environment, Land, Water and Planning.

4.0

Decision guidelines

Before deciding an application the responsible authority must consider:

- The comments of Council’s Heritage Adviser.
- The purpose of the zone.
- The design, size, siting, colour and typeface of any advertising sign.
SCHEDULE 4 TO THE SIGNIFICANT LANDSCAPE OVERLAY
Showed on the planning scheme map as SLO4.

VAUGHAN AND GLENLUCE MINERAL SPRINGS RESERVE

1.0 Statement of nature and key elements of landscape
The Vaughan and Glenluce Mineral Springs reserve comprising approximately 100 hectares is located on the Loddon River, approximately 10 kilometres south of Castlemaine and 130 kilometres north west of Melbourne. It contains several larger springs and numerous mining relics in both a developed and bushland setting surrounded by farming land, native forest and the township of Vaughan. The remainder of the reserve has a bushland or rural character and is dotted with numerous mining and geological features.

2.0 Landscape character objective to be achieved
- To prevent the destruction of significant tracts of bushland or trees which would detract from the value of the landscape, or areas of significant vegetation.
- To preserve and enhance the character of the roadside along major approach roads to towns, the areas of landscape significance as identified by the National Trust and the former Department of Natural Resources and Environment, prominent vegetation within the reserve and other areas of visual landscape interest.
- To encourage development of a type which does not detract from the value of the landscape due to its siting, height or general appearance.

3.0 Permit requirement
A permit is not required for routine maintenance works on land managed by the Department of Environment, Land, Water and Planning.

4.0 Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The effect on the whole landscape of buildings, works or activities in the specified area, particularly on prominent hilltops or other visually significant landforms.
- The siting and design of building and works.
- The retention of areas of vegetation or remnant vegetation as a habitat for native animals and birds and as an important visual element of the overall landscape.
- The retention of a buffer strip of vegetation within specified distances of roads, watercourses, property boundaries or in visually prominent areas.
- The contents and recommendations of any National Trust of Australia (Victoria) Classified or Recorded Landscape.
- The preservation of existing natural vegetation.
- The preservation of natural beauty and prevention of soil erosion.
- The comments of the Department of Environment, Land, Water and Planning.
HERITAGE AND BUILT FORM OVERLAYS
HERITAGE OVERLAY

Shown on the planning scheme map as HO with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To conserve and enhance heritage places of natural or cultural significance.

To conserve and enhance those elements which contribute to the significance of heritage places.

To ensure that development does not adversely affect the significance of heritage places.

To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.

Scope

The requirements of this overlay apply to heritage places specified in the schedule to this overlay. A heritage place includes both the listed heritage item and its associated land. Heritage places may also be shown on the planning scheme map.

Permit requirement

A permit is required to:

- Subdivide land.
- Demolish or remove a building.
- Construct a building or construct or carry out works, including:
  - Domestic services normal to a dwelling if the services are visible from a street (other than a lane) or public park.
  - A solar energy facility attached to a building that primarily services the land on which it is situated if the services are visible from a street (other than a lane) or public park.
  - A rainwater tank if the rainwater tank is visible from a street (other than a lane) or public park.
  - A fence, if the fence is visible from a street (other than a lane) or public park.
  - Roadworks which change the appearance of a heritage place or which are not generally undertaken to the same details, specifications and materials.
  - Street furniture other than:
    - traffic signals, traffic signs, fire hydrants, parking meters, post boxes and seating.
    - speed humps, pedestrian refuges and splitter islands.
  - A domestic swimming pool or spa and associated mechanical and safety equipment, if the swimming pool or spa and associated equipment are visible from a street (other than a lane) or public park.
  - A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
  - A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level, if the deck is visible from a street (other than a lane) or public park
  - Non-domestic disabled access, excluding a non-domestic disabled access ramp if the ramp is not visible from a street (other than a lane) or public park.
- An electric vehicle charging station if the charging station is visible from a street (other than a lane) or public park.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar, if the works are visible from a street (other than a lane) or public park.

- Externally alter a building by structural work, rendering, sandblasting or in any other way.
- Construct or display a sign.
- Externally paint a building if the schedule to this overlay specifies the heritage place as one where external paint controls apply.
- Externally paint an unpainted surface.
- Externally paint a building if the painting constitutes an advertisement.
- Internally alter a building if the schedule to this overlay specifies the heritage place as one where internal alteration controls apply.
- Carry out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials.
- Remove, destroy or lop a tree if the schedule to this overlay specifies the heritage place as one where tree controls apply. This does not apply:
  - To any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Section 86 of the Electricity Safety Act 1998.
  - If the tree presents an immediate risk of personal injury or damage to property.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where the area of either lot is reduced by less than 15 percent and the general direction of the common boundary does not change.</td>
<td>Clause 59.07</td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td></td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td></td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land is approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>Class of application</td>
<td>Information requirements and decision guidelines</td>
</tr>
<tr>
<td>----------------------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>- The construction or carrying out of the approved building or works on the land has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
<tr>
<td>• Demolish or remove an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to the Heritage Overlay.</td>
<td></td>
</tr>
<tr>
<td>• Demolish or remove a fence unless the fence is specified in the schedule to the Heritage Overlay.</td>
<td></td>
</tr>
<tr>
<td>• Externally alter a non-contributory building.</td>
<td></td>
</tr>
<tr>
<td>• External painting.</td>
<td></td>
</tr>
<tr>
<td>• Construct a fence.</td>
<td></td>
</tr>
<tr>
<td>• Construct a carport, garage, pergola, verandah, deck, shed or similar structure.</td>
<td></td>
</tr>
<tr>
<td>• Construct and install domestic services normal to a dwelling.</td>
<td></td>
</tr>
<tr>
<td>• Construct and install a non-domestic disabled access ramp.</td>
<td></td>
</tr>
<tr>
<td>• Construct a vehicle cross-over.</td>
<td></td>
</tr>
<tr>
<td>• Construct a domestic swimming pool or spa and associated mechanical equipment and safety fencing.</td>
<td></td>
</tr>
<tr>
<td>• Construct a rainwater tank.</td>
<td></td>
</tr>
<tr>
<td>• Construct or display a sign.</td>
<td></td>
</tr>
<tr>
<td>• Lop a tree.</td>
<td></td>
</tr>
<tr>
<td>• Construct or install a solar energy facility attached to a dwelling.</td>
<td></td>
</tr>
<tr>
<td>• Construct and install an electric vehicle charging station.</td>
<td></td>
</tr>
<tr>
<td>• Construct and install services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.</td>
<td></td>
</tr>
</tbody>
</table>

### Places in the Victorian Heritage Register

A heritage place which is included in the Victorian Heritage Register is subject to the requirements of the *Heritage Act 2017*.

### Permit requirement

A permit is required under this overlay to subdivide a heritage place which is included in the Victorian Heritage Register. This includes the subdivision or consolidation of land including any building or airspace.

### Referral of applications

An application to subdivide a heritage place which is included in the Victorian Heritage Register must be referred to the relevant referral authority under Section 55 of the Act in accordance with Clause 66 of this scheme.
43.01-3

No permit required

No permit is required under this overlay:

- For anything done in accordance with an incorporated plan specified in a schedule to this overlay.
- To internally alter a church for liturgical purposes if the responsible authority is satisfied that the alterations are required for liturgical purposes.
- For interments, burials and erection of monuments, re-use of graves, burial of cremated remains and exhumation of remains in accordance with the Cemeteries and Crematoria Act 2003.
- To develop a heritage place which is included in the Victorian Heritage Register, other than an application to subdivide a heritage place of which all or part is included in the Victorian Heritage Register.

43.01-4

Exemption from notice and review

An application under this overlay for any of the following classes of development is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act:

- Demolition or removal of an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to this overlay.
- Demolition or removal of a fence unless the fence is specified in the schedule to this overlay.
- External alteration of a building.
- External painting.
- Construction of a fence.
- Construction of a carport, garage, pergola, verandah, deck, shed or similar structure.
- Domestic services normal to a dwelling.
- Carry out works, repairs and routine maintenance.
- Internally alter a building.
- Non-domestic disabled access ramp.
- Construction of a vehicle cross-over.
- Construction of a domestic swimming pool or spa and associated mechanical equipment and safety fencing.
- Construction of a tennis court.
- Construction of a rainwater tank.
- Construction or display of a sign.
- Lopping of a tree.
- Construction of seating, picnic tables, drinking taps, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure, bollards, telephone boxes.
- Roadworks.
- An electric vehicle charging station.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.
### Statements of significance

The schedule to this overlay must specify a statement of significance for each heritage place included in the schedule after the commencement of Amendment VC148. This does not apply to:

- a heritage place included in the schedule to this overlay by an amendment prepared or authorised by the Minister under section 8(1)(b) or section 8A(4) of the Act before or within three months after the commencement of Amendment VC148.
- a registered heritage place included in the Victorian Heritage Register established under Part 3 of the *Heritage Act 2017*.

### Heritage design guidelines

The schedule to this overlay may specify heritage design guidelines for any heritage place included in the schedule. A heritage design guideline must not contain any mandatory requirements.

### Application requirements

An application must be accompanied by any information specified in the schedule to this overlay.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.
- Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.
- Any applicable heritage design guideline specified in the schedule to this overlay.
- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.
- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.
- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.
- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed subdivision will adversely affect the significance of the heritage place.
- Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.
- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.
- Whether the lopping or development will adversely affect the health, appearance or significance of the tree.
- Whether the location, style, size, colour and materials of the proposed solar energy facility will adversely affect the significance, character or appearance of the heritage place.
Use of a heritage place
A permit may be granted to use a heritage place (including a heritage place which is included in the Victorian Heritage Register) for a use which would otherwise be prohibited if all of the following apply:

- The schedule to this overlay specifies the heritage place as one where prohibited uses may be permitted.
- The use will not adversely affect the significance of the heritage place.
- The benefits obtained from the use can be demonstrably applied towards the conservation of the heritage place.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the effect of the use on the amenity of the area.

Aboriginal heritage places
A heritage place specified in the schedule to this overlay as an Aboriginal heritage place is also subject to the requirements of the *Aboriginal Heritage Act 2006*. 
SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

1.0 Application requirements
None specified.

2.0 Heritage places
The requirements of this overlay apply to both the heritage place and its associated land.

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**Local Significance**

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<td>&quot;Bugbird&quot; residence Baringhup Township (next to school)</td>
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<td>Former Oddfellows Lodge, 90 Main Road</td>
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<td>HO1065</td>
<td>House, 156 Main Road</td>
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<td>HO1128</td>
<td>House, 161 Main Road</td>
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<td>House, 10a Princess Street</td>
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<td>HO1120</td>
<td>House, 12 Princess Street</td>
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<td>Stone house, 10 Sheehans Lane</td>
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<td>House, 2 Simpson Street</td>
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<td>House, 13 Stephen Street</td>
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<td><strong>CAMPBELLTOWN</strong></td>
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<td>HO1060</td>
<td>Pioneers Memorial, 1806 Creswick-Newstead Road</td>
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<td>Hotel, 1763 Creswick-Newstead Road</td>
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<td>Glengower Homestead &amp; outbuildings, 1900 Creswick-Newstead Road</td>
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<td><strong>CARISBROOK</strong></td>
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<td>HO385</td>
<td>Residence Baringhup Havelock</td>
<td>Yes</td>
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<td>HO386</td>
<td>Residence &amp; farm complex (Hays) Roads</td>
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<td><strong>CASTLEMAINE</strong></td>
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<td>HO1214</td>
<td>Forest Creek to Forest Street Historic Precinct</td>
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<td>HO572</td>
<td>Library Barker Street</td>
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<td>Shop -T Odgers &amp; Co 181-187 Barker Street</td>
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<td>Shop –Bailies Pharmacy 195-201 Barker Street</td>
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<td>HO583</td>
<td>House 15 Bull Street</td>
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<td>House - 'Clontarf' Corner Burnett and Froomes Roads</td>
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<td>Wall North-east corner of Burnett and Froomes Roads</td>
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<td>House - 'Pine Hill' 8 Burnett Road</td>
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<td>Sherrif's Cottage Camp Crescent</td>
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<td>House 4 Camp Crescent</td>
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<td>House 30 Campbell Street</td>
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<td>House 33 Campbell Street</td>
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<td>House 38 Campbell Street</td>
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<td>HO1006</td>
<td>XXXX Bond Store Complex</td>
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<td>HO1007</td>
<td>Former Shop and Residence 25 Elizabeth Street, Castlemaine</td>
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<td>HO1008</td>
<td>Winters Flat Primitive Methodist Chapel 30 Elizabeth Street, Castlemaine</td>
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<td>HO607</td>
<td>Cottage 47 Farnsworth Street</td>
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<td>HO608</td>
<td>House 70 Fletcher Street</td>
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<td>HO609</td>
<td>Cottage Froomes Road</td>
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<td>Cottage 24 Gaulton Street</td>
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<td>Cottage 10 Greenhill Avenue</td>
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<td>HO615</td>
<td>Cottage Rear of 44 Greenhill Avenue</td>
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<td>House 25 Hall Street</td>
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<td>House - ‘Terrigal’ 32 Hall Street</td>
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<td>HO618</td>
<td>Former Doctor's Surgery and Residence 19 Hargraves Street</td>
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<td>HO619</td>
<td>Theatre Royal 32-34 Hargraves Street</td>
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<td>HO620</td>
<td>Police Station – Ex Savings Bank 37 Hargraves Street</td>
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### MOUNT ALEXANDER PLANNING SCHEME

| PS map ref | Heritage place | External paint controls apply? | Internal alteration controls apply? | Tree controls apply? | Outbuildings or fences not exempt under Clause 43.01-4 | Included on the Victorian Heritage Register under the Heritage Act 2017? | Prohibited uses permitted? | Name of Incorporated Plan under Clause 43.01-2 | Aboriginal heritage place?
---|---|---|---|---|---|---|---|---|---|
HO621 | Cottage 49 Hargraves Street | Yes | No | No | No | No | Yes | | No |
HO622 | Cottage 51 Hargraves St | Yes | No | No | No | No | Yes | | No |
HO623 | House 53 Hargraves St | Yes | No | No | No | No | Yes | | No |
HO624 | Cottage 83 Hargraves Street | Yes | No | No | No | No | Yes | | No |
HO625 | House - 'Barrington' 162 Hargraves Street | Yes | No | No | No | No | Yes | | No |
HO627 | House 36 Johnstone Street | Yes | No | No | No | No | Yes | | No |
HO629 | Cottage 134 Johnstone Street | Yes | No | No | No | No | Yes | | No |
HO631 | Row Houses 24-26 Kennedy Street | Yes | No | No | No | No | Yes | | No |
HO632 | Diamond Gully Cemetery Off Langslow Street | Yes | No | No | No | No | Yes | | No |
HO633 | HSW Lawson Memorial Lyttleton Street | Yes | No | No | No | No | Yes | | No |
HO634 | Geological Site – Anticline Lyttleton Street | Yes | No | No | No | No | Yes | | No |
HO636 | Public Building - Town Hall Lyttleton Street | Yes | No | No | No | No | Yes | | No |
HO643 | Former Supreme Court Hotel 68 Lyttleton Street | Yes | No | No | No | No | Yes | | No |
HO645 | South African War Memorial Mostyn Street | Yes | No | No | No | No | Yes | | No |
HO647 | Public Building - Trades Hall Mostyn Street | Yes | No | No | No | No | Yes | | No |
HO651 | Former 'Albion Hotel' 66-68 Mostyn Street | Yes | No | No | No | No | Yes | | No |
HO652 | Shop - E D Williams Building 101-105 Mostyn Street | Yes | No | No | No | No | Yes | | No |
HO653 | Former Hotel 119-121 Mostyn Street | Yes | No | No | No | No | Yes | | No |
HO655 | Cottage Odgers Road | Yes | No | No | No | No | Yes | | No |
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<td>HO667</td>
<td>Castlemaine Central Conservation Area</td>
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<td>HO668</td>
<td>Camp Reserve and Environs</td>
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<td>HO671</td>
<td>Burnett Road and Environs</td>
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<td>HO672</td>
<td>“Buda” Historic Conservation Area</td>
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<td>HO933</td>
<td>Landscape surrounding Pennyweight Flat</td>
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**CHEWTON**

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<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>
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<td>HO690</td>
<td>Stone Drain Church Street</td>
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<td>Railway Bridge Eureka Street</td>
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<td>HO692</td>
<td>Badgers Keep Fairbairn Road</td>
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<td>Avenue of Honour Elm Trees Fryers Road</td>
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<td>St Johns Church of England Fryers Road</td>
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<td>HO695</td>
<td>Park School Building, 13 Fryers Road</td>
<td>Yes</td>
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<td>Mining Surveyor’s house – 52 Fryers Road, Chewton (Crown Allotment 37 Section F1, Township of Chewton)</td>
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<td>Gambles/Comish Arms Hotel, 62 Fryers Road</td>
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<td>Blackwall Arms Hotel, 70 Fryers Road</td>
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<td>Stone Walling, North Street</td>
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<td>Moncrieff House, 5 Pitman Street</td>
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<td>Carthew House, 57 Pitman Street</td>
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<td>Chewton Cemetery, Off Pyrenees Highway</td>
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<td>Norton Cottage, 282 Pyrenees Highway</td>
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<td>McMillan House, 239 Main Road</td>
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<td>HO713</td>
<td>Otter’s Grocer Shop, 226 Main Road</td>
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<td>Mount Alexander Hotel, 209 Main Road</td>
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<td>School Teachers House 220 Main Road</td>
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<td>HO717</td>
<td>Williams Stationery Store, 197 Main Road</td>
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<td>HO718</td>
<td>Independent Chapel, 185 Main Road</td>
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**DERBY HILL**

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## MOUNT ALEXANDER PLANNING SCHEME

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<td>Fassway Farm Boundary Road (Note: damaged by fire) 207 Hodges Road, Green Hill (Lot 2, PS 609109)</td>
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<td>Green Hill Cemetery Goldfields Road 626 Goldfields Road, Metcalfe East (Crown Allotment 37G, Sec 5, Parish of Metcalfe)</td>
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## MOUNT ALEXANDER PLANNING SCHEME

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<td>Coliban Water Channel Boundary Road Taradale</td>
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<td>Creek Crossings and “goes over” drain</td>
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<td>Coliban Main Channel Fryers-Taradale Road</td>
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### MOUNT ALEXANDER PLANNING SCHEME

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- Yes: Permitted
- No: Not permitted

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<td>Residence 19 Warnoc St</td>
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<td>Residence - Warnoc St</td>
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<td>No</td>
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<td>Residence farm complex Muckleford forest: Sandy Creek, Maldon Road</td>
<td>Yes</td>
<td>No</td>
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<td>Residence &amp; outbuildings &quot;Possum Hollow&quot; Parish of Baringhup</td>
<td>Yes</td>
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<td>Residence &amp; outbuildings near cnr Maldon Lockwood/ 3 Chains Road</td>
<td>Yes</td>
<td>No</td>
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<td>Residence Newstead Road, Welshman's Reef</td>
<td>Yes</td>
<td>No</td>
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<td>Ruin of School Castlemaine Road</td>
<td>Yes</td>
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<td>Bridge ruins &amp; embankment Sandy Creek Road, Sandy Creek</td>
<td>Yes</td>
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<td>Farm residence Cnr. Cemetery Road / Baringhup Road</td>
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<td>Ruins of farm residence Nuggetty School Road</td>
<td>Yes</td>
<td>No</td>
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<td>Well/house site Road to mine, off Nuggetty Rd</td>
<td>Yes</td>
<td>No</td>
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<td>Open culvert Tarrengower School Road</td>
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<td>Monument/cairn opp school reserve</td>
<td>Yes</td>
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<td>Rail formation Shelbourne Highway Line Nuggetty Road to Pollard Station site</td>
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<td>No</td>
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<td>Ruin of farm residence Cnr. Maryborough Road &amp; Moolort Road</td>
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<td>No</td>
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<td>HO401</td>
<td>Deep Head Dumps Baringhup Road</td>
<td>Yes</td>
<td>No</td>
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<td>Cottage Castlemaine Maldon Road</td>
<td>Yes</td>
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<td>Residence Items Muckleford School Road</td>
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<td>Farm complex residence Road past, Muckleford Station</td>
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<td>Farm residence Castlemaine Road</td>
<td>Yes</td>
<td>No</td>
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<td>Hotel (ruined) Castlemaine Rd</td>
<td>Yes</td>
<td>No</td>
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<td>Farm cottage Muckleford private Subdivision</td>
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<td>No</td>
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<td>Former Methodist Church Muckleford Walmer Road</td>
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<td>&quot;Red White &amp; Blue&quot; Mine (Poppet of legs) Muckleford Forest</td>
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<td>South Ravenswood School, Calder Hwy</td>
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<td>Ruined residence Seers Road</td>
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<td>Residence (relocated) Fogarty’s Gap Road</td>
<td>Yes</td>
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<td>HO429</td>
<td>Former Walmer State School Muckleford Walmer Road</td>
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<td>Former Congregational Church Muckleford/Walmer Road</td>
<td>Yes</td>
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<td>Farm residence Lewis Road</td>
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<td>Former Woodbrook State School Chinaman’s Creek</td>
<td>Yes</td>
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<td>Farm residence &amp; outbuildings Woodbrook Road</td>
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<td>HO440</td>
<td>Stone Walls farm complex Nuggetty Road</td>
<td>Yes</td>
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<td>HO443</td>
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<td>No</td>
<td>Yes</td>
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<td>HO492</td>
<td>Cupressus sempervirens Italian Cypress (X 14) Cemetery Reserve</td>
<td>No</td>
<td>No</td>
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<td>Cupressus sempervirens L. Italian Cypress Chapel St. Westeyan</td>
<td>No</td>
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<td>HO495</td>
<td>Sequoiadendron giganteum (Lindl) Buchh Big Tree Fountain St. behind Shire Gardens</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>Cupressus macrocarpa Hartweg Ex Gourd Monterey Cypress Fountain St. edge of Sporting Oval</td>
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<td>No</td>
<td>Yes</td>
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<td>Sequoiadendron giganteum (Lindl) Big Tree (X 5) Gray St.</td>
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<td>No</td>
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<td>HO498</td>
<td>Quercus robur L. English Oak High St. Shire Gardens</td>
<td>No</td>
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<td>HO499</td>
<td>Quercus robur L. English Oak High St. Shire Gardens</td>
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<td>HO500</td>
<td>Eucalyptus sideroxylon A. Cunn ex woolls Red Ironbark School Cottage 115 High St Section 9, CA 4</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>Cupressus funebris Endl. Funeral Cypress Glendonalds Cottage, 68 High ST Section 1, CA's 18 &amp; 19</td>
<td>No</td>
<td>No</td>
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<td>Cupressus funebris Endl. Funeral Cypress Glendonalds Cottage, 68 High ST Section 1, CA's 18 L 19</td>
<td>No</td>
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<td>HO503</td>
<td>Quercus robur L. English Oak 48 Hornsby St. Section 26 CA 1</td>
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<td>Laurus nobilis Bay Tree D'orsa's Cottage Sandy Creek Rd.</td>
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**Note:** The table lists various heritage sites in different areas, including Butts Reserve, Powder Magazine, Reservoirs, Victory Hill, Preece’s Rock, Precipice Rock, Brewery (freehold), Mining sites, and others, along with their respective information regarding the application of paint controls, alteration controls, tree controls, prohibited uses, and their inclusion in the Victorian Heritage Register. The table also indicates whether the sites are part of an incorporated plan under Clause 43.01-2 and whether they are Aboriginal heritage places.
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<td>HO1253</td>
<td>Horse Trough, in front of 15 Lyons Street</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO1194</td>
<td>Former shop, 18 Lyons Street</td>
<td>No</td>
<td>No</td>
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<td>HO1195</td>
<td>Former Church, 17 Lyons Street</td>
<td>No</td>
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<td>HO1196</td>
<td>House, 9 Lyons Street</td>
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<td>HO1197</td>
<td>Former Shamrock Hotel, 20-22 Lyons Street</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO1217</td>
<td>Newstead Uniting Church, 24 Lyons Street, and large Cypress tree to the north of the church building located at GPS co-ordinate Latitude/Longitude -37.105893880547 144.064538023539</td>
<td>No</td>
<td>No</td>
<td>Yes-Cypress Tree north of building only</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO1198</td>
<td>Former National Bank of Australasia, 27 Lyons Street</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO1218</td>
<td>Newstead Primary School, 28 Lyons Street</td>
<td>No</td>
<td>No</td>
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<td>HO1199</td>
<td>House – 'Melness', 31 Lyons Street</td>
<td>No</td>
<td>No</td>
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<td>No</td>
<td>No</td>
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<td>HO1200</td>
<td>Police residence and lock-up, 35-37 Lyons Street</td>
<td>No</td>
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<td>No</td>
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<td>House – 'Loch Lomond', 39 Lyons Street</td>
<td>No</td>
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<td>HO1202</td>
<td>Newstead Post Office, 41 Lyons Street</td>
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<td>HO1203</td>
<td>House, 43 Lyons Street</td>
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<td>HO1105</td>
<td>Former store, 67 Lyons Street</td>
<td>No</td>
<td>No</td>
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<td>HO1038</td>
<td>Victorian Gold Dredging Company terminus, 197 Newstead-Guildford Road</td>
<td>No</td>
<td>No</td>
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<td>HO1069</td>
<td>House, 9 Panmure Street</td>
<td>No</td>
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<td>Former Newstead Post and Telegraph Office, 22 Panmure Street</td>
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<td>No</td>
<td>Yes</td>
<td>Yes</td>
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<td>No</td>
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<td>HO1219</td>
<td>All Saints Church of England church and hall, 26 Panmure Street</td>
<td>No</td>
<td>No</td>
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<td>HO1206</td>
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<td>HO1024</td>
<td>House – ‘Willow Grange’, 67 Petersens Road</td>
<td>No</td>
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<tr>
<td>HO1248</td>
<td>Newstead Avenue of Honour, Pyrenees Highway</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO1230</td>
<td>Major Mitchell Memorial Cairn and Band Rotunda, Rotunda Park Pyrenees Highway</td>
<td>No</td>
<td>No</td>
<td>Yes- Gum Trees only</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO1074</td>
<td>Byron Reef Quartz Mines, Pyrenees Highway</td>
<td>No</td>
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<td>No</td>
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<tr>
<td>HO1073</td>
<td>House – ‘Byron’, 3003 Pyrenees Highway</td>
<td>No</td>
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<tr>
<td>HO1061</td>
<td>House, 3110 Pyrenees Highway</td>
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<td>HO1025</td>
<td>House, 3014 Pyrenees Highway</td>
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<td>HO1220</td>
<td>St Anne’s Catholic Church, 16 Simpson Street</td>
<td>No</td>
<td>No</td>
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<td>HO1231</td>
<td>Tree (<em>Eucalyptus camaldulensis</em>) and Memorial Plaque, opposite 1 Tivey 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>HO1207</td>
<td>Former Newstead Co-Operative Butter Factory, 2-4 Tivey Street</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO1208</td>
<td>Newstead Railway Station goods shed and platform, 8a Tivey Street</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO1209</td>
<td>House, 1-3 Wyndham Street</td>
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<td>HO1210</td>
<td>House, 9 Wyndham Street</td>
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<td>HO1211</td>
<td>Former Methodist Church Parsonage, 19 Wyndham Street</td>
<td>No</td>
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<td>HO1221</td>
<td>Former Newstead Shire Hall, 21 Wyndham Street</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO1212</td>
<td>House, 23 Wyndham Street</td>
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<td><strong>PARKINS REEF</strong></td>
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<td>HO446</td>
<td>North British Mine</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
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<td><strong>SANDON</strong></td>
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<td>HO1027</td>
<td>Former Hotel, 787 Creswick-Newstead Road</td>
<td>No</td>
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<td>HO1028</td>
<td>Former Tavern, 812 Creswick-Newstead Road</td>
<td>No</td>
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<td>HO1106</td>
<td>St Lawrence Catholic Church and Cemetery, 821 Creswick-Newstead Road</td>
<td>No</td>
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<td>HO1107</td>
<td>Former Sandon Primitive Methodist Church, 833 Creswick-Newstead Road</td>
<td>No</td>
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<td>HO1029</td>
<td>House, 872 Creswick-Newstead Road</td>
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<td>House – ‘Osnaburgh’, 948 Creswick-Newstead Road</td>
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<td>HO1026</td>
<td>House, 153 Providence Gully Road</td>
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<td>HO1031</td>
<td>Shed, 41 Yandoit-Sandon Road</td>
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<td>HO1232</td>
<td>Stone culvert, Vaughan Chewton Road</td>
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<td>HO1039</td>
<td>House – ‘Inverness’, 7 Garsed Road</td>
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<td>HO1072</td>
<td>Former Strangways Wesleyan Church, 32 Hepburn-Newstead Road</td>
<td>No</td>
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<td>HO1034</td>
<td>Railway Bridge, Newstead-Guildford Road</td>
<td>No</td>
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<td>HO1035</td>
<td>House, 395 Newstead-Guildford Road</td>
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<td>HO1036</td>
<td>House, 495 Newstead-Guildford Road</td>
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<td>HO1037</td>
<td>House, 532 Newstead-Guildford Road</td>
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<td>HO1041</td>
<td>Golden Plateau Gold Mine, 649 Newstead-Guildford Road</td>
<td>No</td>
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<td>HO1033</td>
<td>House – ‘Pleasant Grove’, 48 Strangways School Road</td>
<td>No</td>
<td>No</td>
<td>Yes- Palm Tree only</td>
<td>Yes</td>
<td>No</td>
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<td>HO1108</td>
<td>Former Strangways School, 101 Strangways School Road</td>
<td>No</td>
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<td></td>
<td>SUTTON GRANGE</td>
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<tr>
<td>HO828</td>
<td>Breadalbane homestead, gardens, and mature oak trees lining the driveway, 1143 Bendigo-Sutton Grange Road.</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO829</td>
<td>Sutton Grange Uniting Church, 1383 Bendigo-Sutton Grange Road</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO1233</td>
<td>Bridge over Fryers Creek</td>
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<td>No</td>
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<td>HO1223</td>
<td>House, 41 Greville Street</td>
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<td>HO1234</td>
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<tr>
<td>HO1251</td>
<td>Vaughan Mineral Springs, Vaughan Springs</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
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**WELSHMANS REEF**

<table>
<thead>
<tr>
<th>PS map ref</th>
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<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>HO1052</td>
<td>Welshmans Reef Caravan Park, Fishermans Road</td>
<td>No</td>
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<td>Welshmans Reef Caravan Park Incorporated Plan</td>
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<td>HO1109</td>
<td>House, 447 Maldon Newstead Road</td>
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<td>No</td>
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<td>HO1044</td>
<td>House, 10 Rewells Lane</td>
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<td>HO1110</td>
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<td>HO1045</td>
<td>House - ‘Tarawatta’, Trudgeons Rd</td>
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**WERONA**

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<thead>
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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>HO1046</td>
<td>House and outbuildings, Werona-Kingston Road</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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**YANDOIT HILLS**

<table>
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<th>Included on the Victorian Heritage Register under the Heritage Act 2017?</th>
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<th>Aboriginal heritage place?</th>
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<tbody>
<tr>
<td>HO1047</td>
<td>Farm buildings, Nevans Road</td>
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<td>Prohibited uses permitted?</td>
<td>Name of Incorporated Plan under Clause 43.01-2</td>
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<td>HO1049</td>
<td>House, Nevans Road</td>
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<td>HO1048</td>
<td>House and outbuildings, 18 Nevans Road</td>
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<td>HO1050</td>
<td>House and outbuilding, 434 Yandoit-Werona Road</td>
<td>No</td>
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<td>HO1051</td>
<td>House and outbuilding, 621 Yandoit-Werona Road</td>
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<tr>
<td></td>
<td><strong>YAPEEN</strong></td>
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<tr>
<td>HO1235</td>
<td>Bridge over Mopoke Creek, Bakery Lane</td>
<td>No</td>
<td>No</td>
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<td>HO1057</td>
<td>Outbuilding, 224 Donkeys Gully Road</td>
<td>No</td>
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<tr>
<td>HO1111</td>
<td>Former hotel, 252 Donkey Gully Road</td>
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<td>HO1254</td>
<td>Railway Bridge, Hutchinson Lane</td>
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<td>HO1114</td>
<td>House – ‘Kirk Bank Cottage’, 5 Lobbs Lane</td>
<td>No</td>
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<td>HO1250</td>
<td>Jessie Kennedy Reserve &amp; Memorial, Midland Hwy</td>
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<td>HO1112</td>
<td>Former Yapeen Methodist Church, Midland Hwy</td>
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<tr>
<td>HO1055</td>
<td>House, 79 Mopoke Gully Road</td>
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<td>HO1117</td>
<td>House and former store, 86 Mopoke Gully Road</td>
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<td>HO1053</td>
<td>House – ‘Balmoral House’, 7281 Midland Highway</td>
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<td>HO1059</td>
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<td>Tree controls apply?</td>
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<td>Included on the Victorian Heritage Register under the Heritage Act 2017?</td>
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<td>Name of Incorporated Plan under Clause 43.01-2</td>
<td>Aboriginal heritage place?</td>
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<tr>
<td>HO1058</td>
<td>House - ‘Strathloaddon’, 676 Muckleford-Yapeen Road</td>
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<tr>
<td>HO1054</td>
<td>Mopoke Gully Waterwheel, Rabbages Road</td>
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<tr>
<td>HO1246</td>
<td>Yapeen War Memorial, Bent Park Vaughan Springs Road</td>
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<td>HO1236</td>
<td>Stone channel on roadside, Vaughan Springs Road</td>
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<td>HO1113</td>
<td>Former hotel and store, 36 Vaughan Springs Road</td>
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<td>HO1056</td>
<td>House, 74 Vaughan Springs Road</td>
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<td>HO1115</td>
<td>House, 138 Vaughan Springs Road</td>
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<td>HO1116</td>
<td>Yapeen Primary School, Yapeen School Lane</td>
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</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>
</tbody>
</table>

The buildings and works must be associated with a dwelling.
### Information requirements and decision guidelines

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is in an industrial zone.</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is in a commercial zone or a Special Use, Comprehensive Development, Capital City, Docklands, Priority Development or Activity Centre Zone.</td>
<td>Clause 59.05</td>
</tr>
</tbody>
</table>

### Exemption from notice and review

A schedule to this overlay may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

### Subdivision

**Permit requirement**

A permit is required to subdivide land.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

Subdivision must occur in accordance with any lot size or other requirement specified in a schedule to this overlay.

A permit may be granted to subdivide land which is not in accordance with any lot size or other requirement in a schedule to this overlay, unless the schedule specifies otherwise.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
</tbody>
</table>
Class of application

- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
- Has started lawfully.
- The subdivision does not create a vacant lot.

Exemption from notice and review
A schedule to this overlay may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

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.

NOISE ATTENUATION MEASURES ALONG THE CALDER FREEWAY/HIGHWAY BETWEEN KYNETON AND RAVENSWOOD

1.0 Design objectives

To ensure that any new development of land near the Calder Freeway is undertaken with appropriate noise attenuation measures to minimise the impact of traffic noise on noise sensitive activities.

2.0 Buildings and works

A permit is not required for any buildings and works other than buildings and works associated with a use listed below.

Any buildings and works associated with a use listed below should include noise attenuation measures to the satisfaction of the responsible authority following consultation with the Roads Corporation.

- Accommodation
- Child care centre
- Education centre
- Office
- Place of assembly
- Retail premises
- Art and craft centre
- Display home
- Funeral parlour
- Hospital
- Research centre
- Veterinary centre
- Winery

3.0 Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Whether the proposed measures are satisfactory taking into account any appropriate Australian Standard in relation to road traffic noise intrusion.
- Whether the development can be located away from the highway.
- Whether the development can take advantage of natural noise attenuation features such as hills where possible.
SCHEDULE 2 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO2.

HUNDREDWEIGHT HILL/MOONLIGHT FLAT – LOW DENSITY RESIDENTIAL ZONE

1.0

Design objectives

To create an overall low density character.

To achieve residential design and built form that responds to the area’s environmental characteristics and values including landform, remnant native vegetation, Moonlight Creek and Castlemaine Diggings National Heritage Park.

To achieve siting and design of future residential development that has regard to views obtained into the area from Pennyweight Flat.

To achieve development that is compatible with the natural form of the site.

To protect the water quality of Moonlight Creek.

To retain and protect remnant native vegetation and wildlife habitat.

To reduce the level of fire risk by siting and design of buildings and subdivision layout.

To ensure that residential design establishes pedestrian and wildlife links to Moonlight creek and National Heritage Park.

To protect nature conservation and habitat values of the adjacent Castlemaine Diggings National Heritage Park.

2.0

Buildings and works

A permit is required for buildings and works.

Road design and construction is to minimise sealed road width and provide for open, grass, swale verges.

Building setback distances on lots adjoining the National Heritage Park are to meet the relevant standards of the Department of Sustainability and Environment. A fuel modified zone is to be provided within the setback area.

All buildings and works are to be in accordance with an approved Hundredweight Hill/Moonlight Flat Development Plan.

All proposed buildings and roadways must be located within building envelopes shown on the approved Hundredweight Hill Development Plan.

Lot boundary fences are to be of wire, post and rail construction, or similar open type construction.

A single public access point and gate into the Heritage Park is to be provided, following comments of Department of Sustainability and Environment. The location of the entry point is to be provided to the satisfaction of Department of Sustainability and Environment.

All dwellings are to be single storey.

All proposed buildings are to have a mass, form, height and scale and external materials and colours that will not visually dominate in the landscape and bushland setting.

An application for permit for proposed buildings and works must be accompanied by plans and information showing:

- Elevations indicating the design of proposed buildings
- Proposed building materials for all proposed buildings
- An assessment of the visual impact of proposed buildings on Hundredweight Hill be undertaken from the viewpoints of Pennyweight Flat and Pennyweight Flat Cemetery, as appropriate.
Tree planting and landscaping of road reserves and public spaces is to be in accordance with an approved Landscape Plan prepared by a qualified landscape architect and/or horticulturalist. The Landscape Plan is to provide a plant list of native species selected in consultation with the Department of Sustainability and Environment.

Subdivision

A permit is required to subdivide land.

Subdivision layout is to be in accordance with an approved Hundredweight Hill Development Plan.

Subdivision layout is to utilise natural drainage corridors for drainage purposes and for creation of minor public accessways for vehicles and pedestrians.

Lot sizes adjoining the National Heritage Park are to be large enough to allow building envelopes to be located away from ridgelines and elevated areas.

Decision guidelines

Before deciding on an application to subdivide land, construct a building or carry out works, the responsible authority must consider the following:

- Happy Valley/Moonlight Flat Structure Plans 1A and 1B, and Local Policy
- Hundredweight Hill/Moonlight Flat Development Plan
- Hundredweight Hill Landscape Plan
- Whether the location of proposed buildings and works will minimise the need for the removal of native vegetation
- Whether the proposed building or works has regard to the natural features of the land and is designed and sited in recognition of such factors as the slope of the land, existing vegetation, natural drainage corridors, and habitat values of the National Heritage Park
- Whether the siting, mass, height, and design of proposed building will be in keeping with the landscape character of the area
- Measures proposed to minimise off-site stormwater run-off from buildings, access roads, driveways and other hard standing areas
- The need to require building envelopes to be determined at the time of subdivision as a means of minimising the impact of future development of the land on the landscape, views from across Pennyweight Flat, natural drainage system, and significant native vegetation
- Comments of the Department of Sustainability and Environment in relation protection of native vegetation and proposed planting and landscaping
- Comments of the Department of Sustainability and Environment in relation to development of land adjacent to the Castlemaine Diggings National Heritage Park
- Comments of the Country Fire Authority in relation to fire risk.
SCHEDULE 3 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO3.

HAPPY VALLEY ROAD (SOUTH)

1.0 Design objectives

To ensure development is in accordance with the Happy Valley Road Development Plan.
To protect nature conservation and habitat values of the adjacent Castlemaine Diggings National Heritage Park.
To protect the water quality in Forest Creek and Moonlight Creek.
To ensure that the height, scale, bulk, mass, and appearance of new development is in keeping with the landscape setting.
To encourage a built form that responds to the area’s development potential as a small residential community located near to the town centre.
To maximise viewscapes to Kalimna Park and Forest Creek.
To achieve development that meets high quality urban design standards.
To retain and protect existing native vegetation and encourage new vegetation that is consistent with existing native vegetation and landscape character.

2.0 Buildings and works

A permit is not required for emergency works, minor works, repairs and routine maintenance to existing buildings and works.
All buildings and works are to be in accordance with an approved Happy Valley Road Development Plan.
Dwellings and other buildings are to be set back a minimum of 30 metres from the Castlemaine Diggings National Heritage Park.
Street tree planting and landscaping of public spaces are to be in accordance with the approved Happy Valley Road Landscape Plan.
All dwellings are to be single storey.
The height of any building must not exceed 7 metres above natural ground level.
Works on sloping land must not involve excavation of land exceeding 1 metre.

3.0 Subdivision

A permit is required to subdivide land.
An agreement under section 173 of the Act is to be entered into which prohibits the further subdivision of lots.

4.0 Decision guidelines

Before deciding on an application to subdivide land, construct a building or carry out works, the responsible authority must consider the following:

- Happy Valley/Moonlight Flat Structure Plans 1A and 1B, and Local Policy
- Happy Valley Road Development Plan
- Happy Valley Road Landscape Plan
- Whether the location of proposed buildings and works will minimise the need for the removal of native vegetation
- Whether the siting, height and design of proposed building will be in keeping with the landscape character of the area
- Measures to encourage on site infiltration and minimise off-site stormwater run-off from buildings, access roads, driveways and other hard standing areas
- The need to require building envelopes to be determined at the time of subdivision as a means to encourage establishment of streetscape character, and creation of a residential community
- Comments of the Department of Sustainability and Environment in relation protection of native vegetation and proposed planting and landscaping as shown on the Happy Valley Road Landscape Plan
- Comments of the Department of Sustainability and Environment in relation to development of land adjacent to the Castlemaine Diggings National Heritage Park
- Comments of the Country Fire Authority in relation to fire risk.
SCHEDULE 4 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO4.

PENNYWEIGHT FLAT – RURAL CONSERVATION ZONE

1.0

Design objectives

Protect the significant cultural heritage values of Pennyweight Flat and Pennyweight Flat Cemetery.
Protect the wide, open views and rural landscape setting of Pennyweight Flat.
Protect the strong sense of place and the visual setting of Pennyweight Flat Cemetery.
Retain and protect remnant native vegetation.
Ensure that the use of land and land management practices retain the open rural landscape of Pennyweight Flat and protect the water quality of Moonlight Creek and Forest Creek.

2.0

Buildings and works

A permit is required for buildings and works.
A permit will only be granted for one dwelling located on Crown Allotment 31A Section G1 at the location shown on Structure Plan 1A and 1B.
An application for permit for buildings and works must be accompanied by plans and information showing:

- Elevations indicating the design of proposed buildings
- Proposed building materials for all buildings
- Location of driveway and details of surface treatment
- Proposed landscaping and tree planting

The permit application is to be accompanied by a site assessment and response, prepared in consultation with the Department of Sustainability and Environment, and is to include an assessment of the potential visual impact of proposed buildings from Pennyweight Flat Cemetery and from views across Pennyweight Flat.

3.0

Subdivision

A permit will not be granted for any further subdivision of land except for re-subdivision to achieve consolidation of existing allotments.

4.0

Decision guidelines

Before deciding on any application, the responsible authority must consider:

- Whether the siting, height and design of proposed building will be in keeping with the landscape and cultural heritage character of the area
- Comments of Heritage Victoria in relation to heritage issues
- Comments of the Department of Sustainability and Environment in relation protection of native vegetation and proposed planting and landscaping
- Comments of the Department of Sustainability and Environment in relation to development of land adjacent to the Castlemaine Diggings National Heritage Park
- Comments of the Country Fire Authority in relation to fire risk.
SCHEDULE 5 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO5.

LADY GULLY – AREA 4 - (RURAL CONSERVATION ZONE)

1.0 Design objectives

Protect significant historical and archaeological sites.

Provide for limited housing with building envelopes and accessways that respect landform, cultural landscape and native bushland setting.

Ensure that development occurs within approved building envelopes.

Protect existing native vegetation.

2.0 Buildings and works

A permit is required to construct a building or construct or carry out works.

All proposed buildings must be located within building envelopes shown on the Indicative Subdivision Plan included in this Schedule.

All proposed roadways and driveways are to be constructed along alignments shown on the Indicative Subdivision Plan included in this Schedule.

A permit is not required for removal of vegetation within approved building envelopes.

An application for permit for proposed buildings and works must be accompanied by plans and information showing:

- Elevations indicating the design of proposed buildings
- Proposed building materials for all proposed buildings
- An assessment of the visual impact of proposed buildings from Colles Road and Stronels Road
- Location of septic tank effluent fields
- Proposed landscaping and tree planting demonstrating consistency with the Flora and Fauna Survey required during the plan of subdivision approval process.

3.0 Subdivision

A permit is required to subdivide land.

An application for subdivision of land shall be in accordance with the Indicative Development Plan included in this Schedule.

An application for subdivision of land must include:

- A Flora and Fauna survey prepared in consultation with the Department of Sustainability and Environment
- Fire risk management plan prepared in consultation with the Country Fire Authority
- A survey to identify the existence of any pre-European artefacts on sites

Exemption from notice and review

An application for subdivision that is in accordance with the Indicative Development Plan included in this Schedule is exempt from the notice requirements of Section 52(1) (a), (b) and (d) the decision requirements of Section 64 (1), (2) and (3) and the review rights of Section 82 (1) of the Act.

4.0 Decision guidelines

Before deciding on any application, the responsible authority must consider:
- Whether the location of proposed buildings and works will minimise the need for the removal of native vegetation
- Whether the siting, height and design of proposed building will be in keeping with the landscape and cultural heritage character of the area
- Comments of the Department of Sustainability and Environment in relation protection of native vegetation and proposed planting and landscaping
- Comments of the Department of Sustainability and Environment in relation to development of land adjacent to the Castlemaine Diggings National Heritage Park
- Comments of the Country Fire Authority in relation to fire risk.
SCHEDULE 6 TO THE DESIGN AND DEVELOPMENTOverlay

Shown on the planning scheme map as DDO6.

MALDON SUPERMARKET

1.0 Design objectives

To ensure that the built form of the supermarket is designed and sited to complement the landscape and historic character of its context.

To minimise the visual impact of the building when viewed from surrounding land and the Maldon Historic Reserve and Beehive Mine.

To ensure that the development provides a high level of pedestrian access and amenity within the site and to the street network in Maldon.

To ensure that infrastructure treatments are in keeping with the informal appearance of the streetscape.

2.0 Buildings and works

Plans

The plans for the supermarket to be approved by the responsible authority must be to the satisfaction of the Urban Design Unit of the Department of Planning and Community Development.

Siting

The position of the front of the building should be sited to ensure that the building is visible from the Vincents Road/Phoenix Street intersection and to create an active interface with Vincents Road.

An active frontage to Vincents Road for at least 80% of the façade of the building including windows on at least two of the building frontages must be provided. The internal supermarket layout should be arranged so that there is visibility into the building from the front and at least one side of the building.

Loading and unloading areas, waste storage areas and collection and removal facilities, must be located and screened to minimise their visibility from Vincents Road and adjoining land.

Built form

The scale of the building should reflect the rural industrial character and must be of a scale and height that do not detract from the sensitive landscape setting of the site.

Building materials should avoid the use of large expanses of pre-cast concrete and brick in building facades. Simple iron clad finishes are preferred.

Windows should be of a suitable size, proportion and spacing, so that they do not dominate the façade and integrate with the scale and form of the building.

Simple, timber door and window frames finished in natural or muted tones should be utilised.

Roof forms that are consistent with and will reinforce the rural industrial character should be provided. Roof forms should be articulated behind the building facades so that the bulk of the roof is minimised when viewed from surrounding elevated areas.

Verandahs or awning elements along the building frontages and footpaths should be provided for shade and shelter for pedestrians.
Access & movement

An application for a planning permit for the supermarket must include a traffic management plan showing the proposed works at the intersection of the access way to Vincents Road; the internal access ways, the car parking layout and internal pedestrian connections as well as pedestrian connections to Vincents Road and the adjoining Crown land.

The development must provide for designated pedestrian footpaths through the car park, along active building frontages and from the building to Vincents Road.

The development must provide for the safe movement of pedestrian, cycle, shopper and delivery vehicles on the land.

The development must maximise opportunities for pedestrian linkages through the adjoining Crown land.

Landscaping

Entry points and access ways should be sited to avoid the removal of existing native vegetation in Vincents Road.

The building should incorporate landscape areas to integrate the building and car park areas with the surrounding landscape context.

Car park areas should incorporate native tree plantings to shade and visually break-up the car park areas.

Lighting should be low level and should not detract from the sensitive landscape setting of the site.

Contamination

If a sensitive use as defined in Minister’s Direction No. 1 - Potentially Contaminated Land is proposed for the site, a site assessment by a suitably qualified environmental professional must be prepared and submitted with an application to the satisfaction of the responsible authority.

Subdivision

Subdivision should encourage the creation of pedestrian linkages to the adjoining Crown land.

Advertising signs

Signage should be of a size and height that is complementary to the built form and surrounding landscape, and does not detract from public view lines.

Signage should be integrated with the building form and not protrude above the parapet or roof line. Signage should not be freestanding unless its main function is for business identification purposes.

Signage should not be located in windows that contribute to active building frontages.

Decision guidelines

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


- Whether the design, form and layout of any proposed building and works responds to the landscape and historic character of its context.

- Whether the proposed building and works or signage protects the landscape significance of the Maldon Historic Reserve and Beehive Mine.

- Whether the design, form, layout of any proposed building and works enhances the physical and visual relationship between the site and the existing street network in Maldon.
- Whether the siting, layout and design of the proposed supermarket encourages safe and accessible pedestrian movement within the site and to external access points.
- Whether the proposed building and works implement sustainable development principles.
SCHEDULE 7 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO7.

FOREST STREET, CASTLEMAINE

1.0

Design objectives

To ensure the heights of new buildings are generally consistent with the low rise scale and character of the town centre.

To ensure new development is of a high standard.

To ensure new development provides for a comfortable and safe pedestrian experience.

To protect streets and other public spaces from overshadowing by new development.

To ensure corner sites are designed in a manner that appropriately reflect their visual prominence as an entrance to the town centre.

2.0

Buildings and works

Buildings and works must be constructed in accordance with the following requirements:

- Siting and built form should provide active street frontages.
- Building height should be low rise and not exceed 10 metres.
- New development should provide for ease of pedestrian permeability and access to other walkways and public spaces.
- New development should include weather protection in the form of verandahs or awnings over the pavement.
- Vehicular access and parking should be located at the rear of properties.

3.0

Decision Guidelines

Before deciding on any application, the responsible authority must consider as appropriate:

- Whether the proposal contributes to positive architectural and urban design outcomes.
- Whether the proposal enhances public and private amenity.
- Whether the siting, setbacks, height and design of the proposed buildings will enhance the character and appearance of the town centre, including any interface with public open space.
SCHEDULE 8 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO8.

PYRENEES HIGHWAY/DUKE STREET, CASTLEMAINE

1.0 Design objectives

To ensure new development gives appropriate regard to the nearby Castlemaine Diggings National Heritage Park and the general historic nature of the area
To provide an effective landscape screen across the Pyrenees Highway frontage
To protect the amenity of nearby residential areas.

2.0 Buildings and works

Buildings and works must be constructed in accordance with the following requirements:

- Siting and built form should not dominate the viewlines from the Pyrenees Highway and the Castlemaine Diggings National Heritage Park.
- Appropriate screen planting shall be provided to reduce the visual impact of buildings and works and shall comprise indigenous flora and include a variety of understorey and taller vegetation.
- Building scale, form and materials, siting, setbacks and landscaping must be designed to protect the amenity of nearby residential uses.
- Development of land abutting Eureka Street should not impact on the residential amenity of properties on Eureka Street.

3.0 Decision Guidelines

Before deciding on any application, the responsible authority must consider, as appropriate:

- Whether the proposal contributes positively to the visual amenity of the streetscape.
- Whether the proposal provides for safe and efficient vehicular movement that does not adversely impact on the adjoining residential streets.
- Whether the proposal provides for an appropriate landscape screen from the Pyrenees Highway, the Castlemaine Diggings National Heritage Park and the adjoining residential development.
- Whether the proposal appropriately addresses the interface with adjoining residential development and the Castlemaine Diggings National Heritage Park.
SCHEDULE 9 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO9.

ELIZABETH STREET, CASTLEMAINE

1.0 Design objectives

To promote the development of an integrated highway business precinct in Elizabeth Street between the Campbells Creek bridge and Johnstone Street.

To improve the presentation and appearance of built form on property frontages.

To protect values associated with any identified heritage buildings.

To improve the function and safety of the Elizabeth Street for vehicles, cyclists and pedestrians.

2.0 Buildings and works

Buildings and works must be constructed in accordance with the following requirements:

- Siting and built form should provide for active street frontages. Offices and sales functions should be located at, or close to, the street frontage.

- Materials and colours of new buildings and works should complement the appearance of the precinct and achieve good urban design outcomes.

- Loading and service areas, outdoor storage, waste disposal and utilities should be sited or screened so as not to be visible from Elizabeth street.

- Shared driveways should be provided between adjoining properties, particularly for lots having narrow frontages, to optimise traffic safety and opportunities for parking and tree planting in the road reserve.

- Existing mature trees in Elizabeth Street must be protected unless their removal is required to implement a streetscape improvement project.

- Wire security fencing on property frontages should be avoided.

- The development of sites adjacent to heritage sites should minimise impacts on the values of the heritage site by addressing building setbacks, landscape buffers, and building scale, form and materials.

3.0 Decision Guidelines

Before deciding on any application, the responsible authority must consider as appropriate:

- Whether the proposal contributes to positive urban design outcomes.

- Whether the proposal enhances public and private amenity.

- Whether the proposal responds appropriately to adjacent heritage sites.

- How the proposal contributes to pedestrian and vehicular safety.
SCHEDULE 10 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO10.

WESLEY HILL BUSINESS PARK

1.0 Design objectives

To ensure that development is in keeping with and contributes to Council’s vision for high standards of industrial development as set out in the Municipal Strategic Statement.

To ensure that new development makes efficient use of energy resources in keeping with Council’s vision for industrial development as set out in the Municipal Strategic Statement.

To ensure that the scale and form of new buildings is in proportion to the site and does not overwhelm the streetscape and surrounding buildings.

To provide a physical and visual buffer between industrial development and adjoining uses.

To ensure that front and side setbacks are consistent, can be easily maintained and are landscaped to enhance the presentation of the estate.

To encourage the use of high quality building materials for new buildings and innovative design solutions for front facades.

To ensure that fencing, ancillary fixtures and the design and location of storage areas does not detract from the appearance of sites.

To ensure that car parking and vehicle accessways do not dominate the front setback.

To minimise visual clutter and discourage signage that is obtrusive

2.0 Buildings and works

A permit cannot be granted to vary requirements expressed using ‘must’.

Setbacks

Building setbacks must be in accordance with the following requirements:

- Front setbacks: must be a minimum of 5 metres to built form with a minimum of 2 metres of landscaped areas within the setback.

- Rear setbacks: must be a minimum of 2 metres. For lots abutting the Bendigo-Melbourne Railway reserve rear setbacks must be a minimum of 3 metres. All rear setbacks must contain landscaping if they are visible from a neighbouring residential area, a street, the railway line, or any public open space.

- Side setbacks: must be a minimum of 1 metre unless buildings are constructed to the boundary. All side setbacks must contain landscaping, unless the side boundary abuts another lot in Industrial 1 Zone, or the side boundary is not visible from a neighbouring residential area, a street, the railway line, or a public open space.

For lots that directly abut the northern reserve, setbacks must also be a minimum of 30 metres from the boundary of residential zoned land.

Reference

Figures 1-5 (CPG Australia, 2010)

Energy Efficiency

If present, windows and apertures should:

- reduce summer heat transfer through appropriate design, orientation or shading;

- maximise winter heat gain through appropriate design, and orientation;
• provide natural light to reduce reliance on mechanical lighting;
• allow natural ventilation to large storage areas.

**Building Height**

Main buildings must not exceed an overall maximum height of 15 metres from the finished ground level.

Any attached building/structure that acts as an entrance to a main building such as an office, reception or display area must not exceed two storeys or 8 metres from the finished ground level. Upper storeys must be setback a minimum of 8 metres from the front facade.

Any secondary or ancillary storage spaces, sheds, hangars that are not attached to the main building must not exceed an overall height of 12 metres.

**Corner lots**

Any attached building/structure that acts as an entrance to a main building such as an office, reception or display area should be designed to address both streets by incorporating elements of the front elevation for at least 3 metres of the side street. These elements may include building articulation, doors, windows or architectural features such as verandahs.

**Ancillary fixtures**

Ancillary fixtures such as air-conditioning and heating units should be located below the ridgeline of the roof and colour matched to the roof.

Ancillary fixtures should be setback from any building edge that fronts a street so as to not be visible from the immediately adjacent streets. This requirement may be varied if the fixtures are integrated into the built form through the use of parapet walls, rooflines, screens or other architectural details.

The above requirements do not apply to solar panels, satellite dishes, or antennae. Where practical, these fixtures should still be setback from any building edge that fronts a street so as to not be visible from the immediately adjacent streets.

**Reference**

Figures 14-16 (CPG Australia, 2010)

**Architectural features, materials, colours and finishes**

The external roof and walls of all buildings should be generally finished in paint bonded metal, timber, brick or other non reflective materials and be of muted appearance.

The front facade (including any entrance building) should not have more than 60% of one material in its architectural articulation.

All tilt slab concrete walls should be finished or articulated with panels, textures, patterns or different colours.

At least 20% of the exterior wall area of the building should be articulated, with for example openings, glazing or light vents, textures, patterns, or different colours.

**Reference**

Figures 17-19 (CPG Australia, 2010)

**Access points and crossovers**

Pedestrian and vehicle access to the main building should be separated to avoid potential conflict. Pedestrian paths must be constructed to link car park areas with the main building.

Crossovers must be sealed and constructed to the satisfaction of the responsible authority.

Adequate signage should be provided at access points to direct traffic.
Reference
Figures 20-22 (CPG Australia, 2010)

Parking
Visitor and staff car parking should be separated. Visitor parking should be identifiable from the street and accessible from the building / entry / reception.

The visitor (or front) car park surface must be a sealed surface of concrete, asphalt or permeable pavers. Additional parking to the rear and/or side of the site must be surfaced with crushed rock or other all weather treatment.

Service areas
Storage and service areas should be located at the side or rear of the site, behind the building line of the main building.

Rubbish bins and enclosures must be located behind the building line of the main building and must be screened

Landscape areas
All applications must include a landscape plan prepared to the satisfaction of the responsible authority.

Plantings should be tall canopy trees with mixed low vegetation at the front of the site to allow visibility for traffic movement.

Lighting
Light must be sited and baffled so as to not spill onto adjacent properties or roads.

Fences
A permit is required to construct a fence.

Any fence 1.8 metres or greater in height should be setback behind the building line of the main building.

A fence must:
• have a high degree of transparency where it abuts a street, or public open space
• not include barbed wire or razor wire if located between the building line and the frontage
• be screened by trees and shrubs if located on the secondary boundary of a corner lot
• be powder or plastic coated in black where the fence is a chain mesh fence

Advising signs
Signs should not protrude above the parapet or roofline. Signs on the building facade or parapets should not exceed 10% of the wall facing roads.

Freestanding signs should be displayed to or at right angles to a road.

Decision guidelines
• Whether the form, scale and design detail of the development enhances the streetscape and visual quality of the area
• Whether the development seeks to minimise the use of non-renewable sources of energy
• Whether the design is of high architectural quality
• Whether all areas of the site can be accessed and maintained
• Whether the development will cause excessive glare to building occupants and visitors
• Whether pedestrian and vehicle access is safe, manageable and convenient
• Whether steps have been taken to minimise visual clutter
• Whether the proposed use of the building would prevent a requirement from being met
SCHEDULE 11 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO11.

PYRENEES HIGHWAY, CHEWTON

1.0

Design objectives

To reinforce the scale and character of the Chewton ‘village’, and to ensure open space is maintained.

- To ensure that new development has proper regard for the established character, streetscape, topography and development pattern of Chewton in terms of building height, scale, form, siting, building materials, colours, signs, and landscaping.

- To promote development that properly addresses the Pyrenees Highway.

- To ensure that development is in keeping with and contributes to Council’s vision for high standards of development as set out in the Municipal Strategic Statement.

- To ensure that the scale and form of new buildings is in proportion to the site and does not overwhelm the streetscape and surrounding buildings.

- To ensure that front and side setbacks of new development is harmonious with existing development.

- To encourage the use of high quality building materials for new buildings that are harmonious with the surrounding buildings.

- To ensure that fencing, ancillary fixtures and vehicle accommodation areas does not detract from the appearance of the streetscape.

- To ensure that car parking, garages, carports and vehicle access ways do not dominate the front setback.

- To minimise visual clutter and discourage signage that is obtrusive.

- To ensure that existing historic buildings continue to be a major feature of the streetscape and that future development on adjacent land is consistent with retaining and enhancing the dominant urban design characteristics of the Chewton’s heritage architecture.

- To strengthen pedestrian connections in Chewton, particularly in the commercial areas fronting the Pyrenees Highway.

- To retain key vistas, particularly to historic buildings and sites.

- To retain significant vegetation on site.

2.0

Buildings and works

A permit is required to construct or extend a building.

- Front and side setbacks should demonstrate symmetry with neighbouring buildings, and should consider windows and features of the sides of adjoining buildings.

- Building heights should be sympathetic in relation to adjoining buildings. Where additional height is required, this should be setback from the lower level(s) to limit visibility from the street.

- Buildings should be finished in muted tones.

- Buildings should be designed having regard to the slope of the land.

- Building colours should be harmonious and based on local colour hues.
• New buildings should not attempt to replicate old buildings, rather they should present a similar scale and bulk to the street as existing buildings. New buildings should not dominate the streetscape.

• Highly reflective glass should be avoided.

• The style and appearance of new buildings should contribute positively to the streetscape.

• The scale and form of new buildings should be in proportion to the site, and should not overwhelm the streetscape and surrounding buildings.

A permit is not required to construct or extend an outbuilding, provided

• the total size of the outbuilding will be less than 10 square metres upon completion.

• The outbuilding is constructed behind the front line of the main building on the site.

3.0
12/07/2012
C53

Advertising signs

A permit is required for all advertising signs. Advertising sign requirements are at Clause 52.05. Requirements for the Township Zone are Category 3.

• Sign colours should complement the character of the village setting.

4.0
12/07/2012
C53

Decision guidelines

• Whether the form, scale, setback and design detail of the development enhances the streetscape and visual quality of the area.

• Whether the proposal enhances public amenity.

• Whether the location of new buildings or works dominates the front setbacks.

• Whether the development addresses the Pyrenees Highway.
SCHEDULE 13 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO13.

CORNER OF PARKER AND KENNEDY STREETS, CASTLEMAINE

1.0 Design objectives

To design a development that includes a range of residential dwelling sizes to encourage diversity of dwellings and site responsive designs.

To provide for the development of the site in a manner which contributes to diversity in the development.

To provide for a well-designed and attractive interface between the Industrial 1 Zone and the General Residential Zone.

To integrate development with the surrounding road network.

To minimise adverse amenity impacts on residential properties surrounding the site.

To ensure development that respects the existing built form of the surrounding neighbourhood.

To provide a high quality example of the use of energy efficient design and environmentally sustainable development.

2.0 Buildings and works

Fencing

- A permit is required to construct a fence over 1 metre in height along the external boundaries of the site and on lot frontages.

- A permit is not required for fencing between lots.

General design

- Development adjoining the former Foundry Manager’s residence at 8 Parker Street must:
  - Be set back an average of three metres or greater from the common boundary of 8 Parker Street (excluding pergolas and open sided structures), with no walls constructed along the common boundary;
  - Have any part of a building higher than 4.5m above ground level set back at least 5 metres from the common boundary of 8 Parker Street; and
  - Have all windows above the first floor and within 9 metres of the common boundary screened or frosted, or at least 1.8 metres above floor level, to prevent any overlooking of the land at 8 Parker Street.

- New development on the northern boundary of the site must not exceed the height of the red brick facade of the Thomsons Foundry or visually dominate the heritage brick façade, and should complement this building.

A permit may not be granted to vary the above requirements.

Buildings and works should be designed to:

- Provide for development along Parker Street that complements and reflects the industrial heritage of the Thomsons Kelly and Lewis Engineering Works at 5 Parker Street.

- Provide for development along Parker Street adjoining the former Foundry Manager’s residence at 8 Parker Street that complements and respects the heritage significance of that place.

- Provide for development on the northern boundary of the site that complements the Thomsons Foundry building.
- Provide a complementary residential interface with adjoining residential land.
- Provide for a high quality architectural outcome with consideration of building materials, articulation and design features.
- Provide for development that utilises sustainability opportunities in its built form.
- Provide a design response that addresses both frontages where a building is located on a corner.
- Incorporate sustainable stormwater management and reuse principles into the development.
- Include measures that minimise adverse amenity impacts on adjacent residential areas with respect to visual presentation, noise, external lighting and privacy.
- Include measures to minimise noise inside dwellings from the nearby railway line.
- Locate external security lighting, rubbish storage and collection areas, service areas, loading and unloading facilities and the like so as to minimise potential adverse amenity impacts on adjacent residential areas.
- Provide appropriate facilities for the storage, collection and recycling of waste materials and screen them from public view.

**Access, movement and car parking**

- Encourage limited shared vehicle access points from the existing road network to allow for safe access to and from the site.
- Avoid one vehicle crossover per dwelling to the existing road network.
- Provide an internal vehicle layout approved by the responsible authority which ensures the safe movement of vehicles within the development.
- Provide vehicle entry to and exit from the site in a forward direction where access points service more than one dwelling.
- Provide for safe pedestrian movements around and through the development and to surrounding areas.
- Provide for bicycle parking and/or storage on-site.

**Advertising signs**

A permit is required to display a sign.

The display of outdoor advertising signs on buildings or fences facing Parker, Kennedy or Hunter Streets is strongly discouraged.

Animated and internally illuminated signs are prohibited.

Before deciding on an application to display a sign, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate, the decision guidelines in Clause 52.05-3.

**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 makes a positive contribution to the provision of quality housing diversity in Castlemaine.
- Whether the proposal enhances public and private amenity.
- How the proposal responds to the existing industrial and residential character of the neighbourhood.
• Whether the subdivision design, layout, and lot sizes will facilitate development which minimises impacts on adjacent residential areas.

• Whether the proposal demonstrates architectural quality and environmentally sustainable development.
SCHEDULE 14 TO THE DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO14.

44-50 LYTTLETON STREET, CASTLEMAINE

1.0

Design objectives

To encourage a high quality built form that responds to the surrounding scale, character and built form of the area.

To provide a design that respects and protects the recognised heritage values of the Castlemaine Central Conservation Area.

To provide a design that respects and protects the recognised heritage values of the adjoining Imperial Hotel at 56 Lyttleton Street, Castlemaine and heritage sites nearby in Lyttleton Street, Castlemaine.

To encourage vibrant street life and outdoor activity by creating a high quality public realm area with particular emphasis on pedestrian friendliness and active street frontages.

To provide a high quality example of the use of energy efficient design and environmentally sustainable development.

2.0

Buildings and works

Fencing

- A permit is required to construct a fence over 1 metre in height along the external boundaries of the site and on lot frontages.
- A permit is not required for fencing between lots.

General design

Buildings and works should be designed to:

- Provide for an active street frontage.
- Avoid blank walls along Frederick Street.
- Ensure that development in the northern portion of 50 Lyttleton Street, Castlemaine is appropriately offset from the overhanging ornamental parapet of the former Imperial Hotel building abutting the site at 56 Lyttleton Street, does not visually dominate the former hotel building, and does not obscure the heritage signage on the western wall of the former hotel building.
- Provide for development that complements and respects the heritage significance of the adjoining Imperial Hotel at 56 Lyttleton Street.
- Provide for development that complements and responds to the Lyttleton Street streetscape.
- Provide for high quality architectural outcomes in building materials, articulation and design features.
- Locate external storage, waste collection and recycling areas, service areas, loading and unloading facilities to minimise visibility from the street.
- Provide opportunities for passive solar design, natural ventilation and cooling, natural lighting, solar hot water, solar photovoltaic and sustainable stormwater management.

Access, movement and car parking

- Encourage shared vehicle access points from the existing road network to allow for safe movement to and from the site.
Encourage only one vehicle cross over per site.

Locate car parking predominantly to the rear of site, so as to minimise visibility from the street.

Provide an internal vehicle layout which ensures the safe movement of vehicles within the development.

Provide for vehicle entry and exit of the site to be in a forward direction.

Provide for safe pedestrian movements around the development and to surrounding areas.

Provide for bicycle parking and/or storage on-site.

### Advertising signs

A permit is required to display a sign.

Signage should be of a size and a height that is complementary to the built form of the development, site context and surrounding streetscape and does not detract from road safety.

Before deciding on an application to display a sign, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate, the decision guidelines in Clause 52.05-3.

### 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 makes a positive contribution to the provision of quality commercial premises within Castlemaine.

- Whether the location, bulk and external appearance of proposed buildings or works is in keeping with the character and appearance of the streetscape of Lyttleton Street.

- How the development responds to the Frederick Street frontage.

- Whether the proposal enhances public amenity.

- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage places, particularly significant sites on Lyttleton Street and the site’s location within the Castlemaine Central Conservation Area.

- Whether the proposal demonstrates architectural quality and environmentally sustainable development.

- Whether the advertising signs detract from the streetscape.
SCHEDULE 15 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO15.

CASTLEMAINE TOWNSHIP GATEWAY

1.0 Design objectives

To recognise the prominence of the site as part of a major gateway to Castlemaine.

To promote outstanding urban design that:

- Is appropriate to the context and prominence of the site.
- Makes a positive contribution to the public realm, including streetscapes, views, vistas and the appearance of the site.
- Promotes active street frontages and public safety within and around the site.

To ensure that development of the site is appropriately integrated with the existing Castlemaine Commercial Centre, both in terms of built form and pedestrian amenity.

To minimise adverse visual impacts on residential properties adjoining the site.

To encourage design and development that embodies best practice Ecologically Sustainable Development (ESD).

2.0 Buildings and works

Fencing

A permit is required to construct a fence.

Buildings and works requirements

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

Site analysis, design response and landscape plan

Any application must include a site analysis, design response and schematic landscape plan.

Site analysis

A comprehensive site analysis should be the starting point of the design process and form the basis for consideration of height, scale and massing of new development.

Design response

The design response must explain how the proposed design:

- Meets the above design objectives.
- Derives from and responds to the site analysis.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent development.

Landscape plan

A landscape plan must be submitted for the whole of the site. The landscape plan must be consistent with all of the other requirements of this schedule, reinforce the treed gateway character of Castlemaine and indicate:

- The identification of any sensitive interfaces and proposed treatments.
- The treatment of street edge spaces and internal spaces for vehicular and pedestrian access, bicycle parking, recreation and solar access.
• The treatment of footpaths in Urquhart and Forest/Duke Streets.

• The provision of tree and understorey plantings to provide shade and visually enhance the car park areas.

If, in the opinion of the responsible authority, the requirement for a site analysis, design response or landscape plan is not relevant to the evaluation of an application, it may waive or reduce this requirement.

**Built form**

New built form must achieve architectural quality that respects and complements surrounding heritage elements and built form.

New development must avoid:

• mock-historical elements.

• large expanses of visible pre-cast concrete in building facades.

Massing of built form must be to the front of the site along Forest/Duke Street, and Urquhart Streets. Development should be constructed with zero or minimal setbacks to Urquhart Street and Forest Streets to maximise integration with the Castlemaine Commercial Centre.

Visual interest must be created through facade articulation and the use of a mix of materials, parapets, fenestration and colours in muted tones and non-reflective finishes.

**Site layout and car-parking design**

The location and layout of any car park must seek to minimise visual impact on the streetscape and adjoining public spaces by:

• Locating car parking predominately to the rear and/or side of buildings.

• Utilising landscaping to assist in screening car parking areas.

• Ensuring loading and unloading areas, waste storage areas and collection and removal facilities, are located and screened to minimise their visibility from surrounding streets and adjoining land where possible.

**Public realm interface/presentation to street**

The public realm, which includes main pedestrian spaces, streets, squares, parks and walkways, must provide high standards of presentation both within the site and at the site frontages. This should be achieved by the provision of:

• Active frontages where possible to Forest/Duke Street.

• Verandah or awning elements along the building frontages and footpaths for shade and shelter for pedestrians.

• Lighting around the development to create a safe environment for pedestrians.

**Access and movement**

Access way treatments must prioritise pedestrian safety over vehicle through-put.

Bicycle access and storage/parking must be incorporated within the overall design.

Entry points and access ways should be sited to protect existing trees on the nature-strip on Forest Street and Duke Street/Pyrenees Highway and avoid their removal.

**Advertising signs**

Signage must be located within the site boundaries.

Signage must:
- Not be located in windows that contribute to active building frontages.
- Be of a size and height that is complementary to the built form of the development, site context and surrounding streetscape and does not detract from road safety.
- Be integrated with the building form and avoid protruding above the parapet or roof line.
- Not be freestanding, unless its main function is for business identification purposes. Any freestanding business identification signage must not exceed 2.5 metres in height and 900 millimetres in width.

**Decision guidelines**

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

- Whether the proposal achieves the design objectives and built form outcomes of this schedule.
- Comments from council’s heritage advisor, or any other council appointed urban designer.
- Whether the development makes a positive contribution to the identity and sense of place within the gateway entrance to the Castlemaine Commercial Centre.
- Whether the design, form and layout of any proposed building and works enhances the physical and visual relationship between the site and the existing street network in Castlemaine.
- Whether design solutions and site management procedures have been incorporated to minimise amenity impacts the proposed development may have on nearby residential properties.
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.

GENERAL RESIDENTIAL ZONE DEVELOPMENT PLAN- MCKENZIE HILL & WEST CASTLEMAINE

1.0 Requirement before a permit is granted

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority to use land, construct buildings or to construct or carry out works ancillary to existing dwellings.

2.0 Conditions and requirements for permits

- All residential development must be serviced with reticulated water and sewerage, and underground reticulated electricity.
- All subdivision must be serviced with sealed roads and underground stormwater drainage.

3.0 Requirements for development plan

The Development Plan must:

- Identify any sites of conservation, heritage or archaeological significance and the means by which they will be managed.
- Provide appropriate arrangements for the provision and funding of necessary physical infrastructure.
- Provide suitable linkages between the site and road, public, bicycle and pedestrian transport facilities to urban areas.
- Identify the proposed subdivision and lot layout.
- Provide an explanation of how the net gain outcome specified in *Victoria’s Native Vegetation Management- A Framework for Action (2002)* (the Framework) has been met to the satisfaction of the Department of Sustainability and Environment. The explanation must address the three step approach to net gain as required by the Framework. Assess the existing vegetation type, quality and quantity on the site.
- Identify any native vegetation proposed for removal, and areas for replanting.
- Provide a native vegetation offset plan to the satisfaction of the Department of Sustainability and Environment.
- The road network design must be consistent with the road network detailed in the adopted Diamond Gully Structure Plan, particularly at intersections to the Pyrenees Highway.
- There are to be no further access points from the Pyrenees Highway directly onto lots.
- List the staging and anticipated timing of development.
SCHEDULE 2 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO2.

TOWNSHIP ZONE DEVELOPMENT PLAN

1.0 Conditions and requirements for permits

- All township development should wherever practical be serviced with reticulated water and sewerage and underground reticulated electricity.
- Where sewerage infrastructure cannot be provided soil and water reports must be submitted demonstrating compliance with State and Local Policies on effluent and stormwater disposal.
- All township development should wherever practical be serviced with sealed roads and underground stormwater drainage.

2.0 Requirements for development plan

The Development Plan will:

- describe the relationship of uses proposed on the land to existing and proposed uses on adjoining land and proposed buffer areas separating land uses;
- identify any sites of conservation, heritage or archaeological significance and the means by which they will be managed;
- provide appropriate arrangements for the provision and funding of necessary physical and social infrastructure;
- identify the staging and anticipated timing of development;
- provide an overall scheme of landscaping and any necessary arrangements for the preservation or regeneration of existing vegetation;
- provide suitable linkages between the site and road, public, bicycle and pedestrian transport facilities to township areas.
- provide a **Soil and Water Report** with all applications to demonstrate the capacity of infrastructure to service the development, treat and retard stormwater and reduce any impacts soil and water downstream of the development.
SCHEDULE 3 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO3

RURAL LIVING ZONE DEVELOPMENT PLAN - MCKENZIE HILL

1.0 Requirement before a permit is granted

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority to use land, construct buildings or to construct or carry out works ancillary to existing dwellings.

2.0 Conditions and requirements for permits

- All development should wherever practical be serviced with sealed roads.

3.0 Requirements for development plan

The Development Plan must:

- Be consistent with the Castlemaine land use framework plan, forming part of clause 21.03 of the Mount Alexander Planning Scheme.
- Describe the relationship of uses proposed on the land to the existing and proposed uses on adjoining land, including appropriate regard to the adjoining residential area.
- Design subdivision layout to prevent strip type development along Maldon Road.
- Identify the location of building envelopes and vehicle access ways to each building envelope.
- List the staging and anticipated timing of development.
- Ensure that lots are of sufficient size to dispose of all effluent and stormwater on site where reticulated services do not exist.
- Identify a building envelope for each lot, that is positioned to allow for further sub-division should sewage be connected to the town.
- Show provision of a service road for any lots requiring access from the Pyrenees Highway.
- Provide suitable linkages between the site and road, public, bicycle and pedestrian transport facilities to urban areas.
- Provide appropriate arrangements for the provision and funding of necessary physical infrastructure.
- Design subdivision and lot layout to avoid removal of native vegetation for dwelling and infrastructure construction.
- Identify the proposed subdivision and lot layout.
- Provide an explanation of how the net gain outcome specified in Victoria’s Native Vegetation Management - A Framework for Action (2002) (the Framework) has been met to the satisfaction of the Department of Sustainability and Environment. The explanation must address the three step approach to net gain as required by the Framework. Assess the existing vegetation type, quality and quantity on the site.
- Identify any native vegetation proposed for removal, and areas for replanting.
- Provide a native vegetation offset plan to the satisfaction of the Department of Sustainability and Environment.
- Provide an overall scheme of landscaping and appropriate arrangements for the preservation and regeneration of existing vegetation.
- Identify any sites of conservation, heritage or archaeological significance and the means by which they will be managed.
- Show fencing that permits the passage of wildlife.
SCHEDULE 5 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO5.

HUNDREDWEIGHT HILL (LOW DENSITY RESIDENTIAL ZONE)

1.0 Requirement before a permit is granted

Permits will not be granted to use or development land prior to the approval of the Development Plan by the responsible authority.

2.0 Requirements for development plan

Design Principles for subdivision and development

- Encourage site responsive and innovative residential design that has regard to landform, environmental, heritage and habitat values of the Castlemaine Diggings National Heritage Park (CDNHP), Moonlight Creek and significant view lines into and out of the precinct.

- Protect heritage, landscape, habitat and overall environmental values of adjacent CDNHP.

- Protect and enhance vistas and views into and out of the area.

- Maintain low density development to reflect the underlying open bushland character of the Hundredweight Hill precinct.

- Establish a wildlife corridor between the CDNHP and Moonlight Creek.

- Protect and enhance the water quality of Moonlight Creek including to rehabilitation of Moonlight Creek and environs.

- Provide for open space corridors with pedestrian links to Moonlight Creek and CDNHP.

- Retain remnant native vegetation.

- A new building adjacent to Crown land must be setback from boundaries:
  - 50 metres from a boundary to Crown land (inclusive of a Government Road)
  - 30 metres from a boundary directly abutting Crown land

- Integrate the natural drainage corridors into site layout and built form

- Ensure that subdivision, site layout and built form has regard to the steep slopes in the precinct

- Incorporate bushfire prevention and mitigation measures into subdivision, site layout and built form.

The Hundredweight Hill Development Plan must be in accordance with the Happy Valley/Moonlight Flat Strategic Plan Revised June 2006 and above design principles and include:

- A written report explaining how the residential development proposal addresses the design principles outlined above

- A traffic impact assessment report for the Happy Valley Road intersection with the Pyrenees Highway to the satisfaction of the responsible authority, in consultation with VicRoads

- Site assessment and response be undertaken in consultation with the Department of Sustainability and Environment, including natural features, slope, orientation, views, drainage lines, native vegetation, and measures to minimise impact on Castlemaine Diggings National Heritage Park

- A Land Capability Assessment Report to identify suitable building envelopes, effluent disposal envelopes, and exclusion zones

- An environmental audit or report in accordance with Ministerial Direction No. 1 (Potentially Contaminated Land) be prepared for the land prior to the issue of a planning permit for development or use of land for a sensitive use
- Proposed road layout with minor access roads following drainage lines
- Road design that minimises the width of sealed pavement and provides for open, grassed, swale verges
- A Layout Plan showing arrangement of lots, lot sizes, building envelope locations and sizes, and driveways to envelopes
- A visual impact assessment indicating the impact on views obtained from outside of the area and particularly from Pennyweight Flat
- Proposed drainage including use of natural drainage corridors in the major drainage system, and measures to encourage on site infiltration and minimise off-site stormwater run-off
- Flora and Fauna Survey prepared in consultation with the Department of Sustainability and Environment
- A survey to identify any Indigenous artefacts and sites to the satisfaction of the relevant authority
- Fire risk management plan prepared in consultation with the Country Fire Authority
- A Landscape Plan prepared by a qualified landscape architect and or horticulturalist to the satisfaction of the responsible authority showing existing native vegetation, vegetation to be retained, and proposed native planting of road reserves and public spaces
- All servicing, including water, drainage and stormwater, electricity and telecommunications
- The stages, if any, in which the land is to be subdivided and developed.
SCHEDULE 6 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO6.

HAPPY VALLEY ROAD (SOUTH)

1.0 Requirement before a permit is granted

All proposals to construct a building or carry out works before the Happy Valley Road Development Plan has been approved must be accompanied by a report demonstrating that the proposed buildings or works will not prejudice the long-term future development of the land for residential development.

2.0 Requirements for development plan

The Happy Valley Development Plan must be generally in accordance with the Happy Valley/Moonlight Flat Strategic Plan – Final Report and Local Policy and include:

- A traffic impact assessment report for the Happy Valley Road intersection with the Pyrenees Highway prepared to the satisfaction of the responsible authority in conjunction with VicRoads
- Site assessment and response, including natural features, slope, orientation, views, drainage lines, native vegetation, and measures to minimise impact on neighbouring and nearby land, including the Castlemaine Diggings National Heritage Park. The site assessment and response is to be prepared in consultation with the Department of Sustainability and Environment, the Castlemaine Landcare Group, and where the Development Plan is not a joint proposal of all owners of land affected, the comments of non-participatory land owners
- An environmental audit or report in accordance with Ministerial Direction No. 1 must be prepared for the land prior to the issue of a planning permit for development of land for a sensitive use
- Consideration of the potential to realign Happy Valley Road and provide a north-south axis for the main access street in accordance with Structure Plan 1B
- A downslope, east-west orientation for lots on sloping land to the north of the Precinct
- Graduation of lot sizes from smaller lots fronting Happy Valley Road to larger lots adjacent to the National Heritage Park
- Creation a view focus along the main access street that is enclosed by Forest Creek Reserve and the National Heritage Park
- Siting, height and design of built form that responds to the landscape character of the area
- A proposed public open space area to the north as indicated on the Happy Valley/Moonlight Flat Structure Plan 1B
- Major pedestrian connection along the main access street linking the National Heritage Park with Forest Creek
- Pedestrian access to Forest Creek
- A landscape plan for road reserves and public spaces prepared by a qualified landscape architect and/or horticulturist. The landscape plan is to be prepared in consultation with the Department of Sustainability and Environment
- Creation of streetscape character through establishing building envelopes with setbacks from Happy Valley Road and the main access street, and street tree planting in accordance with an approved Landscape Plan
- A residential layout plan showing lot sizes, and the locations and sizes of proposed building envelopes
- Retention of native vegetation in the residential layout and design
- Proposals to minimise off-site stormwater run-off from buildings, access roads and other hard standing surfaces including on site infiltration where feasible
- Housing diversity and choice, particularly for smaller households (e.g. single and two person households)
- All servicing, including water, sewerage, drainage and stormwater, electricity and telecommunications
- The stages, if any, in which the land is to be subdivided and developed.
1.0 Requirement before a permit is granted

A permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority to use land, construct buildings or to construct or carry out works ancillary to the existing dwellings.

2.0 Conditions and requirements for permits

- All residential development must be serviced with reticulated water and sewerage, and underground reticulated electricity.
- All subdivision must be serviced with sealed roads and underground stormwater drainage.

3.0 Requirements for development plan

The Development Plan must:

- Describe the relationship of uses proposed on the land to the existing and proposed uses on adjoining land, including appropriate regard to the adjoining residential area.
- Identify proposed subdivision layout including the location, dimensions and areas of all lots,
- Identify the location of building envelopes, and vehicle access ways to building each building envelope.
- All residential development must be serviced with reticulated water and sewerage, and underground reticulated electricity. These services are to be located within the vehicle accessways.
- All subdivision must be serviced with sealed roads and underground stormwater drainage.
- Identify any sites of conservation, heritage or archaeological significance and the means by which they will be managed
- Provide appropriate arrangements for the provision and funding of necessary physical infrastructure
- Provide appropriate arrangements for the preservation and regeneration of existing vegetation.
- Assess the existing vegetation type, quality and quantity on the site to the satisfaction of the Department of Sustainability and Environment
- Identify any native vegetation proposed for removal, and areas for replanting to the satisfaction of the Department of Sustainability and Environment
- Provide a native vegetation offset plan to the satisfaction of the Department of Sustainability and Environment
- Provide an explanation of how the net gain outcome specified in Victoria’s Native Vegetation Management- A Framework for Action (2002) has been met to the satisfaction of the Department of Sustainability and Environment
- Provide suitable linkages between the site and road, public, bicycle and pedestrian transport facilities to urban areas.
- Identify proposed water supplies, storages and systems required for fire fighting purposes.
- Show fencing that is visually unobtrusive and appropriate to permit the passage of wildlife.
- Require the execution of a Section 173 agreement that prevents further subdivision or the erection of second dwelling on any allotment

- Provide a Traffic Impact Assessment report to the satisfaction of VicRoads prior to the development of the subject land. This assessment will address the impact of the development on the existing arterial road network and details of any mitigating works required at the Pyrenees Highway / Ireland Street intersection.
SCHEDULE 8 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO8.

CORNER OF PARKER AND KENNEDY STREETS, CASTLEMAINE

1.0

Requirement before a permit is granted

Where no development plan has been approved, the responsible authority may grant a permit to construct a building or to construct or carry out works, provided it is satisfied that the buildings or works are minor extensions or alterations to existing buildings and works and will not prejudice the preparation of the development plan.

2.0

Conditions and requirements for permits

- All residential development must be serviced with reticulated water and sewerage, and underground reticulated electricity.
- Development must not commence until the electrical sub-station on the south-west corner of the site has been removed from the land.
- A Soil Management Plan, taking into account the recommendations of the Environmental Site Assessment (Phase 2 – ESA), 16 March 2015, must be prepared and implemented to the satisfaction of the responsible authority.

3.0

Requirements for development plan

The development plan must show a proposed urban pattern which:

- Provides dwellings or lots for diverse housing choices, to suit a range of housing needs, with a minimum of 24 dwellings or 24 lots;
- Provides convenient and safe pedestrian, cycling and road linkages to surrounding areas;
- Ensures that any new development is designed to take advantage of the existing road network; and
- Identifies the location of any major infrastructure easements that exist or are required.

A landscape plan for the site and council nature strip must be provided showing low maintenance tree planting. The landscape plan must show planting locations and a list of species selected in consultation with and approved by the responsible authority.
SCHEDULE 9 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO9.

RESIDENTIAL DEVELOPMENT PLAN – BULKELEYS ROAD AND IRELAND STREET, MCKENZIE HILL

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 buildings and works ancillary to an existing dwelling.

2.0 Conditions and requirements for permits

- All residential development must be serviced with reticulated water and sewerage and underground reticulated electricity.
- All development must be serviced with sealed roads and underground stormwater drainage to the satisfaction of the responsible authority.
- All development must be constructed in accordance with the Erosion Management Plan required by this schedule to the satisfaction of the responsible authority.
- A Detailed Transport Impact Assessment Report for the intersections of Ireland Street and Bulkeleys Road with the Pyrenees Highway must be prepared to the satisfaction of the roads corporation and the responsible authority.

3.0 Requirements for development plan

Prior to preparation of a development plan, land-owner(s) must consult with the relevant water authority for sewerage and reticulated water supply to identify any augmentation requirements the proposed development will require.

The development plan must include the following:

- A dimensioned subdivision layout including roads, lot boundaries, areas of public open space and a diversity of lot sizes.
- A proposed internal road network facilitating good pedestrian, cycling and vehicle connectivity, avoiding the use of cul-de-sacs unless contiguous with areas of public open space or enabling pedestrian linkages to adjoining streets.
- Details of the interface of lots with the vegetated road reserve to the south in accordance with Clause 56.04-4.
- Building envelopes providing a minimum 50 metre setback between residential dwellings and the area of bushfire hazard in the northwest of the site.
- Perimeter roads separating residential development from any surrounding bushfire hazard.
- A secondary point of vehicular access and egress, providing an alternative path of travel for residents and emergency services to the whole of the site.
- Details of the treatment of Bulkeleys Road including traffic and dust management if the road is to have any access role (including emergency access) for the site.
- Arrangements for the preservation or regeneration of existing vegetation.
- The retention of remnant native trees within road reserves and areas of public open space where possible. An arboricultural survey of all existing trees that are to be retained should be undertaken to assess their condition, health and integrity, having regard to their context within the proposed development.
- Provision of alternative access and easements where practical to protect remnant vegetation within the adjoining unused road reserves.
- Provision of detailed landscape and management plans for any proposed areas of public open space.

- An explanation of how any proposed removal of existing native vegetation will result in no net loss to Victoria’s biodiversity.

- Incorporation of water sensitive urban design principles.

- The staging and anticipated timing of development.

- Identification of any sites of conservation, heritage or archaeological significance and details of the proposed management of these sites.

- Linkages between the land and any road, bicycle, pedestrian and public transport facilities providing connections to surrounding urban areas, having regard to the Mount Alexander Shire Council’s Walking and Cycling Strategy 2010-2020.

- Safe pedestrian and cycling links within the land and to external roads and paths. Pedestrian and cycling paths should be shared where practical, and cycling lanes painted on roads should be avoided.

- An Erosion Management Plan to the satisfaction of the responsible authority, which must identify measures to be undertaken during development of the subdivision, and construction of infrastructure, and construction of dwellings to reduce the risks of erosion.
SCHEDULE 10 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO10.

RESIDENTIAL DEVELOPMENT PLANS – CAPTAIN DAY ROAD

1.0 Requirement before a permit is granted

A development plan must be prepared to the satisfaction of the responsible authority prior to the subdivision of land, construction of a dwelling or ancillary buildings, or the construction or carrying out of works.

2.0 Conditions and requirements for permits

- All residential development must be serviced with reticulated water and sewerage and underground reticulated electricity.
- All development must be serviced with sealed roads and underground stormwater drainage to the satisfaction of the responsible authority.
- A Statement of Compliance in respect of subdivision of land must not be issued unless appropriate arrangements for the provision and funding of necessary physical and social infrastructure reasonably necessary for development to occur are made to the satisfaction of the responsible authority.

3.0 Requirements for development plans

Development plans must include the following as appropriate:

- A development concept plan for the whole area to which the DPO10 applies showing the road layout and significant features.
- Details of any known proposed staging and anticipated timing of development.
- An indicative lot layout showing the size and dimension of lots, the location of vehicle crossings, areas of public open space and a diversity of lot sizes including a percentage of smaller lots to provide affordable housing options.
- A proposed internal road network facilitating good pedestrian, cycling and vehicle connectivity and functional emergency vehicular access and egress for residents and emergency services. A ‘boulevard’ roadway that separates the bush/grassland areas from urban development is to be encouraged where possible.
- A traffic impact assessment report that considers the likely traffic impacts of the development on the Midland Highway and mitigation measures that may be required in response.
- Building envelopes providing an appropriate and safe setback between residential dwellings and the area of bushfire hazard to the east of the site.
- Arrangements for the preservation of existing vegetation within the development plan area that is identified for retention and initiatives to achieve regeneration of vegetation in appropriate locations where it can be appropriately managed without compromising resident safety.
- The retention of mature remnant native trees within existing road reserves and areas of public space where possible.
- Provision of alternative access and easements where practical to protect remnant vegetation within the adjoining unused road reserves.
- Arrangements to maintain the integrity of the waterway, associated floodplain and flood flows. All residential lots should be flood free or have suitable flood free building envelopes and all development must have safe access during flood events.
- Provision of landscape and management plans for areas of public open space.
- Provision of a net gain offset for any vegetation removed or left in public open space.
- Incorporation of water sensitive urban design principles.
- Identification of any sites of conservation, heritage or archaeological significance and details of the proposed management of these sites.
- Linkages between the land and any road, bicycle, pedestrian and public transport facilities providing connections to surrounding urban areas, having regard to the Mount Alexander Shire Council’s Walking and Cycling Strategy 2010-2020.
- Safe pedestrian and cycling links within the land and to external roads and paths. Pedestrian and cycling paths should be shared where practical, and cycling lanes painted on roads should be avoided.
1. Objectives

To ensure development is generally in accordance with the Diamond Gully Structure Plan 2016 (DGSP) to the satisfaction of the responsible authority.

2. Requirement before a permit is granted

A permit may be granted to construct a building or to construct or carry out works provided the responsible authority is satisfied that the buildings or works will not prejudice the preparation of a development plan or the orderly or proper planning of the land covered by this schedule.

3. Conditions and requirements for permits

None specified.

4. Requirements for development plan

A development plan must include the following requirements:

- A written report detailing how the plan responds to the DGSP, including the principles established for the Southern Residential Greenfield Area, as well as relevant environmental constraints, land use risk areas, and access and linkages.

- An indicative lot layout consistent with the DGSP showing the size and dimensions of lots, including the provision of medium density residential lots in the inner core of the area in proximity to the watercourse, and clustering of development where the opportunity exists to create defendable space. The layout shall also show areas of public open space and provide for viable evacuation and/or shelter-in-place options.

- A proposed internal movement network consistent with the DGSP which provides for:
  - A new main collector road to provide access through the Development Plan area between Diamond Gully Road and Ranters Gully Road;
  - A series of access streets off the collector road including an access lane parallel to the watercourse;
  - A perimeter road that forms the urban edge interface between the fire hazard to the west and the residential areas.
  - A shared pedestrian and bicycle pathway adjacent to the collector road, and access lane.

- Details of how the development plan and lot layout responds to the bushfire planning policy in the planning policy framework, the Bushfire Management Overlay, the bushfire design principles contained in the DGSP and results in development no more than BAL 12.5 rating under AS 3959-2009.

- Details of physical infrastructure, including the location of major drainage lines, water features, proposed retention basins and floodways, and the means by which they will be managed in accordance with the principles of water sensitive urban design.

- Details of any proposed staging of development that demonstrates how it continues to facilitate the orderly and proper development of the DGSP area.
- The indicative location of any underground service trenches proposed to be located along the current or former landfill boundaries (or to be continuous with such service trenches) and a notation that these are to be designed to allow passive gas venting prior to entering any future building to avoid preferential landfill gas pathways.

- Details of how vegetation will be managed on the site.
EROSION MANAGEMENT OVERLAY

Shown on the planning scheme map as EMO with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To protect areas prone to erosion, landslip or other land degradation processes, by minimising land disturbance and inappropriate development.

Erosion management objectives and statement of risk

A schedule to this overlay may contain:
- Erosion management objectives to be achieved.
- A statement of risk.

Buildings and works

A permit is required to construct a building or construct or carry out works, including:
- Roadworks.
- Buildings and works associated with a dependent person’s unit.
- A domestic swimming pool or spa and associated mechanical and safety equipment.
- Any matter specified in Clause 62.02-2 if specified in a schedule to this overlay.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a fence.</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>Construct a building or construct or carry out works for:</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>A carport, garage, pergola, verandah, deck, shed or similar structure.</td>
<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>

Vegetation removal

A permit is required to remove, destroy or lop any vegetation. This does not apply:
- If a schedule to this overlay specifically states that a permit is not required.
- If the table to Clause 44.01-4 specifically states that a permit is not required.
- To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.
# Table of exemptions

<table>
<thead>
<tr>
<th>The requirement to obtain a permit does not apply to:</th>
<th></th>
</tr>
</thead>
</table>
| **Emergency works** | Vegetation that is to be removed, destroyed or lopped:  
  - in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or  
  - where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption. |
| **Fire protection** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities:  
  - fire fighting;  
  - planned burning;  
  - making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;  
  - making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);  
  - is ground fuel within 30 metres of a building and is vegetation other than native vegetation;  
  - in accordance with a fire prevention notice issued under either:  
    - Section 65 of the Forests Act 1958; or  
    - Section 41 of the Country Fire Authority Act 1958.  
  - 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. |
| **Geothermal energy exploration and extraction** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Geothermal Energy Resources Act 2005. |
| **Greenhouse gas sequestration and exploration** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008. |
| **Land management or directions notice** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the Catchment and Land Protection Act 1994. |
| **Land use conditions** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the Catchment and Land Protection Act 1994. |
| **Mineral exploration and extraction** | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the Mineral Resources (Sustainable Development) Act 1990:  
  - that is low impact exploration within the meaning of Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990; or  
  - in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990. |
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Noxious weeds</td>
<td>Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the Catchment and Land Protection Act 1994. This exemption does not apply to Australian Dodder (<em>Cuscuta australis</em>).</td>
</tr>
<tr>
<td>Pest animal burrows</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.</td>
</tr>
<tr>
<td></td>
<td>In the case of native vegetation the written agreement of an officer of the department responsible for administering the <em>Flora and Fauna Guarantee Act 1988</em> is required before the vegetation can be removed, destroyed or lopped.</td>
</tr>
<tr>
<td>Planted vegetation</td>
<td>Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.</td>
</tr>
<tr>
<td>Railways</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>).</td>
</tr>
<tr>
<td>Regrowth</td>
<td>Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:</td>
</tr>
<tr>
<td></td>
<td>- bracken (<em>Pteridium esculentum</em>); or</td>
</tr>
<tr>
<td></td>
<td>- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.</td>
</tr>
<tr>
<td>Road safety</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>).</td>
</tr>
<tr>
<td>Stone exploration</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.</td>
</tr>
<tr>
<td></td>
<td>The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:</td>
</tr>
<tr>
<td></td>
<td>- 1 hectare of vegetation which does not include a tree.</td>
</tr>
<tr>
<td></td>
<td>- 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>- 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to costeanning and bulk sampling activities.</td>
</tr>
<tr>
<td>Stone extraction</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the <em>Mineral Resources (Sustainable Development) Act 1990</em> and authorised by a work authority granted under that Act.</td>
</tr>
<tr>
<td>Surveying</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the <em>Surveying Act 2004</em>) using hand-held tools to establish a sightline for the measurement of land.</td>
</tr>
<tr>
<td>Traditional owners</td>
<td>Vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- a natural resources agreement under Part 6 of the *Traditional Owners Settlement Act 2010*; or
- an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional owners Settlement Amendment Act* in 2016 (1 May 2017).

### Subdivision

A permit is required to subdivide land.

### Application requirements

An application must be accompanied by any information specified in a schedule to this overlay and information showing:

- The existing site conditions, including land gradient and the extent of any existing erosion, landslip or other land degradation.
- The extent of any proposed earthworks.
- The means proposed to stabilise disturbed areas.
- Any other application requirements specified in a schedule to this overlay.

### Exemption from notice and review

An application under this overlay is exempt from the notice requirements of sSection 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Regional Catchment Strategy (*Catchment and Land Protection Act 1994*).
- Control of Erosion on Construction Sites, Soil Conservation Authority.
- Your Dam, an Asset or a Liability, Department of Conservation and Natural Resources.
- Any proposed measures to manage concentrated runoff and site drainage.
- Any proposed measures to minimise the extent of soil disturbance.
- Whether the removal of vegetation will increase the possibility of erosion, the susceptibility to landslip or other land degradation processes, and whether such removal is consistent with sustainable land management.
- The need to stabilise disturbed areas by engineering works or revegetation.
- Whether the land is capable of providing a building envelope which is not subject to high or severe erosion concern.
- Whether buildings or works are likely to cause erosion or landslip.
- Whether access and servicing of the site or building envelope is likely to result in erosion or landslip.
- Land Capability Report (if prepared) as developed by the Department of Environment, Land, Water and Planning.
- The need to remove, destroy or lop vegetation to a create defendable space to reduce the risk of bushfire to life and property.
- Any technical information or reports required to be provided by a schedule to this overlay.
- Any other matters specified in a schedule to this overlay.
SCHEDULE TO THE EROSION MANAGEMENT OVERLAY

Shown on the planning scheme map as EMO.

1.0 Permit requirement

A permit is not required for the use and development of an outbuilding of less than 120 square metres.

A permit is not required for works undertaken by or on behalf of VicRoads required for the construction of the new Calder Highway/Freeway between Faraday and Ravenswood and on land within a Road Zone, Category 1 or covered by a Public Acquisition Overlay.

Applications for buildings and works should minimise the need for earthworks and the removal of native vegetation. Where appropriate, applications should include a landscaping plan to address erosion.
FLOODWAY OVERLAY

Shown on the planning scheme map as FO or RFO with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify waterways, major floodpaths, drainage depressions and high hazard areas which have the greatest risk and frequency of being affected by flooding.

To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.

To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989 if a declaration has been made.

To protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

To ensure that development maintains or improves river and wetland health, waterway protection and floodplain health.

Floodway objectives and statement of risk

A schedule to this overlay may contain:

- Floodway management objectives to be achieved.
- A statement of risk.

Buildings and works

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.
- A dependent person’s unit.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To flood mitigation works carried out by the responsible authority or floodplain management authority.
To the following works in accordance with plans prepared to the satisfaction of the responsible authority:

- The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
- The erection of telephone or power lines provided they do not involve the construction of towers or poles.

- To post and wire and post and rail fencing.

**Subdivision**

A permit is required to subdivide land. A permit may only be granted to subdivide land if the following apply:

- The subdivision does not create any new lots, which are entirely within this overlay. This does not apply if the subdivision creates a lot, which by agreement between the owner and the relevant floodplain management authority, is to be transferred to an authority for a public purpose.
- The subdivision is the resubdivision of existing lots and the number of lots is not increased, unless a local floodplain development plan incorporated into this scheme specifically provides otherwise.

**Application requirements**

**Local floodplain development plan**

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

**Flood risk report**

If a local floodplain development plan for the area has not been incorporated into this scheme, an application must be accompanied by a flood risk report to the satisfaction of the responsible authority, which must consider the following, where applicable:

- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effects of the development on river health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality and sites of scientific significance.
An application must be accompanied by any information specified in a schedule to this overlay.

Exemption from notice and review

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Referral of applications

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The local floodplain development plan or flood risk report.
- Any comments of the relevant floodplain management authority.
- The Victorian River Health Strategy (2002) and any relevant regional river health strategy and associated wetland plan.
- Any other matters specified in a schedule to this overlay.
SCHEDULE 1 TO CLAUSE 44.03 FLOODWAY OVERLAY

Shown on the planning scheme map as FO1.

FLOODING FROM WATERWAYS

1.0

Floodway objectives to be achieved

None specified.

2.0

Statement of risk

None specified.

3.0

Permit requirement

A permit is not required to construct or carry out the following buildings and/or works:

Extensions and alterations to existing buildings

- An extension to an existing building (not including an outbuilding associated with an existing dwelling), provided the floor level of the proposed extension is not lower than the existing floor level and the floor area of the extension does not exceed 20 square metres.
- An upper storey extension to an existing building if there is no increase in the ground level footprint.

New and replacement buildings

- A replacement dwelling provided the floor level is at least 300 millimetres above the 1 per cent AEP (Annual Exceedance Probability) flood level and the additional floor area does not exceed 20 square metres.
- A non-habitable building (including an outbuilding associated with a dwelling) with a floor area of less than 10 square metres.
- An open sided agricultural building such as a hay shed, cattle yard, covered horse stable or other yards.

Other buildings and works

- Roadworks or bicycle pathways and trails carried out by a public authority, if there is a change of less than 50 millimetres to existing surface levels, or if the relevant floodplain management authority has agreed in writing that the flow path is not obstructed.
- Landscaping, driveways, and vehicle crossovers associated with a dwelling, if there is no change to existing surface levels, or if the relevant floodplain management authority has agreed in writing that the flow path is not obstructed.
- An in-ground swimming pool or spa and associated open style security fencing, where the perimeter edging of the pool or spa is constructed at natural surface levels and excavated material is moved outside the 1 per cent AEP flood extent.
- A pergola, verandah, deck, garage or carport that is open on all sides and (if not at ground level), has unenclosed foundations.
- A carport constructed over an existing car space.
- A tennis court at existing surface level with retractable fencing.
- A sportsground, racecourse or recreation area (with no permanent grandstand or raised viewing area), playground, park furniture including seating, tables, shelters, rubbish bins, playground equipment, barbeques, shade sails, drinking fountains and public toilets.
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 if it is less than 10 square metres in floor area at ground level.

- A pump shed.

4.0
24/01/2019
C82

Application requirements

The following application requirements apply to an application for a permit under Clause 44.03, in addition to those specified in Clause 44.03 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The responsible authority may require evidence of the existing building envelope of a dwelling that is to be replaced.

5.0
24/01/2019
C82

Decision guidelines

None specified.
LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as LSIO with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.

To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

To ensure that development maintains or improves river and wetland health, waterway protection and 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 TO THE LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as LSIO.

1.0 Permit requirement

A permit is not required for the use and development of an outbuilding less than 120m².
SCHEDULE 1 TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as LSIO1.

FLOODING FROM WATERWAYS

1.0

Land subject to inundation objectives to be achieved

None specified.

2.0

Statement of risk

None specified.

3.0

Permit requirement

A permit is not required to construct or carry out the following buildings and/or works:

Extensions and alterations to existing buildings

- An extension to an existing building (not including an outbuilding associated with an existing dwelling), provided the floor level of the proposed extension is not lower than the existing floor level and the floor area of the extension does not exceed 40 square metres.

- An upper storey extension to an existing building if there is no increase in the ground floor footprint.

- An extension to an outbuilding associated with an existing dwelling where floor levels are at least 150 millimetres above the 1 per cent AEP (Annual Exceedance Probability) flood level.

New and replacement buildings

- A replacement dwelling provided the floor level is at least 300 millimetres above the 1 per cent AEP (Annual Exceedance Probability) flood level and the additional floor area does not exceed 40 square metres.

- A non-habitable building (including an outbuilding associated with a dwelling) with a floor area of less than 10 square metres.

- An outbuilding associated with a dwelling provided the floor level is at least 150 millimetres above the 1 per cent AEP flood level, the floor area is less than 120 square metres and the building is set back a minimum of 30 metres from the top of bank of any designated waterway.

- An open sided agricultural building such as a hay shed, cattle yard, covered horse stable or other yards.

- An agricultural shed (other than one used for industrial, retail or office purposes) used for the storage of farm machinery, storage of farm vehicles or a workshop associated with a rural use in a rural zone provided the floor area is less than 200 square metres and the building is set back a minimum of 30 metres from the top of bank of any designated waterway.

- A movable building associated with a caravan park provided the floor level is at least 300 millimetres above the 1 per cent AEP flood level.

Other buildings and works

- A replacement fence or gate in the same location and of the same type and materials as the existing fence or gate.

- Roadworks or bicycle pathways and trails carried out by a public authority, if there is a change of less than 50 millimetres to existing surface levels, or if the relevant floodplain management authority has agreed in writing that the flow path is not obstructed.
- Landscaping, driveways, and vehicle crossovers associated with a dwelling, if there is a change of less than 50 millimetres to existing surface levels, or if the relevant floodplain management authority has agreed in writing that the flow path is not obstructed.

- An in-ground swimming pool or spa and associated open style security fencing, where the perimeter edging of the pool or spa is constructed at natural surface levels and excavated material is moved outside of the area affected by the overlay.

- A rainwater tank, a pergola, verandah, carport or deck.

- A tennis court at existing surface level with retractable fencing.

- A sportsground, racecourse or recreation area (with no permanent grandstand or raised viewing area), playground, park furniture including seating, tables, shelters, rubbish bins, playground equipment, barbeques, shade sails, drinking fountains and public toilets.

- 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 if it is less than 10 square metres in floor area at ground level.

- A pump shed.

- Earthworks associated with the construction of a dam, where no fill is imported to the site, the dam is not constructed on a waterway, the dam does not exceed 3 megalitres in capacity and there is no embankment above natural surface level.

- Buildings and works on land affected by an existing planning permit, restriction or section 173 agreement:
  - if the land is being developed in accordance with the permit, restriction or section 173 agreement requiring a finished ground surface level at least 300 millimetres above the 1 per cent AEP flood level; and
  - if survey plans confirm that the ground surface level is in accordance with the requirements of the permit, restriction or section 173 agreement; and
  - if the buildings and works do not lower the ground surface level or result in a finished floor level for a dwelling that is below 300 millimetres above the 1 per cent AEP flood level.

**Application requirements**

The following application requirements apply to an application for a permit under Clause 44.04, in addition to those specified in Clause 44.04 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The responsible authority may require evidence of the existing building envelope of a dwelling that is to be replaced.

**Decision guidelines**

None specified.
SCHEDULE 2 TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as LSIO2.

FLOODING FROM WATERWAYS

1.0

Land subject to inundation objectives to be achieved
None specified.

2.0

Statement of risk
None specified.

3.0

Permit requirement
A permit is not required to construct an outbuilding with a gross floor area of less than 120 square metres.

4.0

Application requirements
The following application requirements apply to an application for a permit under Clause 44.04, in addition to those specified in Clause 44.04 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The responsible authority may require evidence of the existing building envelope of a dwelling that is to be replaced.

5.0

Decision guidelines
None specified.
**BUSHFIRE MANAGEMENT OVERLAY**

Shown on the planning scheme map as **BMO** with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To ensure that the development of land prioritises the protection of human life and strengthens community resilience to bushfire.

To identify areas where the bushfire hazard warrants bushfire protection measures to be implemented.

To ensure development is only permitted where the risk to life and property from bushfire can be reduced to an acceptable level.

---

**Bushfire management objectives and application of schedules**

A schedule to this overlay must contain a statement of the bushfire management objectives to be achieved for the area affected by the schedule and when the requirements within it apply.

---

**Permit requirement**

**Subdivision**

A permit is required to subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.

**Buildings and works**

A permit is required to construct a building or construct or carry out works associated with the following uses:

- Accommodation (including a Dependent person’s unit)
- Education centre
- Hospital
- Industry
- Leisure and recreation
- Office
- Place of assembly
- Retail premises
- Service station
- Timber production
- Warehouse

This does not apply to any of the following:

- If a schedule to this overlay specifically states that a permit is not required.
- A building or works consistent with an agreement under Section 173 of the Act prepared in accordance with a condition of permit issued under the requirements of Clause 44.06-5.
- An alteration or extension to an existing building used for a dwelling or a dependent person’s unit that is less than 50 percent of the gross floor area of the existing building.
- An alteration or extension to an existing building (excluding a dwelling and a dependent person’s unit) that is less than 10 percent of the gross floor area of the existing building.
A building or works with a floor area of less than 100 square metres not used for accommodation and ancillary to a dwelling.

A building or works associated with Timber production provided the buildings or works are not within 150 metres of Accommodation or land zoned for residential or rural residential purposes.

### Application requirements

Unless a schedule to this overlay specifies different requirements, an application must be accompanied by:

- A **bushfire hazard site assessment** including a plan that describes the bushfire hazard within 150 metres of the proposed development. The description of the hazard must be prepared in accordance with Sections 2.2.3 to 2.2.5 of AS3959:2009 Construction of buildings in bushfire prone areas (Standards Australia) excluding paragraph (a) of section 2.2.3.2. Photographs or other techniques may be used to assist in describing the bushfire hazard.

- A **bushfire hazard landscape assessment** including a plan that describes the bushfire hazard of the general locality more than 150 metres from the site. Photographs or other techniques may be used to assist in describing the bushfire hazard. This requirement does not apply to a dwelling that includes all of the approved measures specified in Clause 53.02-3.

- A **bushfire management statement** describing how the proposed development responds to the requirements in this clause and Clause 53.02. If the application proposes an alternative measure, the bushfire management statement must explain how the alternative measure meets the relevant objective.

If in the opinion of the responsible authority any part of these requirements is not relevant to the assessment of an application, the responsible authority may waive, vary or reduce the requirement.

### Requirements of Clause 53.02

An application must meet the requirements of Clause 53.02 unless the application meets all of the requirements specified in a schedule to this overlay. A schedule to this overlay may specify substitute approved measures, additional alternative measures and additional or substitute decision guidelines for the purposes of Clause 53.02.

### Mandatory condition

**Subdivision**

A permit which creates a lot for a single dwelling on land zoned for residential or rural residential purposes must include the following condition:

> “Before the statement of compliance is issued under the Subdivision Act 1988 the owner must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987. The agreement must:

- State that it has been prepared for the purpose of an exemption from a planning permit under Clause 44.06-2 of the [*insert name of applicable planning scheme] Planning Scheme.

- Incorporate the plan prepared in accordance with Clause 53.02-4.4 of this planning scheme and approved under this permit.

- State that if a dwelling is constructed on the land without a planning permit that the bushfire protection measures set out in the plan incorporated into the agreement must be implemented and maintained to the satisfaction of the responsible authority on a continuing basis.

The land owner must pay the reasonable costs of the preparation, execution and registration of the Section 173 Agreement.”
This does not apply:

- If a schedule to this overlay specifies that a Section 173 Agreement is not required.
- Where the relevant fire authority states in writing the preparation of an agreement under Section 173 of the Act is not required for the subdivision.
- For the subdivision of the land into lots each containing an existing dwelling or car parking space.

A permit to subdivide land must include any condition specified in a schedule to this overlay.

Buildings and works

A permit to construct a building or construct or carry out works must include the following condition:

“The bushfire protection measures forming part of this permit or shown on the endorsed plans, including those relating to construction standards, defendable space, water supply and access, must be maintained to the satisfaction of the responsible authority on a continuing basis. This condition continues to have force and effect after the development authorised by this permit has been completed.”

A permit allowing a dwelling to be constructed to the next lower bushfire attack level in accordance with AM1.2 in Clause 53.02-3 must include the following condition:

“Before the development starts, the owner must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 to provide for the following:

- A dwelling constructed in accordance with planning permit [*insert planning permit reference] must not be occupied until a private bushfire shelter (a Class 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.

CASTLEMAINE, CAMPBELLS CREEK, MALDON 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 veranda to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
  - A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- Damage, demolish or remove a building or works.
- Damage, remove, destroy or lop any vegetation. This does not apply:
  - If the vegetation has been planted for pasture, timber production or any other crop.
  - To any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Section 86 of the Electricity Safety Act 1998.
  - If the vegetation presents an immediate risk of personal injury or damage to property.
- Subdivide land.

This does not apply:

- To the acquiring authority for the land if the land has been acquired and any of the above matters for which a permit is required is consistent with the purpose for which the land was acquired.
- To an authority or a municipal council if the responsible authority, after consulting with the acquiring authority for the land, is satisfied that any of the above matters for which a permit is required is consistent with the purpose for which the land is to be acquired.

Exemption from notice and review

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.
Referral of applications
An application must be referred under Section 55 of the Act to the acquiring authority for the land.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect of the proposed use or development on the purpose for which the land is to be acquired as specified in the schedule to this overlay.

A permit granted under this clause may be conditional on:

- The extent of alterations and extensions to an existing building and works, and the materials that may be used.
- The location, dimensions, design and material or a new building or works.
- The demolition, removal or alteration of any buildings or works.
- The demolition or removal of buildings or works constructed or carried out in accordance with a permit under this clause.
- No compensation being payable for the demolition or removal of any buildings or works constructed under the permit.

Land not to be spoiled or wasted
Land must not be spoiled or wasted so as to adversely affect the use of the land for the purpose for which it is to be acquired.

Reservation for public purpose
Any land included in a Public Acquisition Overlay is reserved for a public purpose within the meaning of the Planning and Environment Act 1987, the Land Acquisition and Compensation Act 1986 or any other act.

Acquiring authority
An acquiring authority is the Minister, public authority or municipal council specified in the schedule to this overlay as the acquiring authority for the land.
### SCHEDULE TO CLAUSE 45.01 PUBLIC ACQUISITION OVERLAY

<table>
<thead>
<tr>
<th>PS Map</th>
<th>Acquiring Authority</th>
<th>Purpose of Acquisition</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAO1</td>
<td>Department of Natural Resources and Environment</td>
<td>Public Park</td>
</tr>
<tr>
<td>PAO2</td>
<td>Roads Corporation</td>
<td>Proposed alignment of the new Calder Highway/Freeway</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.
MOUNT ALEXANDER PLANNING SCHEME

45.05
31/07/2018
VC148

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.

45.05-1
19/01/2006
VC37

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.

45.05-2
19/01/2006
VC37

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.

45.05-3
31/07/2018
VC148

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.

45.05-4
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 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.
<table>
<thead>
<tr>
<th>PS Map reference</th>
<th>Land</th>
<th>Title of restructure plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>RO1</td>
<td>Pennyweight Flat</td>
<td>Pennyweight Flat Restructure Plan, June 2009</td>
</tr>
<tr>
<td>RO2</td>
<td>Pollard</td>
<td>Pollard Restructure Plan, July 2013</td>
</tr>
<tr>
<td>RO3</td>
<td>Walmer</td>
<td>Walmer Restructure Plan, July 2013</td>
</tr>
<tr>
<td>RO4</td>
<td>Ravenswood South</td>
<td>Ravenswood South Restructure Plan, July 2013</td>
</tr>
<tr>
<td>RO5</td>
<td>Maldon North (A)</td>
<td>Maldon North (A) Restructure Plan, July 2013</td>
</tr>
<tr>
<td>RO6</td>
<td>Maldon North (B)</td>
<td>Maldon North (B) Restructure Plan, July 2013</td>
</tr>
<tr>
<td>RO7</td>
<td>Gower</td>
<td>Gower Restructure Plan, July 2013</td>
</tr>
<tr>
<td>RO8</td>
<td>Muckleford South</td>
<td>Muckleford South Restructure Plan, July 2013</td>
</tr>
<tr>
<td>RO9</td>
<td>Tarilta</td>
<td>Tarilta Restructure Plan, July 2013</td>
</tr>
</tbody>
</table>
PARTICULAR PROVISIONS

This section sets out Particular Provisions which apply to the matters specified.
SPECIFIC SITES AND EXCLUSIONS

Purpose
To recognise specific controls designed to achieve a particular land use and development outcome existing on the approval date.
To provide in extraordinary circumstances specific controls designed to achieve a particular land use and development outcome.

Use or development
Land identified in the schedule to this clause may be used or developed in accordance with the specific controls contained in the incorporated document corresponding to that land. The specific controls may:

- allow the land to be used or developed in a manner that would otherwise be prohibited or restricted;
- prohibit or restrict the use or development of the land beyond the controls that may otherwise apply;
- exclude any other control in this scheme.

Expiry of a specific control
If a specific control contained in an incorporated document identified in the schedule to this clause allows a particular use or development, that control will expire if any of the following circumstances applies:

- The development and use is not started within two years of the approval date or another date specified in the incorporated document.
- The development is not completed within one year of the date of commencement of works or another date specified in the incorporated document.

The responsible authority may extend the periods referred to if a request is made in writing before the expiry date or within three months afterwards.

Upon expiry of the specific control, the land may be used and developed only in accordance with the provisions of this scheme.
## SCHEDULE TO CLAUSE 51.01 SPECIFIC SITES AND EXCLUSIONS

### Specific sites and exclusions

<table>
<thead>
<tr>
<th>Address of land</th>
<th>Title of incorporated document</th>
</tr>
</thead>
<tbody>
<tr>
<td>9 Halford Street, Castlemaine CA 10A Section 37, Township of Castlemaine</td>
<td>Halford Street Council Offices Development Plan, June 2001</td>
</tr>
<tr>
<td>The Melbourne to Bendigo Railway shown on the project area maps for the Regional Fast Rail Project and the Fibre Optic Project in the incorporated document.</td>
<td>Rail Infrastructure Projects (comprising the Rail Gauge Standardisation Project, the Regional Fast Rail Project and the Fibre Optic Project), December 2002</td>
</tr>
<tr>
<td>Part of Crown Allotments 9, 14, 15, 16, 17 and 19, Section 6, Parish of Faraday, Bubbs Lane, Faraday 193 Harcourt-Sutton Grange Road, Harcourt North 283 McIvor Road, Harcourt North A linear corridor between Johansens Road, Harcourt North and the Coliban Main Channel near Charles Road and Old Calder Highway Harcourt Irrigation Area</td>
<td>Harcourt Modernisation Project Incorporated Document, July 2012</td>
</tr>
<tr>
<td>64 Buntins Road, Elphinstone</td>
<td>64 Buntins Road, Elphinstone, December 2012</td>
</tr>
</tbody>
</table>
EASEMENTS, RESTRICTIONS AND RESERVES

Purpose
To enable the removal and variation of an easement or restriction to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

Permit requirement
A permit is required before a person proceeds:
- Under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement or restriction or vary or remove a condition in the nature of an easement in a Crown grant.
- Under Section 36 of the Subdivision Act 1988 to acquire or remove an easement or remove a right of way.

This does not apply:
- If the action is required or authorised by the schedule to this clause.
- In the circumstances set out in Section 6A(3) of the Planning and Environment Act 1987.
- If the person proceeds under Section 362A of the Land Act 1958.
- In the case of a person proceeding under Section 36 of the Subdivision Act 1988, if the council or a referral authority gives a written statement in accordance with Section 36(1)(a) or (b) of the Subdivision Act 1988.

In this clause, restriction has the same meaning as in the Subdivision Act 1988.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider the interests of affected people.

Note: Section 23 of the Subdivision Act 1988 provides that either the council or the person benefiting from the direction must lodge a certified plan at the Titles Office for registration.
**SCHEDULE TO CLAUSE 52.02**

1. **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>None specified</td>
<td></td>
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</tr>
</tbody>
</table>

2. **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>
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</tr>
</tbody>
</table>

3. **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.
SIGN

Purpose
To regulate the development of land for signs and associated structures.
To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
To ensure signs do not contribute to excessive visual clutter or visual disorder.
To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

Application
This clause applies to the development of land for signs.

Requirements
Sign categories
Clauses 52.05-11 to 52.05-14 specify categories of sign control. The zone provisions specify which category of sign control applies to the zone.
Each category is divided into three sections.
If a sign can be interpreted in more than one way, the most restrictive requirement must be met.

Section 1
A sign in Section 1 of the category may be constructed or put up for display without a permit, but all the conditions opposite the sign must be met. If the conditions are not met, the sign is in Section 2.
Some overlays require a permit for Section 1 signs.

Section 2
A permit is required to construct or put up for display a sign in Section 2.
This does not apply to a sign specified in Clause 52.05-10.
All the conditions opposite the sign must be met. If the conditions are not met, the sign is prohibited.

Section 3
A sign in Section 3 is prohibited and must not be constructed or put up for display.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or put up for display a sign in an industrial zone, commercial zone, Special Use Zone, Comprehensive Development Zone, Docklands Zone, Priority Development Zone or Activity Centre Zone if:</td>
<td>Clause 59.09</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>
### Class of application

- The sign is not a pole sign, a sky sign, a reflective sign, internally illuminated sign, floodlit sign, electronic sign or animated sign.
- The display area of the sign does not exceed 10 square metres.

### Referral of applications

An application to construct or put up for display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the *Road Management Act 2004* must be referred in accordance with section 55 of the Act to the referral authority specified in Clause 66.03 or a schedule to that clause.

### Expiry of permits

A permit for a sign other than a major promotion sign expires on the date specified in the permit. If no date is specified, the expiry date is 15 years from the date of issue of the permit.

### Existing signs

A sign that was lawfully displayed on the approval date or that was being constructed or put up for display on that date may be displayed or continue to be displayed and may be repaired and maintained.

The content of a lawfully displayed sign may be renewed or replaced. However, a permit is required if:

- The display area is to be increased.
- The renewal or replacement would result in a different type of sign.

A major promotion sign displayed in accordance with a permit granted between 19 September 1995 and 18 September 1997 may continue to be displayed:

- until 31 December 2008; or
- where a permit application seeking permission to display the sign is lodged before 31 December 2008, until the permit application is finally determined.

### Application requirements

An application must be accompanied by the following information, as appropriate:

#### Site context

- A site context report, using a site plan, photographs or other methods to accurately describe:
  - The location of the proposed sign on the site or building and distance from property boundaries.
  - The location and size of existing signage on the site including details of any signs to be retained or removed.
  - The location and form of existing signage on abutting properties and in the locality.
  - The location of closest traffic control signs.
  - Identification of any view lines or vistas that could be affected by the proposed sign.
**Sign details**

- The location, dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width, depth of the total sign structure including method of support and any associated structures such as safety devices and service platforms.
- Details of associated on-site works.
- Details of any form of illumination, including details of baffles and the times at which the sign would be illuminated.
- The colour, lettering style and materials of the proposed sign.
- The size of the display (total display area, including all sides of a multi-sided sign).
- The location of any logo box and proportion of display area occupied by such a logo box.
- For animated or electronic signs, a report addressing the decision guidelines at Clause 52.05-8 relating to road safety.
- Any landscaping details.

**Signs with a display area of 18 square metres or more**

- For a sign with a display area of 18 square metres or more:
  - A description of the existing character of the area including built form and landscapes.
  - The location of any other signs over 18 square metres, or scrolling, electronic or animated signs within 200 metres of the site.
  - Any existing identifiable advertising theme in the area.
  - Photo montages or a streetscape perspective of the proposed sign.
  - Level of illumination including:
    - Lux levels for any sign on or within 60 metres of a Road Zone or a residential zone or public land zone.
    - The dwell and change time for any non-static images.
  - The relationship to any significant or prominent views and vistas.

**Exemption from notice and review**

An application for a sign is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act provided the sign:

- Is to be constructed or displayed on land specified in the schedule to this clause.
- Meets any condition specified in the schedule to this clause.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**All signs**

- The character of the area including:
  - The sensitivity of the area in terms of the natural environment, heritage values, waterways and open space, rural landscape or residential character.
- The compatibility of the proposed sign with the existing or desired future character of the area in which it is proposed to be located.
- The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of signs.
- The consistency with any identifiable outdoor advertising theme in the area.

- Impacts on views and vistas:
  - The potential to obscure or compromise important views from the public realm.
  - The potential to dominate the skyline.
  - The potential to impact on the quality of significant public views.
  - The potential to impede views to existing signs.

- The relationship to the streetscape, setting or landscape:
  - The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.
  - The position of the sign, including the extent to which it protrudes above existing buildings or landscape and natural elements.
  - The ability to screen unsightly built or other elements.
  - The ability to reduce the number of signs by rationalising or simplifying signs.
  - The ability to include landscaping to reduce the visual impact of parts of the sign structure.

- The relationship to the site and building:
  - The scale and form of the sign relative to the scale, proportion and any other significant characteristics of the host site and host building.
  - The extent to which the sign displays innovation relative to the host site and host building.
  - The extent to which the sign requires the removal of vegetation or includes new landscaping.

- The impact of structures associated with the sign:
  - The extent to which associated structures integrate with the sign.
  - The potential of associated structures to impact any important or significant features of the building, site, streetscape, setting or landscape, views and vistas or area.

- The impact of any illumination:
  - The impact of glare and illumination on the safety of pedestrians and vehicles.
  - The impact of illumination on the amenity of nearby residents and the amenity of the area.
  - The potential to control illumination temporarily or in terms of intensity.

- The impact of any logo box associated with the sign:
  - The extent to which the logo box forms an integral part of the sign through its position, lighting and any structures used to attach the logo box to the sign.
  - The suitability of the size of the logo box in relation to its identification purpose and the size of the sign.

- The need for identification and the opportunities for adequate identification on the site or locality.

- The impact on road safety. A sign is a safety hazard if the sign:
- Obstructs a driver’s line of sight at an intersection, curve or point of egress from an adjacent property.

- Obstructs a driver’s view of a traffic control device, or is likely to create a confusing or dominating background that may reduce the clarity or effectiveness of a traffic control device.

- Could dazzle or distract drivers due to its size, design or colouring, or it being illuminated, reflective, animated or flashing.

- Is at a location where particular concentration is required, such as a high pedestrian volume intersection.

- Is likely to be mistaken for a traffic control device, because it contains red, green or yellow lighting, or has red circles, octagons, crosses, triangles or arrows.

- Requires close study from a moving or stationary vehicle in a location where the vehicle would be unprotected from passing traffic.

- Invites drivers to turn where there is fast moving traffic or the sign is so close to the turning point that there is no time to signal and turn safely.

- Is within 100 metres of a rural railway crossing.

- Has insufficient clearance from vehicles on the carriageway.

- Could mislead drivers or be mistaken as an instruction to drivers.

**Major promotion signs**

- The effect of the proposed major promotion sign on:
  - Significant streetscapes, buildings and skylines.
  - The visual appearance of a significant view corridor, viewline, gateway location or landmark site identified in a framework plan or local policy.
  - Residential areas and heritage places.
  - Open space and waterways.

- When determining the effect of a proposed major promotion sign, the following locational principles must be taken into account:
  - Major promotion signs are encouraged in commercial and industrial locations in a manner that complements or enhances the character of the area.
  - Major promotion signs are discouraged along forest and tourist roads, scenic routes or landscaped sections of freeways.
  - Major promotion signs are discouraged within open space reserves or corridors and around waterways.
  - Major promotion signs are discouraged where they will form a dominant visual element from residential areas, within a heritage place or where they will obstruct significant viewlines.
  - In areas with a strong built form character, major promotion signs are encouraged only where they are not a dominant element in the streetscape and except for transparent feature signs (such as neon signs), are discouraged from being erected on the roof of a building.
Mandatory conditions

All signs

A permit for a sign that includes an expiry date must include a condition that provides that on expiry of the permit the sign and structures built specifically to support and illuminate it must be removed.

Major promotion signs

A permit for a major promotion sign must include conditions that specify:

- That the sign must not:
  - Dazzle or distract drivers due to its colouring.
  - Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.
  - Be able to be mistaken as an instruction to drivers.

- An expiry date that is 15 years from the date the permit is issued unless otherwise specified in this clause. This does not apply to a permit for major promotion sign for a special event or temporary building shrouding.

A permit for a major promotion sign may specify an expiry date other than 15 years, but the date must not be less than 10 years or more than 25 years from the date the permit is issued. Before deciding to alter the specified expiry date of 15 years, the responsible authority must consider, as appropriate:

- The purpose of the sign.
- The existing or desired character of the area.
- The Municipal Planning Strategy and the Planning Policy Framework in terms of the extent to which the proposed sign is consistent with any relevant policy direction and the extent to which the area may be expected to change over time.
- The extent to which the signage is physically and visually integrated into the architecture of the building.

Signs not requiring a permit

Despite any provision in a zone, overlay, or other particular provision of this scheme, a permit is not required to construct or put up for display any of the following signs:

- A sign identifying the functions or property of a government department, public authority or municipal council, but not a promotion sign displayed at the direction of any of these bodies.
- A sign controlling traffic on a public road, railway, tramway, water or in the air, provided it is displayed at the direction of a government department, public authority or municipal council.
- A sign at a hospital that gives direction to emergency facilities.
- A sign in a road reserve that gives direction or guidance about a tourist attraction, service or facility of interest to road users. The sign must be displayed to the satisfaction of the road authority.
- A sign required by statute or regulation, provided it is strictly in accordance with the requirement.
- A sign at a railway station or bus terminal that provides information or direction for people using the station or terminal.
- A sign on a showground, on a motor racing track or on a major sports and recreation facility, provided the sign’s display cannot be seen from nearby land.
A sign with a display area not exceeding 1 square metre to each premises that provides information about a place of worship. It must not be an animated or internally illuminated sign.

A sign inside a building that cannot generally be seen outside.

A sign with a display area not exceeding 2 square metres concerning construction work on the land. Only one sign may be displayed, it must not be an animated or internally illuminated sign and it must be removed when the work is completed.

A sign with a display area not exceeding 5 square metres publicising a local educational, cultural, political, religious, social or recreational event not held for commercial purposes. Only one sign may be displayed on the land, it must not be an animated or internally illuminated sign and it must not be displayed longer than 14 days after the event is held or 3 months, whichever is sooner. A sign publicising a local political event may include information about a candidate for an election.

A sign publicising a special event on the land or in the building on which it is displayed, provided no more than 8 signs are displayed in a calendar year and the total number of days the signs are displayed does not exceed 28 in that calendar year. The sign must be removed when the event is finished.

A sign with a display area not exceeding 2 square metres publicising the sale of goods or livestock on the land or in the building on which it is displayed, provided the land or building is not normally used for that purpose. Only one sign may be displayed, it must not be an animated or internally illuminated sign and it must not be displayed longer than 3 months without a permit.

A sign with an display area not exceeding 10 square metres publicising the sale or letting of the property on which it is displayed. Only one sign may be displayed, it must not be an animated sign and it must not be displayed longer than 7 days after the sale date. A permit may be granted for:
- The display area to exceed 10 square metres if the sign concerns more than 20 lots.
- The sign to be displayed on land excised from the subdivision and transferred to the municipal council.
- The sign to be displayed longer than 7 days after the sale date.

No permit is required to fly the Australian flag or to display the flag on a building, painted or otherwise represented, provided it is correctly dimensioned and coloured in accordance with the Flags Act 1953.

### Category 1 - Commercial areas

Minimum limitation

#### Purpose

To provide for identification and promotion signs and signs that add vitality and colour to commercial areas.

#### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>The total display area of all signs to each premises must not exceed 8 sqm. This does not include a sign with a display area not exceeding 1.5 sqm that is below a verandah or, if no verandah, that is less than 3.7 m above pavement level.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td></td>
</tr>
<tr>
<td>Home based business sign</td>
<td></td>
</tr>
<tr>
<td>Promotion sign</td>
<td></td>
</tr>
</tbody>
</table>
### Sign Conditions

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direction sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>The total display area to each premises must not exceed 1.5 sqm.</td>
</tr>
<tr>
<td></td>
<td>No part of the sign may be above a verandah or, if no verandah,</td>
</tr>
<tr>
<td></td>
<td>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</td>
</tr>
<tr>
<td></td>
<td>traffic lights.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Section 1</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Category 2 - Office and industrial

#### Low limitation

**Purpose**

To provide for adequate identification signs and signs that are appropriate to office and industrial areas.

### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>The total display area of all signs to each premises must not exceed 8 sqm.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td>This does not include a direction sign.</td>
</tr>
<tr>
<td>Home based business sign</td>
<td></td>
</tr>
<tr>
<td>Pole sign</td>
<td></td>
</tr>
<tr>
<td>Direction sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>The display area must not exceed 1.5 sqm.</td>
</tr>
<tr>
<td></td>
<td>The sign must be more than 30 m from a residential zone or pedestrian or</td>
</tr>
<tr>
<td></td>
<td>traffic lights.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Section 1</td>
<td>None specified</td>
</tr>
</tbody>
</table>
Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Category 3 - High amenity areas

Medium limitation

Purpose
To ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area.

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td>Home based business sign</td>
<td>The display area must not exceed 0.2 sqm.</td>
</tr>
<tr>
<td>Direction sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Above-verandah sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Business identification sign</td>
<td></td>
</tr>
<tr>
<td>Electronic sign</td>
<td>The display area must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>None specified</td>
</tr>
<tr>
<td>High-wall sign</td>
<td>Must be a business logo or street number.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Pole sign</td>
<td></td>
</tr>
<tr>
<td>Promotion sign</td>
<td>The display area must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Reflective sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Sections 1 or 2</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Category 4 - Sensitive areas

Maximum limitation

Purpose
To provide for unobtrusive signs in areas requiring strong amenity control.
Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td>Home based business sign</td>
<td>The display area must not exceed 0.2 sqm.</td>
</tr>
<tr>
<td>Direction sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business identification sign</td>
<td>The total display area to each premises must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Sections 1 or 2</td>
<td>None specified</td>
</tr>
<tr>
<td>Land</td>
<td>Conditions</td>
</tr>
<tr>
<td>--------------</td>
<td>------------</td>
</tr>
<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>3.5</td>
</tr>
<tr>
<td>Use</td>
<td>Rate Column A</td>
<td>Rate Column B</td>
<td>Car Parking Measure</td>
</tr>
<tr>
<td>---------------------------------------------------------------------</td>
<td>---------------</td>
<td>---------------</td>
<td>-------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Convenience shop if the leasable floor area exceeds 80 sq m</td>
<td>10</td>
<td>3.5</td>
<td>To each premises</td>
</tr>
<tr>
<td>Display home centre</td>
<td>5</td>
<td>2</td>
<td>To each dwelling for five or fewer contiguous dwellings, plus</td>
</tr>
<tr>
<td></td>
<td></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, other than listed in this table</td>
<td>1.5</td>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Fuel depot</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Funeral Parlour</td>
<td>0.3</td>
<td>0.3</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Gambling premises other than listed in this table</td>
<td>0.4</td>
<td>3.5</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Golf course</td>
<td>4</td>
<td>4</td>
<td>To each hole plus 50 per cent of the relevant requirement of any ancillary uses.</td>
</tr>
<tr>
<td>Home based business</td>
<td>1</td>
<td>0</td>
<td>To each employee not a resident of the dwelling</td>
</tr>
<tr>
<td>Hotel</td>
<td>0.4</td>
<td>3.5</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Industry other than listed in this table</td>
<td>2.9</td>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Mail centre</td>
<td>3.5</td>
<td>3</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Market</td>
<td>8</td>
<td>3.5</td>
<td>To each 100 sq m of site area</td>
</tr>
<tr>
<td>Materials recycling</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Medical centre</td>
<td>5</td>
<td>3</td>
<td>To the first person providing health services plus</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.5</td>
<td>To every other person providing health services</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>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>3</td>
<td>To every other person providing animal health services</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Warehouse other than listed in this table</td>
<td>2</td>
<td>2</td>
<td>To each premises plus</td>
</tr>
<tr>
<td></td>
<td>1.5</td>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Winery</td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
</tbody>
</table>

**Number of car parking spaces required for other uses**

Where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority. This does not apply to the use of land for a temporary portable land sales office located on the land for sale.

**Application requirements and decision guidelines for permit applications**

For applications to reduce the car parking requirement

An application to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed:

- new use; or
- increase in the floor areas or site area of the existing use; or
- increase to the existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
- The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
- Any empirical assessment or case study.

Before granting a permit to reduce the number of spaces, the responsible authority must consider the following, as appropriate:

- The Car Parking Demand Assessment.
- Any relevant local planning policy or incorporated plan.
- The availability of alternative car parking in the locality of the land, including:
  - Efficiencies gained from the consolidation of shared car parking spaces.
  - Public car parks intended to serve the land.
  - On street parking in non residential zones.
  - Streets in residential zones specifically managed for non-residential parking.
- On street parking in residential zones in the locality of the land that is intended to be for residential use.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- Any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre.
- The future growth and development of any nearby activity centre.
- Any car parking deficiency associated with the existing use of the land.
- Any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.
- Local traffic management in the locality of the land.
- The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.
- The need to create safe, functional and attractive parking areas.
- Access to or provision of alternative transport modes to and from the land.
- The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.
- The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.
- Any other matter specified in a schedule to the Parking Overlay.
- Any other relevant consideration.
For applications to allow some or all of the required car parking spaces to be provided on another site

Before granting a permit to allow some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay to be provided on another site, the responsible authority must consider the following, as appropriate:

- The proximity of the car parking on the alternate site to the subject site.
- The likelihood of the long term provision and availability of the car parking spaces.
- Whether the location of the car parking spaces is consistent with any relevant local policy or incorporated plan.
- Any other matter specified in a schedule to the Parking Overlay.

For applications to provide more than the maximum parking provision specified in a schedule to the Parking Overlay

An application to provide more than the maximum parking provision specified in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed use or increase to the existing use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
- The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
- Any empirical assessment or case study.

Requirement for a car parking plan

Plans must be prepared to the satisfaction of the responsible authority before any of the following occurs:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The plans must show, as appropriate:

- All car parking spaces that are proposed to be provided (whether on the land or on other land).
- Access lanes, driveways and associated works.
- Allocation of car parking spaces to different uses or tenancies, if applicable.
- Any landscaping and water sensitive urban design treatments.
- Finished levels, if required by the responsible authority.
Any other matter specified in a schedule to the Parking Overlay.

Plans must be provided to the responsible authority under Clause 52.06-8 wherever Clause 52.06 applies, whether or not a permit application is being made under Clause 52.06-3 or any other provision of the planning scheme.

Where an application is being made for a permit under Clause 52.06-3 or another provision of the planning scheme, the information required under Clause 52.06-8 may be included in other plans submitted with the application.

Clause 52.06-8 does not apply where no car parking spaces are proposed to be provided.

Design standards for car parking

Plans prepared in accordance with Clause 52.06-8 must meet the design standards of Clause 52.06-9, unless the responsible authority agrees otherwise.

Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

Design standard 1 – Accessways

Accessways must:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.
- If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed so that cars can exit the site in a forward direction.
- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Road Zone.
- Have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

If an accessway to four or more car parking spaces is from land in a Road Zone, the access to the car spaces must be at least 6 metres from the road carriageway.

If entry to the car space is from a road, the width of the accessway may include the road.

Design standard 2 – Car parking spaces

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.

Table 2: Minimum dimensions of car parking spaces and accessways

<table>
<thead>
<tr>
<th>Angle of car parking spaces to access way</th>
<th>Accessway width</th>
<th>Car space width</th>
<th>Car space length</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parallel</td>
<td>3.6 m</td>
<td>2.3 m</td>
<td>6.7 m</td>
</tr>
<tr>
<td>45º</td>
<td>3.5 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td>Angle of car parking spaces to access way</td>
<td>Accessway width</td>
<td>Car space width</td>
<td>Car space length</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>----------------</td>
<td>----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>60°</td>
<td>4.9 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td>90°</td>
<td>6.4 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>5.8 m</td>
<td>2.8 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>5.2 m</td>
<td>3.0 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>4.8 m</td>
<td>3.2 m</td>
<td>4.9 m</td>
</tr>
</tbody>
</table>

Note to Table 2: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked ‘clearance required’ on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked ‘tree or column permitted’ on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

Diagram 1 Clearance to car parking spaces

Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.

Where parking spaces are provided in tandem (one space behind the other) an additional 500 mm in length must be provided between each space.

Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500 mm.
Design standard 3: Gradients

Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

Table 3: Ramp gradients

<table>
<thead>
<tr>
<th>Type of car park</th>
<th>Length of ramp</th>
<th>Maximum grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public car parks</td>
<td>20 metres or less</td>
<td>1:5 (20%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:6 (16.7%)</td>
</tr>
<tr>
<td>Private or residential car parks</td>
<td>20 metres or less</td>
<td>1:4 (25%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:5 (20%)</td>
</tr>
</tbody>
</table>

Where the difference in grade between two sections of ramp or floor is greater that 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

Design standard 4: Mechanical parking

Mechanical parking may be used to meet the car parking requirement provided:

- At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle height of at least 1.8 metres.
- Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

Design standard 5: Urban design

Ground level car parking, garage doors and accessways must not visually dominate public space.

Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.

Design of car parks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

Design standard 6: Safety

Car parking must be well lit and clearly signed.

The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to car parking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.
Design standard 7: Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

Decision guidelines

Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

- The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.
- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.
- The amenity of the locality and any increased noise or disturbance to dwellings and the amenity of pedestrians.
- The workability and allocation of spaces of any mechanical parking arrangement.
- The design and construction standards proposed for paving, drainage, line marking, signage, lighting and other relevant matters.
- The type and size of vehicle likely to use the parking area.
- Whether the layout of car parking spaces and access lanes is consistent with the specific standards or an appropriate variation.
- The need for the required car parking spaces to adjoin the premises used by the occupier/s, if the land is used by more than one occupier.
- Whether the layout of car spaces and accessways are consistent with Australian Standards AS2890.1-2004 (off street) and AS2890.6-2009 (disabled).
- The relevant standards of Clauses 56.06-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 for residential developments with accessways longer than 60 metres or serving 16 or more dwellings.
- Any other matter specified in a schedule to the Parking Overlay.

Construction of car parking

Where a plan is required under Clause 52.06-8, the car parking spaces, access lanes, driveways and associated works and landscaping shown on the plan must be:

- constructed and available for use in accordance with the plan approved by the responsible authority; and
- formed to such levels and drained so that they can be used in accordance with the plan; and
- treated with an all-weather seal or some other durable surface; and
- line-marked or provided with some other adequate means of showing the car parking spaces, before any of the following occurs:
  - the new use commences; or
  - the floor area or site area of the existing use is increased; or
  - the existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.
EARTH AND ENERGY RESOURCES INDUSTRY

Purpose

To encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards.

To ensure that mineral extraction, geothermal energy extraction, greenhouse gas sequestration, and petroleum extraction are not prohibited land uses.

To ensure that planning controls for the use and development of land for 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>Complies with Section 43(3) of the Mineral Resources (Sustainable Development) Act 1990.</td>
</tr>
<tr>
<td>Mineral extraction</td>
</tr>
<tr>
<td>Complies with Section 42(7) or Section 42A Mineral Resources (Sustainable Development) Act 1990; or</td>
</tr>
<tr>
<td>Complies with Section 47A of the Electricity Industry Act 1993.</td>
</tr>
<tr>
<td>Stone exploration</td>
</tr>
<tr>
<td>Must not be costeaming or bulk sampling.</td>
</tr>
<tr>
<td>Stone extraction</td>
</tr>
<tr>
<td>Complies with Section 77T of the Mineral Resources (Sustainable Development) Act 1990.</td>
</tr>
<tr>
<td>Greenhouse gas sequestration exploration</td>
</tr>
<tr>
<td>Greenhouse gas sequestration</td>
</tr>
<tr>
<td>Geothermal energy exploration</td>
</tr>
<tr>
<td>Complies with the Geothermal Energy Resources Act 2005.</td>
</tr>
<tr>
<td>Geothermal energy extraction</td>
</tr>
<tr>
<td>Petroleum exploration</td>
</tr>
<tr>
<td>Complies with Section 118 of the Petroleum Act 1998.</td>
</tr>
<tr>
<td>Petroleum extraction</td>
</tr>
<tr>
<td>Complies with Section 120 of the Petroleum Act 1998.</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.
52.10 [NO CONTENT]
HOME BASED BUSINESS

Purpose
To ensure that the amenity of the neighbourhood is not adversely affected by a business conducted in or from a dwelling.

Requirements to be met
A home based business must meet the following requirements:

- The person conducting the home based business must use the dwelling as their principal place of residence.
- No more than two persons who does not live in the dwelling may work in the home based business at any one time.
- The net floor area used in conducting the business including the storage of any materials or goods must not exceed 100 square metres or one-third of the net floor area of the dwelling, whichever is the lesser. The net floor area includes out-buildings and works normal to a dwelling.
- The business must not impose a load on any utility greater than normally required for domestic use.
- The business must not adversely affect the amenity of the neighbourhood in any way including:
  - The appearance of any building, works or materials used.
  - The parking of motor vehicles.
  - The transporting of materials or goods to or from the dwelling.
  - The hours of operation.
  - Electrical interference.
  - The storage of chemicals, gasses or other hazardous materials.
  - Emissions from the site.
- No motor vehicle may be adjusted, modified, serviced or repaired for gain.
- Only one commercial vehicle (a commercial goods vehicle, commercial passenger vehicle or tow truck within the meaning of the Transport Act 1983), not exceeding 2 tonnes capacity and with or without a trailer registered to a resident of the dwelling may be present at any time. The vehicle must not be fuelled or repaired on the site.
- No goods other than goods manufactured or serviced in the home based business may be offered for sale. This requirement does not apply to goods offered for sale online.
- Materials used or goods manufactured, serviced or repaired in the home based business must be stored within a building.
- No goods manufactured, serviced or repaired may be displayed so that they are visible from outside the site.
- Any goods offered for sale online must not be collected from the dwelling.

Permit requirement
Despite the requirements of Clause 52.11-1, a permit may be granted for a home occupation:

- Which allows no more than three people who do not live in the dwelling to work in the occupation at any one time; or
- Which has a floor area not exceeding 200 square metres or one-third of the net floor area of the dwelling, whichever is the lesser.
Which allows no more than one additional commercial vehicle (a commercial goods vehicle, commercial passenger vehicle or tow truck within the meaning of the Transport Act 1983), not exceeding two tonnes capacity and with or without a trailer registered to a resident of the dwelling, to be present at any time.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether there is a need for additional parking or loading facilities.
- The effect of any vehicle parking, storage or washing facilities on the amenity and character of the street.
- Whether the site is suitable for the particular home based business and is compatible with the surrounding use and development.
- Whether there is a need for landscaping to screen any outbuildings or car parking or loading areas or any other area relating to the home based business.
BUSHFIRE PROTECTION: EXEMPTIONS

Exemption to create defendable space around buildings used for accommodation

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to:

- The removal, destruction or lopping of any vegetation within 10 metres of an existing building used for accommodation that was:
  - constructed before 10 September 2009; or
  - approved by a permit issued under this scheme before 10 September 2009; or
  - approved by a building permit issued under the Building Act 1993 before 10 September 2009; or
  - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.

This does not apply to land covered by the Banyule, Bayside, Boroondara, Brimbank, Darebin, Glen Eira, Greater Dandenong, Hobsons Bay, Kingston, Knox, Maribyrnong, Maroondah, Melbourne, Monash, Moonee Valley, Moreland, Port of Melbourne, Port Phillip, Stonnington, Whitehorse and Yarra planning schemes unless the land is included in a Bushfire Management Overlay or is specified in a schedule to this clause.

- The removal, destruction or lopping of any vegetation, except trees, within 30 metres of an existing building used for accommodation that was:
  - constructed before 10 September 2009; or
  - approved by a permit issued under this scheme before 10 September 2009; or
  - approved by a building permit issued under the Building Act 1993 before 10 September 2009; or
  - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.

This does not apply to land covered by the Banyule, Bayside, Boroondara, Brimbank, Darebin, Glen Eira, Greater Dandenong, Hobsons Bay, Kingston, Knox, Maribyrnong, Maroondah, Melbourne, Monash, Moonee Valley, Moreland, Port of Melbourne, Port Phillip, Stonnington, Whitehorse and Yarra planning schemes unless the land is specified in a schedule to this clause.

- The removal, destruction or lopping of any vegetation, except trees, within 50 metres of an existing building used for accommodation where land is within the Bushfire Management Overlay and where the existing building was:
  - constructed before 10 September 2009 or lawfully erected before 18 November 2011 without the need for a planning permit; or
  - approved by a permit issued under this scheme before 10 September 2009 and erected before 18 November 2011; or
  - approved by a building permit issued under the Building Act 1993 before 10 September 2009 and erected before 18 November 2011; or
  - constructed to replace a dwelling or dependent persons unit that was damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009.
Exemption for vegetation removal along a fenceline

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to:

- The removal, destruction or lopping of any vegetation for a combined maximum width of 4 metres either side of an existing fence on a boundary between properties in different ownership that was constructed before 10 September 2009.

This does not apply to land covered by the Banyule, Bayside, Boroondara, Brimbank, Darebin, Glen Eira, Greater Dandenong, Hobsons Bay, Kingston, Knox, Maribyrnong, Maroondah, Melbourne, Monash, Moonee Valley, Moreland, Port of Melbourne, Port Phillip, Stonnington, Whitehorse and Yarra planning schemes unless the land is included in a Bushfire Management Overlay.

Exemption for buildings and works associated with a community fire refuge

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works does not apply to modifying an existing building to create a community fire refuge in accordance with Ministerial Direction No. 4, Construction Requirements for a Community Fire Refuge (1 August 2012).

Exemption for buildings and works associated with a private bushfire shelter

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works does not apply to buildings and works associated with a private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2006), provided the total area of all buildings and works does not exceed 30 square metres.

This clause does not apply to land in the Urban Floodway Zone, Erosion Management Overlay, Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Heritage Overlay.

Exemption to create defendable space for a dwelling approved under Clause 44.06 of this planning scheme

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to the removal, destruction or lopping of vegetation to construct a dwelling and create its defendable space if all of the following requirements are met:

- Land is in the Bushfire Management Overlay.

- Land is in the General Residential Zone, Residential Growth Zone, Neighbourhood Residential Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone, Rural Living Zone, Farming Zone or Rural Activity Zone.

- The removal, destruction or lopping of vegetation:
  - Does not exceed the distance specified in Table 1 to Clause 53.02-3 of this planning scheme, based on the bushfire attack level determined by a relevant building surveyor in deciding an application for a building permit under the Building Act 1993 for a dwelling or alteration or extension to the dwelling; or
Is required to be undertaken by a condition in a planning permit issued after 31 July 2014 under Clause 44.06 of this scheme for a dwelling or an alteration or extension to the dwelling.
SCHEDULE TO CLAUSE 52.12 BUSHFIRE PROTECTION: EXEMPTIONS

1.0

Exemptions for vegetation removal

<table>
<thead>
<tr>
<th>Land</th>
<th>None specified</th>
</tr>
</thead>
</table>
2009 BUSHFIRE - RECOVERY EXEMPTIONS

Purpose
To support recovery operations following the 2009 Victorian bushfires.

Scope
This clause applies to a use or development specified in Clause 52.13-3 carried out for the purposes of recovery from a bushfire that occurred after 1 January 2009.

Exemptions from planning scheme requirements
Any requirement of the scheme to obtain a permit or any provision in the scheme which prohibits the use or development of land or requires the use or development of land to be carried out in a particular manner does not apply to a use or development specified in Clause 52.13-3 provided the following requirements are met:

- Works must only be constructed or carried out for bushfire recovery or in association with the construction of a building under this provision to be used for temporary accommodation.

- A building constructed under this provision must only be used:
  - To provide temporary accommodation for a person or persons whose normal place of residence was damaged or destroyed by bushfire; or
  - For a use that is directly associated with bushfire recovery.

- A building constructed under this provision to be used for temporary accommodation must be located on the same lot as a building used for accommodation that was damaged or destroyed by bushfire unless the building is being constructed by or on behalf of a municipality, the Victorian Bushfire Reconstruction and Recovery Authority or other public authority.

- The construction of a building or the construction or carrying out of works must be completed prior to 31 March 2011.

- Native vegetation must only be removed, destroyed or lopped:
  - To provide access to, make safe or remove building and demolition rubble from a property; or
  - To enable emergency and bushfire recovery works undertaken by or on behalf of a municipality, the Victorian Bushfire Reconstruction and Recovery Authority, other public authority or a utility service provider in the exercise of any power conferred on them under any Act.

- Native vegetation must not be removed, destroyed or lopped after 31 March 2011.

- Any sign displayed must be directly associated with bushfire recovery.

- Any sign displayed must be removed prior to 31 March 2011.

Use and development
The requirements of Clause 52.13-2 apply to the following types of development:

- Demolition or removal of a building.
- Construction of a building.
- Construction or carrying out of works.
- Removal, destruction or lopping of vegetation.
- Display of a sign.
The requirements of Clause 52.13-2 apply to the following uses:

- Temporary accommodation.
- Any use directly associated with bushfire recovery.

### Land in a Heritage Overlay

For land within a Heritage Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to:

- Demolishing or removing a building;
- Externally altering a building by structural work;
- Internally altering a building if the schedule to the Heritage Overlay identifies the heritage place as one where internal alteration controls apply;
- Carrying out works, repairs and routine maintenance which change the appearance of a heritage place or which are not undertaken to the same details, specifications and materials; or
- Removing, destroying or lopping a tree if the schedule to the Heritage Overlay identifies the heritage place as one where tree controls apply.

### Land in a Land Management Overlay

For land within a Floodway Overlay, Land Subject to Inundation Overlay or Special Building Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to constructing a building or constructing and carrying out works.

For land within an Erosion Management Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to:

- Constructing a building or constructing and carrying out works; or
- Removing, destroying or lopping vegetation.

### Land in an Environmental Audit Overlay

For land within an Environmental Audit Overlay, in addition to the requirements specified in Clause 52.13-2, the written authorisation of the responsible authority must be obtained prior to commencing a sensitive use (residential use, child care centre, pre school centre or primary school).

### Cessation of use

A use must not continue after 30 September 2019 unless in accordance with the requirements of this scheme.

A building must not be used after 30 September 2019 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>
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<tr>
<td><strong>Agriculture</strong></td>
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<td><strong>Public land management</strong></td>
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<td><strong>General</strong></td>
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</table>

Application requirements
An application to use or develop land for a heliport or a helicopter landing site must be accompanied by the following information, as appropriate:

- A site plan, including:
  - Site boundaries and dimensions.
  - The current land use.
  - The existing siting and layout of buildings and works.
  - The proposed siting and layout of buildings and works.
  - Existing vegetation and proposed vegetation removal.
Vehicle and pedestrian access.

An application to use land for a heliport or a helicopter landing site must be accompanied by the following information:

- A location plan, including:
  - The siting and use of buildings on adjacent properties.
  - The direction and distance to any building used for a sensitive use (accommodation, child care centre, education centre and hospital) that is not associated with the helicopter operation and is located within 500 metres of the proposed heliport or helicopter landing site.

- A written report which:
  - Demonstrates a suitable separation distance between the landing point of a heliport or helicopter landing site and any building used for a sensitive use that is not associated with the helicopter operation by either:
    - Locating the proposed heliport or helicopter landing site at least 150 metres for helicopters of less than 2 tonnes all-up weight, or 250 metres for helicopters of less than 15 tonnes all-up weight, or
    - Providing an acoustic report by a suitably qualified consultant.
  - Includes details of the proposed frequency of flight movements.
  - Includes the proposed hours of operation.

**Decision guidelines**

Before deciding on an application to use land for a heliport or a helicopter landing site, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposal achieves a suitable separation distance from a nearby sensitive use, having regard to the Noise Control Guidelines (Environment Protection Authority, 2008).

- The effect of the proposal on nearby sensitive uses in terms of the proposed frequency of flight movements and hours of operation.
NATIVE VEGETATION PRECINCT PLAN

Purpose

To provide for the protection, management and removal of native vegetation through the use of a native vegetation precinct plan incorporated into this scheme.

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the *Guidelines for the removal, destruction or lopping of native vegetation* (Department of Environment, Land, Water and Planning, 2017) (the *Guidelines*):

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

Application

This clause applies to land if a native vegetation precinct plan corresponding to that land is incorporated into this scheme and listed in the schedule to this clause.

Native vegetation precinct plans

A native vegetation precinct plan is a plan relating to native vegetation within a defined area which is incorporated into this scheme and listed in the schedule to this clause.

A native vegetation precinct plan may form part of a more general strategic or precinct structure plan.

A native vegetation precinct plan must include the information and provide for the matters set out in section 10.1 of the *Guidelines*.

Permit requirement

A permit is required to remove, destroy or lop any native vegetation, including dead native vegetation. This does not apply:

- If the removal, destruction or lopping of native vegetation is in accordance with a native vegetation precinct plan incorporated into this scheme. Any conditions or requirements specified in the plan must be met.
- To the removal, destruction or lopping of native vegetation specified in the table to Clause 52.16-8, unless a native vegetation precinct plan specifies otherwise.

Application requirements

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the *Guidelines*.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines at Clause 65, the responsible authority must consider the decision guidelines specified in the *Guidelines* as appropriate.
Offset requirements

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset in accordance with the Guidelines. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and timing to secure the offset.

Transitional provisions

The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
  - the original permit application was lodged before that date; or
  - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department of Environment, Land, Water and Planning’s native vegetation information systems within 12 months before that date.

Table of exemptions

The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Conservation work</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of conservation work:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• which provides an overall improvement for biodiversity; and</td>
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<tr>
<td></td>
<td>• with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Crown land</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land:</td>
</tr>
<tr>
<td></td>
<td>• by or on behalf of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987), or Parks Victoria, and in accordance with the Procedure for the removal, destruction or lopping of native vegetation on Crown land; or</td>
</tr>
<tr>
<td></td>
<td>• with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Emergency works</td>
<td>Native vegetation that is to be removed, destroyed or lopped:</td>
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<tr>
<td></td>
<td>• in an emergency by or on behalf of a public authority or municipal council to create an emergency access associated with emergency works; or</td>
</tr>
<tr>
<td></td>
<td>• where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
<tr>
<td>Fire protection</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out any of the following fire protection activities:</td>
</tr>
<tr>
<td></td>
<td>• fire fighting;</td>
</tr>
<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.

<table>
<thead>
<tr>
<th>Geothermal energy exploration and extraction</th>
<th>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Geothermal Energy Resources Act 2005.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenhouse gas sequestration and exploration</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008.</td>
</tr>
<tr>
<td>Land management or directions notice</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td>Land use conditions</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td>Mineral exploration and extraction</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>Pest animal burrows</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in accordance with the written agreement of an officer of the department responsible for administering the Flora and Fauna Guarantee Act 1988.</td>
</tr>
<tr>
<td>Planted vegetation</td>
<td>Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production. This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.</td>
</tr>
<tr>
<td>Railways</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Requirement</td>
<td>Description</td>
</tr>
<tr>
<td>-----------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Regrowth                          | Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is:  
  - bracken (*Pteridium esculentum*); or  
  - within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.  
This exemption does not apply to land where native vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster. |
| Road safety                       | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| Stone exploration                 | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.  
The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:  
  - 1 hectare of native vegetation which does not include a tree.  
  - 15 native trees with trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.  
  - 5 native trees with trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.  
This exemption does not apply to costeasing and bulk sampling activities. |
| 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*). |
## Native vegetation precinct plan

<table>
<thead>
<tr>
<th>Name of plan</th>
<th>None specified</th>
</tr>
</thead>
</table>

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NATIVE VEGETATION

Purpose
To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

Permit requirement
A permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply:

- If the table to Clause 52.17-7 specifically states that a permit is not required.
- If a native vegetation precinct plan corresponding to the land is incorporated into this scheme and listed in the schedule to Clause 52.16.
- To the removal, destruction or lopping of native vegetation specified in the schedule to this clause.

Application requirements
An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

Property vegetation plans
A permit granted to remove, destroy or lop native vegetation in accordance with a property vegetation plan must include the following condition:

“This permit will expire if one of the following circumstances applies:

- The removal, destruction or lopping of native vegetation does not start within two years of the date of this permit.
- The removal, destruction or lopping of native vegetation is not completed within ten years of the date of this permit.”

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate.

Offset requirements
If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset, in accordance with the Guidelines. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and the timing to secure the offset.
Transitional provisions

The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
  - the original permit application was lodged before that date; or
  - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department of Environment, Land, Water and Planning’s native vegetation information systems within 12 months before that date.

Table of exemptions

<table>
<thead>
<tr>
<th>The requirement to obtain a permit does not apply to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation work</td>
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<td></td>
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<tr>
<td>Crown land</td>
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<tr>
<td>Dead native vegetation</td>
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<tr>
<td>Emergency works</td>
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</tbody>
</table>
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Existing buildings</th>
<th>Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the use or maintenance of a building constructed in accordance with a planning or building permit issued before 15 September 2008.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>This exemption does not apply to:</td>
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<tr>
<td></td>
<td>■ the operation or maintenance of a fence; or</td>
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<td></td>
<td>■ native vegetation located more than 10 metres measured from the outermost point of the building.</td>
</tr>
<tr>
<td></td>
<td><strong>Existing buildings and works in the Farming Zone and Rural Activity Zone</strong></td>
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<tr>
<td></td>
<td>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.</td>
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<tr>
<td></td>
<td>This exemption does not apply to:</td>
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<td></td>
<td>■ the use or maintenance of a Dwelling; or</td>
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<tr>
<td></td>
<td>■ the operation or maintenance of a fence; or</td>
</tr>
<tr>
<td></td>
<td>■ native vegetation located more than 10 metres measured from the outermost point of the building.</td>
</tr>
<tr>
<td></td>
<td><strong>Fences</strong></td>
</tr>
<tr>
<td></td>
<td>Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable:</td>
</tr>
<tr>
<td></td>
<td>■ the operation or maintenance of an existing fence; or</td>
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<tr>
<td></td>
<td>■ the construction of a boundary fence between properties in different ownership.</td>
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<tr>
<td></td>
<td>The clearing along both sides of the fence when combined must not exceed 4 metres in width, except where land has already been cleared 4 metres or more along one side of the fence, then up to 1 metre can be cleared along the other side of the fence.</td>
</tr>
<tr>
<td></td>
<td><strong>Fire protection</strong></td>
</tr>
<tr>
<td></td>
<td>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:</td>
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<tr>
<td></td>
<td>■ fire fighting;</td>
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<tr>
<td></td>
<td>■ planned burning;</td>
</tr>
<tr>
<td></td>
<td>■ making or maintenance of a fuelbreak or firefighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;</td>
</tr>
<tr>
<td></td>
<td>■ making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);</td>
</tr>
<tr>
<td></td>
<td>■ in accordance with a fire prevention notice issued under either:</td>
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<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 native vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998;</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the Road Management Act 2004.

*Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*

<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>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. 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>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

| Mineral exploration and extraction | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention license issued under the Mineral Resources (Sustainable Development) Act 1990:

- that is low impact exploration within the meaning of Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990; or
- in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990.

*Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.*

| New buildings and works in the Farming Zone and Rural Activity Zone | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the construction of a building or works used for Agricultural production, including a dam, utility service, bore and accessway, in the Farming Zone or the Rural Activity Zone.

The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:

- 1 hectare of native vegetation which does not include a tree.
- 15 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.
- 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

This exemption does not apply to the construction or operation of a pivot irrigation system or horticultural trellising.

| New dwellings in the Farming Zone and Rural Activity Zone | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the construction of a dwelling in the Farming Zone or Rural Activity Zone.

The maximum extent of native vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:

- 300 square metres of native vegetation which does not include a tree.
- 5 native trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.
- 1 native tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

This exemption does not apply to native vegetation removed, destroyed or lopped to enable the construction of a swimming pool, tennis court or horse ménage.

| Personal use | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to obtain reasonable amounts of wood for personal use by the owner or lawful occupier of the land.

For the purpose of this exemption personal use means uses such as heating and cooking, building and fence construction on land, and hobbies such as arts and craft.

This exemption does not apply to:

- contiguous land in one ownership that has an area of less than 10 hectares;
The requirement to obtain a permit does not apply to:

- the removal, destruction or lopping of native vegetation by means other than cutting or chopping; or
- a standing native tree (including a dead tree) with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.

**Pest animal burrows**

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows in the Farming Zone or the Rural Activity Zone:

- in accordance with written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988*; or
- provided the maximum extent of native vegetation removed, destroyed or lopped on contiguous land in the same ownership in a five year period does not exceed any of the following:
  - 1 hectare of native vegetation which does not include a tree; or
  - 15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level.

**Planted vegetation**

Native vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding.

This exemption does not apply to native vegetation planted or managed with public funding for the purpose of land protection or enhancing biodiversity unless the removal, destruction or lopping of the native vegetation is in accordance with written permission of the agency (or its successor) that provided the funding.

**Railways**

Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

**Regrowth**

Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is:

- less than 10 years old; or
- bracken (*Pteridium esculentum*); or
- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation; or
- less than ten years old at the time of a property vegetation plan being signed by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*), and is:
  - shown on that plan as being ‘certified regrowth’; and
  - on land that is to be used or maintained for cultivation or pasture during the term of that plan.

This exemption does not apply to land where native vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster.
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 Conservation, Forests and Lands Act 1987).</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 native vegetation on a roadside or rail reservation.</td>
</tr>
<tr>
<td><strong>Stone exploration</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. 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 40 centimetres at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>- 5 native trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td></td>
<td>This exemption does not apply to costeining and bulk sampling activities.</td>
</tr>
<tr>
<td><strong>Stone extraction</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone 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.</td>
</tr>
<tr>
<td><strong>Surveying</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licenced surveyor (within the meaning of section 3 of the Surveying Act 2004) using hand-held tools to establish a sightline for the measurement of land.</td>
</tr>
<tr>
<td><strong>Traditional owners</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:</td>
</tr>
<tr>
<td></td>
<td>- a natural resource agreement under Part 6 of the Traditional Owner Settlement Act 2010; or</td>
</tr>
<tr>
<td></td>
<td>- an authorisation order made under sections 82 or 84 of the Traditional Owner Settlement Act 2010 as those sections were in force immediately before the commencement of section 24 of the Traditional Owner Settlement Amendment Act in 2016 (1 May 2017).</td>
</tr>
<tr>
<td><strong>Utility installations</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary:</td>
</tr>
<tr>
<td></td>
<td>- to maintain the safe and efficient function a Minor utility installation; or</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*).

| Vehicle access from public roads | Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the construction or maintenance of a vehicle access across a road reserve from a property boundary to a public road.  
This exemption only applies to properties which share a common boundary with the road reserve, and the total width of clearing must not exceed 6 metres.  
This exemption does not apply where there is a practical opportunity to site the accessway to avoid the removal, destruction or lopping of native vegetation.  
In this exemption, roadside and public road have the same meanings as in section 3 of the *Road Management Act 2004*.  
*Note: Under the Road Management Act 2004 the written consent of the coordinating road authority is required to conduct any works, including removing a tree or other vegetation, in, on, under or over a road.* |
|--------------------------------|---------------------------------------------------------------------------------|
| Weeds                          | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal or destruction of a weed listed in the schedule to Clause 52.17.  
The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:  
- 1 hectare of native vegetation which does not include a tree.  
- 15 native trees with a trunk diameter of less than 20 centimetres at a height of 1.3 metres above ground level. |
## SCHEDULE TO CLAUSE 52.17 NATIVE VEGETATION

### Scheduled area

<table>
<thead>
<tr>
<th>Area</th>
<th>Description of native vegetation for which no permit is required to remove, destroy or lop</th>
</tr>
</thead>
<tbody>
<tr>
<td>Portion of the area known as the Calder Highway/Freeway, Kyneton to Faraday and Faraday to Ravenswood Sections.</td>
<td>All native vegetation including trees, shrubs, herbs and grasses; the minimum extent necessary for works undertaken by or on behalf of VicRoads required for the construction of the new Calder Highway/Freeway, including modifications to the Midland Highway, local access, service and deviation roads between Kyneton and Ravenswood on land within a Road Zone, Category 1 (RDZ1) or covered by a Public Acquisition Overlay (PAO).</td>
</tr>
<tr>
<td>Goldfields Superpipe project</td>
<td>All native vegetation including trees, shrubs, herbs and grasses, to the minimum extent necessary for works undertaken by or on behalf of Central Highlands Water required for the construction of the Goldfields Superpipe in accordance with the Project Impact Assessment and Environmental Management Plan approved by the Secretary to the Department of Environment, Land, Water and Planning and the native vegetation offset plan approved by the Minister for Environment.</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>
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 Municipal Planning Strategy and the Planning Policy Framework.
• The compatibility of the proposal with adjoining and nearby land uses.
• The capability of the site to accommodate the proposal.
• Whether the gaming premises provides a full range of hotel facilities or services to patrons or a full range of club facilities or services to members and patrons.
• Any other matters specified in the schedule to this clause.
**SCHEDULE TO CLAUSE 52.28 GAMING**

**1.0 Prohibition of a gaming machine in a shopping complex**

Installation or use of a gaming machine as specified in Clause 52.28-3 is prohibited on land described in Table 1 below.

Table 1

<table>
<thead>
<tr>
<th>Name of shopping complex and locality</th>
<th>Land description</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

**2.0 Prohibition of a gaming machine in a strip shopping centre**

A gaming machine as specified in Clause 52.28-4 is prohibited in 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>Castlemaine Central Business Area</td>
<td>Generally zoned C1Z and bounded by Templeton Street, those properties fronting Barker Street, Forest Street and those properties fronting Hargraves Street</td>
</tr>
<tr>
<td>Maldon Town Centre</td>
<td>Generally those properties zoned C1Z and having frontage within the area bound by High Street, Main Street, Francis Street and Templeton Street</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.
[NO CONTENT]
WIND ENERGY FACILITY

Purpose
To facilitate the establishment and expansion of wind energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

Application
This clause applies to land used and developed or proposed to be used and developed for a Wind energy facility.

Use and development of land
A permit is required to use and develop land for a Wind energy facility.

The use and development of land for a Wind energy facility is prohibited at a location listed in the table to this clause unless the condition opposite the location specified in the table is met.

Table to Clause 52.32-2

<table>
<thead>
<tr>
<th>Location</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>On land where any turbine (measured from the centre of the tower at ground level) that forms part of the facility is located within one kilometre of an existing dwelling. This does not apply to a Wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.</td>
<td>Must meet the requirements of clause 52.32-3.</td>
</tr>
<tr>
<td>Land described in a schedule to the National Parks Act 1975</td>
<td>Must be principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land.</td>
</tr>
<tr>
<td>Land declared a Ramsar wetland as defined under section 17 of the Environment Protection and Biodiversity Conservation Act 1999 (Cwth)</td>
<td>Must be on land in a residential zone, industrial zone, commercial zone or special purpose zone and must be integrated as part of the development of the land.</td>
</tr>
<tr>
<td>Land listed in a schedule to Clause 52.32-2</td>
<td></td>
</tr>
</tbody>
</table>

Turbine within one kilometre of a dwelling
An application that includes a proposed turbine within one kilometre of an existing dwelling must be accompanied by:

- A plan showing all dwellings within one kilometre of a proposed turbine (measured from the centre of the tower at ground level).
- Evidence of the written consent of any owner as at the date of that application of an existing dwelling located within one kilometre of a proposed turbine (measured from the centre of the tower at ground level) that forms part of a Wind energy facility. This does not apply to an application to amend such a permit under section 72 or section 97I of the Act unless the amendment of the permit would:
  - increase the number of turbines; or
- change the location of a turbine so that the centre of the tower (at ground level) is located closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre of the tower (at ground level) of the closest permitted turbine to that dwelling.

This does not apply to a Wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.

52.32-4
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Application requirements
An application must be accompanied by the following information as appropriate:

Site and context analysis
A site and context analysis may use a site plan, photographs or other techniques to accurately describe the site and surrounding area and must include the following information:

- In relation to the site:
  - Site shape, dimensions and size
  - Orientation and contours
  - Current land use
  - The existing use and siting of buildings or works on the land
  - Existing vegetation types, condition and coverage
  - The landscape of the site
  - Sites of cultural heritage significance
  - Wind characteristics
  - Any other notable features, constraints or other characteristics of the site.

- In relation to the surrounding area:
  - Existing land uses
  - Above-ground utilities
  - Access to infrastructure
  - Direction and distances to nearby dwellings, townships, urban areas, significant conservation and recreation areas, water features, tourist routes and walking tracks, major roads, airports, aerodromes and existing and proposed wind energy facilities
  - The siting and use of buildings on adjacent properties
  - Views to and from the site, including views from existing dwellings and key vantage points including major roads, walking tracks, tourist routes and regional population growth corridors
  - Sites of flora and fauna listed under the Flora and Fauna Guarantee Act 1988 and Environment Protection and Biodiversity Conservation Act 1999 (Cwth), including significant habitat corridors, and movement corridors for these fauna
  - Sites of cultural heritage significance
  - National Parks, State Parks, Coastal Reserves and other land subject to the National Parks Act 1975
  - Land declared a Ramsar wetland as defined under section 17 of the Environment Protection and Biodiversity Conservation Act 1999 (Cwth)
- Location of any land included in the schedule to clause 52.32-2 of the planning scheme
- Any other notable features or characteristics of the area
- Bushfire risks.

**Design response**

- Detailed plans of the proposed development.
- Plans and elevations of transmission infrastructure and electricity utility works required to connect the facility to the electricity network, and access road options.
- Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.
- A rehabilitation plan for the site.
- A written report(s), including:
  - A description of the proposal.
  - An explanation of how the proposed design derives from and responds to the site analysis.
  - A description of how the proposal responds to any significant landscape features for the area identified in the planning scheme.
  - An assessment of:
    - the visual impact of the proposal on the surrounding landscape.
    - the visual impact on abutting land that is described in a schedule to the *National Parks Act 1975* and Ramsar wetlands and coastal areas.
    - the impact of the proposal on any species (including birds and bats) listed under the *Flora and Fauna Guarantee Act 1988* or the *Environment Protection and Biodiversity Conservation Act 1999* (Cwth).
    - the noise impacts of the proposal prepared in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise, including an assessment of whether a high amenity noise limit is applicable, as assessed under Section 5.3 of the Standard.
    - the impacts upon Aboriginal or non-Aboriginal cultural heritage.
  - A statement of why the site is suitable for the wind energy facility.
  - An environmental management plan including any rehabilitation and monitoring requirements.

If in the opinion of the responsible authority a requirement of the site and context analysis or design response is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

An application must be accompanied by the following information:

**Mandatory noise assessment**

- A pre-construction (predictive) noise assessment report demonstrating that the proposal can comply with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise, including an assessment of whether a high amenity noise limit is applicable under Section 5.3 of the Standard.
- 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>All land east of the Calder Highway and the Calder Freeway.</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

Permit requirement for dry stone walls

<table>
<thead>
<tr>
<th>Land</th>
<th>All</th>
</tr>
</thead>
</table>

MOUNT ALEXANDER 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>
<thead>
<tr>
<th>Use</th>
<th>Employee/Resident</th>
<th>Visitor/Shopper/Student</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
<td>None</td>
<td>2 plus 1 to each 50 sq m of net floor area</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>1 to each 25 sq m of floor area available to the public</td>
<td>2</td>
</tr>
<tr>
<td>Dwelling</td>
<td>In developments of four or more storeys, 1 to each 5 dwellings</td>
<td>In developments of four or more storeys, 1 to each 10 dwellings</td>
</tr>
<tr>
<td>Education centre (excluding Child care centre) other than specified in this table</td>
<td>1 to each 20 employees</td>
<td>1 to each 20 full-time students</td>
</tr>
<tr>
<td>Hospital</td>
<td>1 to each 15 beds</td>
<td>1 to each 30 beds</td>
</tr>
<tr>
<td>Hotel</td>
<td>1 to each 25 sq m of bar floor area available to the public, plus 1 to each 100 sq m of lounge floor area available to the public</td>
<td>1 to each 25 sq m of bar floor area available to the public, plus 1 to each 100 sq m of lounge floor area available to the public</td>
</tr>
<tr>
<td>Industry other than specified in this table</td>
<td>1 to each 1000 sq m of net floor area</td>
<td>None</td>
</tr>
<tr>
<td>Library</td>
<td>1 to each 500 sq m of net floor area</td>
<td>4 plus 2 to each 200 sq m of net floor area</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td>1 to each 1500 spectator places</td>
<td>1 to each 250 spectator places</td>
</tr>
<tr>
<td>Market</td>
<td>1 to each 50 stalls</td>
<td>1 to each 10 stalls</td>
</tr>
<tr>
<td>Medical centre</td>
<td>1 to each 8 practitioners</td>
<td>1 to each 4 practitioners</td>
</tr>
<tr>
<td>Minor sports and recreation facility</td>
<td>1 per 4 employees</td>
<td>1 to each 200 sq m of net floor area</td>
</tr>
<tr>
<td>Motel</td>
<td>1 to each 40 rooms</td>
<td>None</td>
</tr>
<tr>
<td>Office other than specified in this table</td>
<td>1 to each 300 sq m of net floor area if the net floor area exceeds 1000 sq m</td>
<td>1 to each 1000 sq m of net floor area if the net floor area exceeds 1000 sq m</td>
</tr>
<tr>
<td>Place of assembly other than specified in this table</td>
<td>1 to each 1500 sq m of net floor area</td>
<td>2 plus 1 to each 1500 sq m of net floor area</td>
</tr>
<tr>
<td>Primary school</td>
<td>1 to each 20 employees</td>
<td>1 to each 5 pupils over year 4</td>
</tr>
<tr>
<td>Residential building other than specified in this table</td>
<td>In developments of four or more storeys, 1 to each 10 lodging rooms</td>
<td>In developments of four or more storeys, 1 to each 10 lodging rooms</td>
</tr>
<tr>
<td>Restaurant</td>
<td>1 to each 100 sq m of floor area available to the public</td>
<td>2 plus 1 to each 200 sq m of floor area available to the public if the floor area available to the public exceeds 400 sq m</td>
</tr>
<tr>
<td>Retail premises other than specified in this table</td>
<td>1 to each 300 sq m of leasable floor area</td>
<td>1 to each 500 sq m of leasable floor area</td>
</tr>
<tr>
<td>Secondary school</td>
<td>1 to each 20 employees</td>
<td>1 to each 5 pupils</td>
</tr>
<tr>
<td>Service industry</td>
<td>1 to each 800 sq m of net floor area</td>
<td>None</td>
</tr>
<tr>
<td>Shop</td>
<td>1 to each 600 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres</td>
<td>1 to each 500 sq m of leasable floor area if the leasable floor area exceeds 1000 sq metres</td>
</tr>
</tbody>
</table>
### Design of bicycle spaces

Bicycle spaces should:

- Provide a space for a bicycle of minimum dimensions of 1.7 metres in length, 1.2 metres in height and 0.7 metres in width at the handlebars.
- Be located to allow a bicycle to be ridden to within 30 metres of the bicycle parking space.
- Be located to provide convenient access from surrounding bicycle routes and main building entrances.
- Not interfere with reasonable access to doorways, loading areas, access covers, furniture, services and infrastructure.
- Not cause a hazard.
- Be adequately lit during periods of use.

### Bicycle rails

A bicycle rail must:

- Be securely fixed to a wall or to the floor or ground.
- Be in a highly visible location for bicycle security (when not in a compound).
- Be of a shape that allows a cyclist to easily lock the bicycle frame and wheels.
- Be located to allow easy access to park, lock and remove the bicycle.

### Bicycle compounds and lockers

A bicycle compound or a bicycle locker must:

- Be located to provide convenient access to other bicycle facilities including showers and change rooms.
- Be fully enclosed.
- Be able to be locked.
- If outside, provide weather protection for the bicycle.

A bicycle locker must provide a bicycle parking space for at least one bicycle.

A bicycle compound must:
- Include wall or floor rails for bicycle parking.
- Provide an internal access path of at least 1.5 metres in width.

**Bicycle signage**

If bicycle facilities are required by this clause, bicycle signage that directs the cyclists to the bicycle facilities must be provided to the satisfaction of the responsible authority.

Bicycle signage should:
- Be at least 0.3 metres wide and 0.45 metres high.
- Display a white bicycle on a blue background on the top half of the sign.
- Display information about the direction of facilities on the bottom half of the sign.
PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the Subdivision Act 1988.

Exemption from public open space requirement specified in the scheme

A subdivision is exempt from a public open space requirement specified in this scheme if:

- It is one of the following classes of subdivision:
  - Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.
  - Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.

- It is for the purpose of excising land to be transferred to a public authority, council or a Minister for a utility installation.

- It subdivides land into two lots and the council considers it unlikely that each lot will be further subdivided.

Exemption from public open space requirement under section 18(8)(a) of the Subdivision Act 1988

For the purposes of section 18(8)(a) of the Subdivision Act 1988, the following classes of subdivision are exempt from the public open space requirement:

- Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.

- Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.

Note: Check section 18A of the Subdivision Act 1988 for other requirements that apply to a public open space requirement specified in the planning scheme.
SCHEDULE TO CLAUSE 53.01 PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

1.0

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>None specified</td>
<td></td>
</tr>
</tbody>
</table>

MOUNT ALEXANDER PLANNING SCHEME
**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>
</tbody>
</table>
| AM 2.2  | A building is sited to ensure the site best achieves the following:  
  - The maximum separation distance between the building and the bushfire hazard.  
  - The building is in close proximity to a public road.  
  - Access can be provided to the building for emergency service vehicles. |
| AM 2.3  | A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building. |

53.02-4.2 Defendable space and construction objective

Defendable space and building construction mitigate the effect of flame contact, radiant heat and embers on buildings.

Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
</table>
| AM 3.1  | A building used for a dwelling (including an extension or alteration to a dwelling), a dependent person’s unit, industry, office or retail premises is provided with defendable space in accordance with:  
  - Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land; or  
  - If there are significant siting constraints, Table 2 Column D and Table 6 to Clause 53.02-5.  
  - The building is constructed to the bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5. |
| AM 3.2  | A building used for accommodation (other than a dwelling or dependent person’s unit), a child care centre, an education centre, a hospital, leisure and recreation or a place of assembly is:  
  - Provided with defendable space in accordance with Table 3 and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land.  
  - Constructed to a bushfire attack level of BAL 12.5. |

Alternative measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AltM 3.3</td>
<td>Adjoining land may be included as defendable space where there is a reasonable assurance that the land will remain or continue to be managed in that condition as part of the defendable space.</td>
</tr>
<tr>
<td>AltM 3.4</td>
<td>Defendable space and the bushfire attack level is determined using Method 2 of AS3959:2009 Construction of buildings in bushfire prone areas (Standards Australia) subject to any guidance published by the relevant fire authority.</td>
</tr>
</tbody>
</table>
A building used for a dwelling (including an extension or alteration to a dwelling) may provide defendable space to the property boundary where it can be demonstrated that:

- The lot has access to urban, township or other areas where:
  - Protection can be provided from the impact of extreme bushfire behaviour.
  - Fuel is managed in a minimum fuel condition.
  - There is sufficient distance or shielding to protect people from direct flame contact or harmful levels of radiant heat.

- Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.

- The dwelling is constructed to a bushfire attack level of BAL FZ.

This alternative measure only applies where the requirements of AM 3.1 cannot be met.

A building used for accommodation (other than a dwelling or dependent person’s unit), child care centre, education centre, hospital, leisure and recreation or place of assembly may provide defendable space in accordance with Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 where it can be demonstrated that:

- An integrated approach to risk management has been adopted that considers:
  - The characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency.
  - The intended frequency and nature of occupation.
  - The effectiveness of proposed emergency management arrangements, including a mechanism to secure implementation.

- Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.

53.02-4.3 Water supply and access objectives

A static water supply is provided to assist in protecting property.

Vehicle access is designed and constructed to enhance safety in the event of a bushfire.

Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
</table>
| AM 4.1  | A building used for a dwelling (including an extension or alteration to a dwelling), a dependent person’s unit, industry, office or retail premises is provided with:
  - A static water supply for fire fighting and property protection purposes specified in Table 4 to Clause 53.02-5.
  - Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5. 
  | The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies. |

| AM 4.2  | A building used for accommodation (other than a dwelling or dependent person’s unit), child care centre, education centre, hospital, leisure and recreation or place of assembly is provided with: |
### Measure Requirement

- A static water supply for fire fighting and property protection purposes of 10,000 litres per 1,500 square metres of floor space up to 40,000 litres.
- Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.
- An integrated approach to risk management that ensures the water supply and access arrangements will be effective based on the characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency.

The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.

---

### 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>
Requirement Measure

A subdivision manages the bushfire risk to future development from existing or proposed landscaping, public open space and communal areas.

Alternative measure

Measure | Requirement
--- | ---
AltM 5.5 | A building envelope for a subdivision that creates 10 or more lots required under AM 5.2 may show defendable space in accordance with Table 2 Column C and Table 6 to Clause 53.02-5 where it can be demonstrated that:
- All other requirements of AM 5.2 have been met.
- Less defendable space and a higher construction standard is appropriate having regard to the bushfire hazard landscape assessment.

53.02-4.5 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The bushfire hazard landscape assessment, the bushfire hazard site assessment and the bushfire management statement submitted with the application.
- The impact of any State, regional or local bushfire management and prevention actions occurring around the site and in the wider area on the bushfire hazard and the level of risk to the proposed development.
- Whether the proposed development meets the objectives of Clause 53.02-4 regardless of other measures which may be available, including private bushfire shelters, community shelters and the presence of places of last resort.
- Whether the proposed measures can be practically implemented and maintained in conjunction with the ongoing use of the land.
- Whether the use of an alternative measure meets the relevant objective having regard to the bushfire hazard and the nature of any constraint that prevents the applicable approved measure from being implemented.
- If one or more of the objectives in Clause 53.02-4 will not be achieved in the completed development, whether the development will, taking all relevant factors into account, reduce the bushfire risk to a level that warrants it proceeding.
- Whether the risk arising from the broader landscape can be mitigated to an acceptable level or warrants the development not proceeding.
### Tables: Defendable space, construction, water supply, vehicle access, vegetation management and outbuilding construction requirements

#### Table 1: Defendable space and construction

<table>
<thead>
<tr>
<th>Slope Type</th>
<th>Vegetation Type</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Column A</td>
<td>Column B</td>
</tr>
<tr>
<td>All upslopes and flat land (0 degrees)</td>
<td>Forest</td>
<td>48</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>33</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>27</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>19</td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>23</td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>19</td>
</tr>
<tr>
<td>Downslope &gt;0 to 5 degrees</td>
<td>Forest</td>
<td>57</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>41</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>31</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>22</td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>20</td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>29</td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>22</td>
</tr>
<tr>
<td>Downslope &gt;5 to 10 degrees</td>
<td>Forest</td>
<td>69</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>35</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>23</td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>36</td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>25</td>
</tr>
<tr>
<td>Downslope &gt;10 to 15 degrees</td>
<td>Forest</td>
<td>82</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>39</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>28</td>
</tr>
</tbody>
</table>
Defendable space distance from building facade (metres)

<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>
<th>Column E</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mallee/Mulga</td>
<td></td>
<td>26</td>
<td>18</td>
<td>11</td>
<td>8</td>
<td>&lt; 8</td>
</tr>
<tr>
<td>Rainforest</td>
<td></td>
<td>45</td>
<td>33</td>
<td>23</td>
<td>17</td>
<td>&lt; 17</td>
</tr>
<tr>
<td>Grassland</td>
<td></td>
<td>28</td>
<td>20</td>
<td>13</td>
<td>9</td>
<td>&lt; 9</td>
</tr>
<tr>
<td>Forest</td>
<td></td>
<td>98</td>
<td>78</td>
<td>61</td>
<td>50</td>
<td>&lt; 50</td>
</tr>
<tr>
<td>Woodland</td>
<td></td>
<td>73</td>
<td>56</td>
<td>41</td>
<td>32</td>
<td>&lt; 32</td>
</tr>
<tr>
<td>Scrub</td>
<td></td>
<td>43</td>
<td>31</td>
<td>21</td>
<td>15</td>
<td>&lt; 15</td>
</tr>
<tr>
<td>Shrubland</td>
<td></td>
<td>31</td>
<td>22</td>
<td>15</td>
<td>10</td>
<td>&lt; 10</td>
</tr>
<tr>
<td>Mallee/Mulga</td>
<td></td>
<td>29</td>
<td>20</td>
<td>13</td>
<td>9</td>
<td>&lt; 9</td>
</tr>
<tr>
<td>Rainforest</td>
<td></td>
<td>56</td>
<td>42</td>
<td>29</td>
<td>22</td>
<td>&lt; 22</td>
</tr>
<tr>
<td>Grassland</td>
<td></td>
<td>32</td>
<td>23</td>
<td>15</td>
<td>11</td>
<td>&lt; 11</td>
</tr>
</tbody>
</table>

**Note 1:** Slope and vegetation type is determined through the bushfire hazard site assessment.

**Note 2:** Modified vegetation is vegetation that doesn’t fit into the vegetation classifications in AS3959:2009 Construction of buildings in bushfire prone areas (the standard) because it:
- has been modified, altered or is managed due to urban development, or gardening,
- has different fuel loads from those assumed in the standard,
- has limited or no understorey vegetation, or
- is not low-threat or low-risk vegetation as defined in the standard.
<table>
<thead>
<tr>
<th>Slope</th>
<th>Vegetation</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Column A</td>
<td>Column B</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>27</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>19</td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>17</td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>23</td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>19</td>
</tr>
<tr>
<td>Downslope &gt;0 to 5 degrees</td>
<td>Forest</td>
<td>57</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>41</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>31</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
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<tr>
<td></td>
<td>Mallee/ Mulga</td>
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<tr>
<td></td>
<td>Rainforest</td>
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</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>22</td>
</tr>
<tr>
<td>Downslope &gt;5 to 10 degrees</td>
<td>Forest</td>
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</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>35</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
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<tr>
<td></td>
<td>Rainforest</td>
<td>36</td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>25</td>
</tr>
<tr>
<td>Downslope &gt;10 to 15 degrees</td>
<td>Forest</td>
<td>82</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>60</td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>39</td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>28</td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>26</td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>45</td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>28</td>
</tr>
<tr>
<td>Downslope &gt;15 to 20 degrees</td>
<td>Forest</td>
<td>98</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>73</td>
</tr>
</tbody>
</table>
Defendable space and the bushfire attack level is determined using Method 2 of AS3959:2009 Construction of buildings in bushfire prone areas (Standards Australia) subject to any guidance published by the relevant fire authority.

Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 12.5.

<table>
<thead>
<tr>
<th>Slope and vegetation type</th>
<th>Vegetation</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>All slopes</td>
<td>Low threat vegetation</td>
<td>Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 29.</td>
</tr>
<tr>
<td>All slopes</td>
<td>Modified vegetation</td>
<td>Defendable space is to be provided for a distance of 50 metres, or the property boundary whichever is the lesser, for buildings constructed to all bushfire attack levels. The minimum construction standard is BAL 29.</td>
</tr>
</tbody>
</table>

**Table 3 Defendable space**

<table>
<thead>
<tr>
<th>Vegetation class</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Upslope and flat land (0 degrees)</td>
</tr>
<tr>
<td></td>
<td>&gt;0-5</td>
</tr>
<tr>
<td>Forest</td>
<td>60</td>
</tr>
<tr>
<td>Woodland</td>
<td>40</td>
</tr>
<tr>
<td>Shrubland</td>
<td>25</td>
</tr>
<tr>
<td>Scrub</td>
<td>35</td>
</tr>
<tr>
<td>Mallee/Mulga</td>
<td>23</td>
</tr>
<tr>
<td>Rainforest</td>
<td>30</td>
</tr>
</tbody>
</table>
Table 4 Water supply requirements

<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.

The following design and construction requirements apply:
- All-weather construction.
- A load limit of at least 15 tonnes.
- Provide a minimum trafficable width of 3.5 metres.
- Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.
- Curves must have a minimum inner radius of 10 metres.
- The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more than 1 in 5 (20%) (11.3°) for no more than 50 metres.
- Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.

A turning area for fire fighting vehicles must be provided close to the building by one of the following:
- A turning circle with a minimum radius of eight metres.
- A driveway encircling the dwelling.
- The provision of other vehicle turning heads — such as a T or Y head — which meet the specification of Austroad Design for an 8.8 metre Service Vehicle.

Note 1: The length of access should be measured from a public road to either the building or the water supply outlet, whichever is longer.

Table 6 Vegetation management requirement

<table>
<thead>
<tr>
<th>Vegetation management requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Defendable space is provided and is managed in accordance with the following requirements:</td>
</tr>
<tr>
<td>- Grass must be short cropped and maintained during the declared fire danger period.</td>
</tr>
<tr>
<td>- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.</td>
</tr>
<tr>
<td>- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.</td>
</tr>
<tr>
<td>- Plants greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of the building.</td>
</tr>
<tr>
<td>- Shrubs must not be located under the canopy of trees.</td>
</tr>
<tr>
<td>- Individual and clumps of shrubs must not exceed 5 square metres in area and must be separated by at least 5 metres.</td>
</tr>
</tbody>
</table>
Vegetation management requirement

- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

Unless specified in a schedule or otherwise agreed in writing to the satisfaction of the relevant fire authority.

Table 7 Outbuilding construction requirement

<table>
<thead>
<tr>
<th>Building construction condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>The proposed outbuilding is separated from the adjacent building by a wall that extends to the underside of a non-combustible roof covering and:</td>
</tr>
<tr>
<td>- has a FRL of not less than 60/60/60 for loadbearing walls and -/60/60 for non-load bearing walls when tested from the attached structure side, or</td>
</tr>
<tr>
<td>- is of masonry, earth wall or masonry-veneer construction with the masonry leaf of not less than 90 millimetres in thickness.</td>
</tr>
</tbody>
</table>

Any openings in the wall shall be protected in accordance with the following:

i. Doorways – by FLR -/60/30 self-closing fire doors

ii. Windows – by FRL -/60/- fire windows permanently fixed in the closed position

iii. Other openings – by construction with a FRL of not less than -/60/-

Note: Control and construction joints, subfloor vents, weepholes and penetrations for pipes and conduits need not comply with item iii.

Note 1: These conditions are required for some non habitable outbuildings ancillary to a dwelling that do not require referral to the relevant fire authority. Applications for non habitable outbuildings can also use the bushfire protection measures in Clause 53.02 however referral to the relevant fire authority will be required.
53.03  
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*.  

53.03-1  
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*.  

53.03-2  
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*.  

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CONVENIENCE RESTAURANT AND TAKE-AWAY FOOD PREMISES

Application

These requirements only apply to land in a residential zone.

Decision guidelines

Before deciding on an application to use land for a convenience restaurant or take-away food premises or to construct a building or construct or carry out works associated with a convenience restaurant or take-away food premises, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any policy in this scheme relating to convenience restaurants or take-away food premises.

- Whether the location is appropriate for a convenience restaurant or take-away food premises having regard to:
  - Amenity of the neighbourhood.
  - Proximity of the land to non-residential uses and zones.
  - Effect of the use on heritage and environment features.
  - Capacity of the land to contain significant off-site effects.
  - Access to land in a Road Zone.
  - The suitability of the land for a residential use.

- The effect on the amenity or character of the street or neighbourhood having regard to:
  - Massing and proportions of any building.
  - Ground floor height above ground level.
  - Ceiling heights.
  - Roof form and pitch.
  - Facade articulation.
  - Window and door proportions.
  - Building features including verandas, towers, eaves, parapets and decorative elements.
  - Building materials, patterns textures and colours.

- Whether the site layout and the design of buildings, noise attenuation measures, landscaping, car parking, vehicle access lanes, loading bays, rubbish bins, plant and equipment, lights, signs, drive through facilities and playgrounds are designed to prevent significant loss of amenity to adjoining land due to noise, emission of noise, emission of light or glare, loss of privacy, litter or odour.

- Whether any special measure may be necessary to protect the amenity of adjoining land in residential use, including buffer planting, noise attenuation measures and litter collection arrangements.

- The adequacy of traffic measures to:
  - Provide safe pedestrian movement.
  - Achieve safe, efficient vehicle movement on site and access to and egress from the land.
  - Avoid disruption to traffic flow on land in a Road Zone.
  - Prevent inappropriate use of local residential streets.
- The adequacy of car parking, loading and drive through queuing spacing to accommodate customers at peak periods and employee requirements on the land.
FREeway SERVICE CENTRE

Purpose
To ensure that freeway service centres are appropriately designed and located.
To ensure that access to a freeway service centre from a freeway is designed to the requirements of the Roads Corporation.
To ensure that freeway service centres with access to a rural freeway provide only essential services and facilities which encourage drivers to stop and take an effective break at appropriate intervals in the interests of driver safety.
To ensure that any new freeway service centre meets an identifiable need to provide essential services and facilities along a freeway where those services and facilities are not readily available.
To ensure that the use of land for a freeway service centre does not adversely affect the amenity of surrounding land uses.

Requirements to be met

Facilities and services
A freeway service centre must provide only essential services and facilities. These essential services and facilities must be available at all times. Essential services and facilities that a freeway service centre must include are:

- Designated parking areas.
- Undercover fuel sales area for petrol, diesel and LPG.
- An area of not more than 240 square metres for the sale of food, drinks and other convenience goods.
- An indoor sit-down eating area.
- A safe play area for children.
- Public toilets.
- A public telephone.

A freeway service centre with access to a rural freeway must also provide local and regional tourist information.

A freeway service centre must not include:

- Mechanical repairs (other than the emergency repair of vehicles).
- Retail facilities of more than 240 square metres.
- Video hire.
- Post office services or facilities.
- Entertainment facilities, amusement machines or gaming machines.
- The sale, distribution or consumption of alcohol unless associated with a residential hotel/motel.
- Car or truck wash facilities.

A freeway service centre with access to a rural freeway must not include overnight accommodation (other than for a caretaker or site manager).

Access to freeway service centres
No vehicular access between a freeway service centre with access to a metropolitan freeway and the local road network may be permitted.
An application to use or develop land for a freeway service centre must be referred to the Roads Corporation in accordance with section 55 of the Act.

A permit must not be granted for a freeway service centre until approval for access to the freeway has been given by the Roads Corporation.

In accordance with section 62(1)(a) of the Act, a permit granted for a freeway service centre must include the condition:

“This permit will expire if one of the following circumstances applies:

- The development is not commenced within two years of the date of this permit.
- The development is not completed within four years of the date of this permit.

The responsible authority may extend the periods referred to if a request is made in writing before the permit expires or within three months afterwards.”

**Metropolitan freeway service centre adjoining a residential zone**

If the site for a freeway service centre with access to a metropolitan freeway adjoins a residential zone:

- A landscape buffer at least 3 metres wide must be provided on the site along the common boundary and must be planted and maintained to the satisfaction of the responsible authority.
- Except for the landscape buffer strip, all of the site not occupied by buildings must be sealed to prevent dust.
- External lights must be directed away from the residential zone to prevent light spill and glare.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

**LIVE MUSIC AND ENTERTAINMENT NOISE**

**Purpose**
To recognise that live music is an important part of the State’s culture and economy.
To protect live music entertainment venues from the encroachment of noise sensitive residential uses.
To ensure that noise sensitive residential uses are satisfactorily protected from unreasonable levels of live music and entertainment noise.
To ensure that the primary responsibility for noise attenuation rests with the agent of change.

**Application**
This clause applies to an application required under any zone of this scheme to use land for, or to construct a building or construct or carry out works associated with:
- a live music entertainment venue.
- a noise sensitive residential use that is within 50 metres of a live music entertainment venue.
This clause does not apply to:
- the extension of an existing dwelling.
- a noise sensitive residential use that is in an area specified in clause 1.0 of the schedule to this clause.

**Meaning of terms**
In this clause:

- **live music entertainment venue** means:
  - a food and drink premises, nightclub, function centre or residential hotel that includes live music entertainment
  - a rehearsal studio
  - any other venue used for the performance of music and specified in clause 2.0 of the schedule to this clause, subject to any specified condition or limitation.

- **noise sensitive residential use** means a community care accommodation, dependent person's unit, dwelling, residential aged care facility, residential village, retirement village or rooming house.

**Requirements to be met**
A live music entertainment venue must be designed, constructed and managed to minimise noise emissions from the premises and provide acoustic attenuation measures that would protect a noise sensitive residential use within 50 metres of the venue.

A noise sensitive residential use must be designed and constructed to include acoustic attenuation measures that will reduce noise levels from any:

- **indoor live music entertainment venue to** below the noise limits specified in State Environment Protection Policy (Control of Music Noise from Public Premises) No. N-2 (SEPP N2).

- **outdoor live music entertainment venue to** below 45dB(A), assessed as an $L_{eq}$ over 15 minutes.

For the purpose of assessing whether the above noise standards are met, the noise measurement point may be located inside a habitable room of a noise sensitive residential use with windows and doors closed (Schedule B1 of SEPP N2 does not apply).
A permit may be granted to reduce or waive these requirements if the responsible authority is satisfied that an alternative measure meets the purpose of this clause.

**Application requirements**

An application must be accompanied by the following information, as appropriate:

- A site analysis, including plans detailing:
  - the existing and proposed layout of the use, buildings or works, including all external windows and doors
  - the location of any doors, windows and open space areas of existing properties in close proximity to the site.

- If the application is associated with a noise sensitive residential use:
  - the location of any live music entertainment venues within 50 metres of the site
  - the days and hours of operation of identified venues.

- If the application is associated with a live music entertainment venue:
  - the location of any noise sensitive residential uses within 50 metres of the site
  - the days and hours of operation of that venue
  - the times during which live music will be performed.

- Details of existing and proposed acoustic attenuation measures.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- the extent to which the siting, layout, design and construction minimise the potential for noise impacts.

- whether existing or proposed noise sensitive residential uses will be satisfactorily protected from unreasonable live music and entertainment noise.

- whether the proposal adversely affects any existing uses.
### Areas to which Clause 53.06 does not apply

<table>
<thead>
<tr>
<th>Name of area</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

### Other venues to which Clause 53.06 applies

<table>
<thead>
<tr>
<th>Name of venue</th>
<th>Address</th>
<th>Condition or limitation</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
SHIPPING CONTAINER STORAGE

Application

This clause applies to all land except land which is in a Special Use Zone established for the purpose of port and port-related activities, or is in a Port Zone.

Decision guidelines

Before deciding on an application to use land for shipping container storage, or construct a building or carry out works associated with shipping container storage, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the location is appropriate for shipping container storage having regard to:
  - The zoning of the land.
  - Amenity of the neighbourhood.
  - Proximity of the land to residential uses and zones or other sensitive uses.
  - Access to a road in a Road Zone.
  - Access to rail facilities.
  - Capacity and suitability of the road network to accommodate the type and volume of vehicle traffic generated by the use.
  - Capacity of the site to accommodate the proposed use.

- The effect on the environment and the amenity and character of the neighbourhood having regard to:
  - Existing and planned use of land in the neighbourhood.
  - Location, height and setback of shipping container stacks, particularly near road boundaries.
  - Location of facilities for the cleaning, repair, servicing, painting or fumigation of shipping containers.
  - Hours of operation.
  - Design, construction and maintenance of external storage and vehicle movement areas.
  - Treatment and disposal of wastewater.

- Whether the site layout and the design of buildings, landscaping, vehicle access lanes, loading bays, wash bays, lighting and fencing are designed to avoid or minimise any significant off-site impacts due to the emission of noise, light, glare, dust, fumes or drainage.

- Whether any special measure may be necessary to protect the environment and the amenity of nearby sensitive uses, including noise attenuation measures, dust minimisation measures and waste storage arrangements.

- The need for landscaping and fencing to screen or soften the appearance of shipping container storage areas, particularly near road boundaries.

- The adequacy and effect of the landscaping on the appearance of the site, taking into account the streetscape character, the size of the site, and the height, mass and scale of shipping container stacks on the site.

- The adequacy of traffic measures to:
  - Achieve safe, efficient vehicle movement on site and access to and egress from the land.
  - Prevent inappropriate use of local residential streets.
- The adequacy of truck parking, loading and truck queuing spacing to accommodate truck movements at peak periods and employee requirements on the land.
CATTLE FEEDLOT

Purpose
To facilitate the establishment and expansion of cattle feedlots in Victoria in a manner which is consistent with orderly and proper planning and the protection of the environment.

Requirements to be met
All use and development of cattle feedlots must comply with the Victorian Code for Cattle Feedlots - August 1995.
The Code must be complied with to the satisfaction of the responsible authority.
POULTRY FARM

Purpose
To facilitate the establishment and expansion of poultry farms, including broiler farms, in a manner that is consistent with orderly and proper planning and the protection of the environment.

Application
This clause applies to permit applications to use land or construct a building or construct or carry out works for a poultry farm, including to increase the farm capacity of an existing poultry farm.

Permit not required – Outdoor range area for existing broiler farm
Any requirement of this scheme relating to the use of land or to the construction of a building or the construction or carrying out of works does not apply to the use and development of land for an outdoor range area in association with an existing broiler farm provided the following requirements are met:

- There are no more than 150,000 chickens permitted on the land at any time.
- The number of chickens on the land is not increased.

This exemption does not apply to the requirements of any overlay that applies to the land.

Requirement – Broiler farm
An application to use land or construct a building or construct or carry out works for a broiler farm must comply with the Victorian Code for Broiler Farms 2009 (plus 2018 amendments).

This requirement does not apply if:

- There are no more than 10,000 chickens permitted on the land at any time; or
- The number of chickens on the land is not increased.

Exemption from notice and review
The following applications are exempt from the notice requirements of section 52 (1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act:

- An application to use land or construct a building or construct or carry out works for a new broiler farm, or to increase the farm capacity of an existing broiler farm, if the application meets the requirements of a “Class A Broiler Farm”, as specified in the Victorian Code for Broiler Farms 2009 (plus 2018 amendments).

- An application to use land or construct a building or construct or carry out works for a poultry farm for the production of chicken meat or chicken eggs, if the application meets the following requirements:
  - The number of chickens does not exceed 5,000 for egg production or 10,000 for meat production.
  - The outdoor stocking density does not exceed 1,500 chickens per hectare.
  - A Nutrient Management Plan demonstrates chickens are kept outdoors on paddocks with:
    - A minimum of 50% ground cover; and
    - Mobile housing and feeding infrastructure that is relocated at least every two weeks.
  - An area used as a poultry range, including associated buildings and works, meets the setback requirements specified in Table 1.
Table 1 Minimum setbacks

<table>
<thead>
<tr>
<th>Chicken numbers</th>
<th>Minimum distance to a building used for a sensitive use (accommodation, child care centre, education centre and hospital)</th>
<th>Minimum distance to land in a residential zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,000 chickens or less</td>
<td>50 metres</td>
<td>200 metres</td>
</tr>
<tr>
<td>More than 1,000 chickens</td>
<td>100 metres</td>
<td>400 metres</td>
</tr>
</tbody>
</table>

Notice of an application

Notice of an application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*, must be given under Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified in Clause 66.05.

Decision guidelines

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines* (June 2018).
USES WITH ADVERSE AMENITY POTENTIAL

Purpose
To define those types of industries and warehouses which if not appropriately designed and located may cause offence or unacceptable risk to the neighbourhood.

Threshold Distance
The threshold distance referred to in the table to this clause is the minimum distance from any part of the land of the proposed use or buildings and works to land (not a road) in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

NOTE 1 of the table: The threshold distance is variable, dependent on the processes to be used and the materials to be processed or stored.

NOTE 2 of the table: An assessment of risk to the safety of people located off the land may be required.

Table to Clause 53.10-1

<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Basic Metal Products</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Production of non-ferrous metals as:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• aluminium by electrolysis</td>
<td>2,000</td>
<td></td>
</tr>
<tr>
<td>• other non-ferrous metals in amounts:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- up to 100 tonnes a year</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>- between 100 &amp; 2,000 tonnes a year</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>- exceeding 2,000 tonnes a year</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Works producing iron or steel products in amounts:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• up to 1,000,000 tonnes a year</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>• exceeding 1,000,000 tonnes a year</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td><strong>Chemical, Petroleum &amp; Coal Products</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ammunition, explosives and fireworks production:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Biocides production and storage:</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Briquette production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Chemical Fertiliser production:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Chemical products other than those listed within this group:</td>
<td>300</td>
<td>Note 2</td>
</tr>
<tr>
<td>Cosmetics and toilet preparations production:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
<td>Notes</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Formaldehyde production:</td>
<td>300</td>
<td>Note 2</td>
</tr>
<tr>
<td>Industrial gases production:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Inks production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Inorganic industrial chemicals production other than those listed within this group:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Organic industrial chemicals production other than those listed within this group:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Other petroleum or coal production:</td>
<td>500</td>
<td>Note 2</td>
</tr>
<tr>
<td>Paints and inks:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• manufacture</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>• blending and mixing only</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Petroleum refinery:</td>
<td>2,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Pharmaceutical and veterinary production:</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Polyester resins production</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Soap and other detergents production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Synthetic resins &amp; rubber production other than those listed within this group:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
</tbody>
</table>

**Fabricated Metal Products**

| Abrasive blast cleaning:                                                                                   |                              | Note 1|
| Boiler makers                                                                                              | 100                         |       |
| Structural or sheet metal production:                                                                      | 500                         |       |
| Works producing iron or steel products in amounts:                                                         |                              |       |
| • up to 1,000,000 tonnes per year                                                                           | 100                         |       |
| • exceeding 1,000,000 tonnes per year                                                                       | 1,000                       |       |

**Food, Beverages & Tobacco**

<p>| Abattoir:                                                                                                  | 500                         |       |
| Bakery (other than one ancillary to a shop):                                                              | 100                         |       |</p>
<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flour mill:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Food or beverage production other than those listed within this group:</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td>150</td>
<td></td>
</tr>
<tr>
<td>Maltworks:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Manufacture of milk products:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Milk depot</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Poultry processing works</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Production of vegetable oils and fats using solvents:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Seafood processor:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Smallgoods production</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Tobacco and cigarette production:</td>
<td>500</td>
<td></td>
</tr>
</tbody>
</table>

**Miscellaneous Manufacturing**

<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fibreglass production:</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>Leather and artificial leather goods production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Leather tanning and dressing:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Printing and coating works with heated curing ovens:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Rendering and casings works:</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Rubber production, using either organic solvents or carbon black:</td>
<td>300</td>
<td>Note 2</td>
</tr>
</tbody>
</table>

**Non-metallic Mineral Products**

<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bitumen batching plant:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Cement production in amounts:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• up to 5,000 tonnes a year</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>• between 5,000 &amp; 150,000 tonnes a year</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>• exceeding 150,000 tonnes a year</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
<td>Notes</td>
</tr>
<tr>
<td>--------------------------------------------------------------------------------------</td>
<td>-----------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Clay bricks, tiles and pipe refractories, with a design production rate exceeding 10,000 tonnes a year:</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>Concrete article or stone article production:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Concrete batching plant:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Glass and glass production including glass wool:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Plaster or plaster articles production:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Rock wool manufacture:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td><strong>Other Premises</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Panel beating:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Rural industry handling, processing or packing agricultural produce:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td><strong>Paper &amp; Paper Products:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Paper or paper pulp production:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>involving combustion of sulphur or sulphur containing materials</td>
<td>5,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>from semi-processed materials</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>from prepared cellulose &amp; rags</td>
<td>200</td>
<td></td>
</tr>
<tr>
<td>by other methods than above</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td><strong>Recreation, Personal &amp; Other Services</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dry cleaning for commercial and institutional customers, or in bulk quantities:</td>
<td>100</td>
<td>Note 2</td>
</tr>
<tr>
<td>Laundry for commercial and institutional customers, or in bulk quantities:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td><strong>Recycling and Resource Recovery</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Advanced resource recovery technology facility</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Combustion, treatment or bio-reaction of waste to produce energy</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Commercial and Industrial materials recycling</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
<td>Notes</td>
</tr>
<tr>
<td>-----------------------------------------------------------------------------------------------------------</td>
<td>----------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Composting and other organic materials recycling.</td>
<td>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>
</tbody>
</table>

**Textiles**

Carpet backing with latex: 300

Dyeing or finishing of cotton, linen and woollen yarns and textiles: 300

Production of artificial fibres & textiles:

- cellulose nitrate or viscose fibre, cellophane or artificial rubber 1,000 Note 2
- other synthetic fibres and textiles 500 Note 2

Rope, cordage and twine production: 100

Treatment or production of textiles:

- using carbon disulphide 500 Note 2
- using other substances Note 1

Wool scouring: 200

**Transport and Storage**

Depot for refuse collection vehicles 100
<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>Grain elevators:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Storage of bulk volatile organic compounds in quantities greater than 1,000 tonnes:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Storage of petroleum products and crude oil in tanks exceeding 2,000 tonnes capacity:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• with fixed roofs</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>• with floating roofs</td>
<td>100</td>
<td>Note 2</td>
</tr>
<tr>
<td>Storage of wet-salted or unprocessed hides:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Temporary storage of industrial wastes:</td>
<td>300</td>
<td>Note 2</td>
</tr>
<tr>
<td>Treatment of aqueous waste:</td>
<td>200</td>
<td>Note 2</td>
</tr>
<tr>
<td>Waste incinerator for:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Woodwaste</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>• Plastic or rubber waste</td>
<td>200</td>
<td>Note 2</td>
</tr>
<tr>
<td>• Chemical, biomedical or organic waste</td>
<td></td>
<td>Notes 1, 2</td>
</tr>
<tr>
<td><strong>Wood, Wood Products &amp; Furniture</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Charcoal production:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• by the retort process</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>• other than by the retort process</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Joinery:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Sawmill:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Wood preservation plant:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Wood-fibre or wood-chip products</td>
<td>1,500</td>
<td></td>
</tr>
</tbody>
</table>
TIMBER PRODUCTION

Timber production on Crown land

Any requirement of this scheme which:

- requires timber production to be conducted in a particular way
- requires that a permit be obtained to use or develop land for timber production or to carry out timber production in a particular way
- requires that some aspect of timber production be carried out to the satisfaction of the responsible authority

does not apply to timber production on unalienated land of the Crown managed and controlled by the Minister responsible for administering the Forests Act 1958 and the Sustainable Forests (Timber) Act 2004, or the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forest and Lands Act 1987), whether or not occupied under a licence or other right. All requirements of this scheme apply to Crown land which has been leased.

Timber production to comply with the Code of Practice for Timber Production

All timber production activities (except agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), windbreaks and commercial plantations of 5 hectares or less) must comply with the Code of Practice for Timber Production (Department of Environment and Primary Industries, 2014). In accordance with Section 6(4A) of the Planning and Environment Act 1987, this applies whether the use of land for timber production is commenced before or after the coming into effect of this requirement.

The Code must be complied with to the satisfaction of the responsible authority.

A permit may require that matters required by the Code must be done to the satisfaction of the responsible authority or a Minister, public authority or referral authority, and may require the responsible authority to seek comments from any other person or authority before making a decision.

Road repairs

After a Timber Harvesting Plan is lodged with the responsible authority under the Code and before the commencement of harvesting operations, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which are proposed to be used as a cartage route.

The forest owner or manager must advise the responsible authority when harvesting operations are complete. After receiving this advice, the responsible authority, in consultation with the forest owner or manager, must establish the condition of any roads which were used as a cartage route.

It is the responsibility of the forest owner or manager to restore any roads which were used as a cartage route to the same condition that they were in before the commencement of harvesting operations to the extent of any damage caused as a result of the harvesting operations.

The cartage of timber associated with harvesting operations is extraordinary traffic for the purpose of Section 112 of the Road Management Act 2004.

Decision guidelines

Before deciding on an application to use or develop land for timber production, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The need to encourage plantation establishment and timber production in locations where it is of significance to national, state and regional economies, and in areas affected by salinity and other forms of land degradation.
The role of native forest and plantations in:
- Protecting water quality.
- Conserving flora and fauna.
- Preventing land degradation, including soil erosion, salinisation and water logging.
- Preventing adverse effects on groundwater recharge.

- The preservation of and impact on the natural environment, cultural heritage and visual amenity.
- Whether it is appropriate to require environmental protection standards greater than those in the Code.
RACING DOG HUSBANDRY

Purpose
To ensure the use and development of land for racing dog husbandry is consistent with orderly and proper planning.

Requirement
An application to use land, or construct a building or construct or carry out works, for racing dog husbandry under a provision of a rural zone must comply with Planning requirements for racing dog keeping and training (Department of Environment, Land, Water and Planning, August 2017). This requirement does not apply to an application to construct a building or construct or carry out works associated with a use that is a Section 1 use in the Table of uses of the zone.

Exemption from notice and review
An application to which the requirement in Clause 53.12-1 applies is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the approved measures specified in Planning requirements for racing dog keeping and training (Department of Environment, Land, Water and Planning, August 2017) are met.
RENEWABLE ENERGY FACILITY (OTHER THAN WIND ENERGY FACILITY AND GEOTHERMAL ENERGY EXTRACTION)

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 land used and developed or proposed to be used and developed for a renewable 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 the natural environment and natural systems.
- Whether the proposal will require traffic management measures.
RESOURCES RECOVERY

Purpose
To facilitate the establishment and expansion of a Transfer station and/or a Materials recycling facility in appropriate locations with minimal impact on the environment and amenity of the area.

Application
This clause applies to all land used and developed or proposed to be used and developed for:

- A Transfer station;
- A Materials recycling facility.

Application requirements
An application must be accompanied by the following information:

- A location plan showing the site and surrounding uses including distances to nearby sensitive uses such as residential, hospital or education uses.
- A detailed site plan showing the layout and height of buildings and works, materials, reflectivity, colour, lighting, landscaping, access roads and parking areas.
- Plans or other media showing anticipated views of the facility from sensitive use locations.
- A written report(s) including:
  - Identification of the purpose of the use.
  - A description of the proposal including the materials to be processed, the types of processes to be used and any materials to be stored and handled.
  - Proposed hours of operation.
  - Likely traffic generation including heavy vehicles.
  - Consideration of whether a works approval or licence is required from the Environment Protection Authority.
- An assessment of:
  - Potential amenity impacts such as noise, odour, emissions to air, land or water, vibration, dust, light spill, visual impact.
  - The impact of traffic generation on local roads.

Decision Guidelines
Before deciding on an application, in addition to the Decision Guidelines of Clause 65, the responsible authority must consider:

- The contribution of the proposal to achieving resource recovery targets established by the Victorian Government.
- The impact of the proposal on the amenity of the surrounding area.
- The Statewide Waste and Resource Recovery Infrastructure Plan (Sustainability Victoria, 2015).
- Relevant guidelines applicable to the application including the guideline for *Designing, Constructing and Operating Composting Facilities* (Environmental Protection Authority, 2015), the *Guide to Best Practice for Organics Recovery* (Sustainability Victoria, 2009) and the *Guide to Best Practice at Resource Recovery Centres* (Sustainability Victoria, 2009).
STATEMENT OF UNDERLYING PROVISIONS

Purpose

To specify the planning scheme provisions which would have applied to land reserved for a public purpose pursuant to section 6(2)(i) of the Planning and Environment Act 1987 if the land had not been reserved for that purpose.

Application

In relation to any land identified in the schedule to this clause, the provisions of the planning scheme which would have applied to that land if it had not been reserved for a public purpose are the provisions which are contained in the relevant incorporated document, also identified in the schedule to this clause.

The incorporated document may contain some or all of the provisions which would have applied to the relevant land under this scheme if the land had not been reserved for a public purpose.

The incorporated document may also contain a statement or explanation of the strategic basis for those provisions. Alternatively, the incorporated document may make reference to a separate document, not forming part of the incorporated document, which contains a statement or explanation of the strategic basis for those provisions.
SCHEDULE TO CLAUSE 53.15 STATEMENT OF UNDERLYING PROVISIONS

Incorporated statement

<table>
<thead>
<tr>
<th>Land</th>
<th>Incorporated Document</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>
PIG FARM

Purpose
To facilitate the establishment and expansion of pig farms in a manner that is consistent with orderly and proper planning and the protection of the environment.

Application
This clause applies to permit applications to use land or construct a building or construct or carry out works for a pig farm, including to increase the farm capacity of an existing pig farm.

Exemption from notice and review
An application to use land or construct a building or construct or carry out works for a pig farm is exempt from the notice requirements of section 52 (1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the following requirements are met:

- The number of pigs does not exceed 150 sows or 1,000 Standard Pig Units as calculated in Table 1.
- The outdoor stocking density does not exceed 12 Standard Pig Units per hectare as calculated in Table 1.
- A Nutrient Management Plan demonstrates pigs are kept outdoors on paddocks with:
  - A minimum of 50% ground cover; and
  - Mobile housing and feeding infrastructure that is relocated at least every three months.
- Any area used as a pig range, including associated buildings and works, is setback a minimum distance of:
  - 100 metres from a building used for a sensitive use (accommodation, a child care centre, an education centre or a hospital), and
  - 400 metres from land in a residential zone.

Table 1 Standard Pig Unit conversion factors

<table>
<thead>
<tr>
<th>Pig Class</th>
<th>Mass Range (kg)</th>
<th>Age Range (weeks)</th>
<th>SPU Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gilt</td>
<td>100 – 160</td>
<td>24 – 30</td>
<td>1.8</td>
</tr>
<tr>
<td>Boar</td>
<td>100 – 300</td>
<td>24 – 128</td>
<td>1.6</td>
</tr>
<tr>
<td>Gestating sow</td>
<td>160 – 230</td>
<td>-</td>
<td>1.6</td>
</tr>
<tr>
<td>Lactating sow</td>
<td>160 – 230</td>
<td>-</td>
<td>2.5</td>
</tr>
<tr>
<td>Sucker</td>
<td>1.4 – 8</td>
<td>0 – 4</td>
<td>0.1</td>
</tr>
<tr>
<td>Weaner</td>
<td>8 – 25</td>
<td>4 – 10</td>
<td>0.5</td>
</tr>
<tr>
<td>Grower</td>
<td>24 – 55</td>
<td>10 – 16</td>
<td>1.0</td>
</tr>
<tr>
<td>Finisher</td>
<td>55 – 100</td>
<td>16 – 24</td>
<td>1.6</td>
</tr>
<tr>
<td>Pig Class</td>
<td>Mass Range (kg)</td>
<td>Age Range (weeks)</td>
<td>SPU Factor</td>
</tr>
<tr>
<td>---------------</td>
<td>-----------------</td>
<td>-------------------</td>
<td>------------</td>
</tr>
<tr>
<td>Heavy Finisher</td>
<td>100 – 130</td>
<td>24 -30</td>
<td>1.8</td>
</tr>
</tbody>
</table>

Note: Adapted from the National Environmental Guidelines for Piggeries 2010

### Decision guidelines

Before deciding on an application to use land or construct a building or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the **Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines** (June 2018).
RESIDENTIAL AGED CARE FACILITY

Purpose
To facilitate the development of well-designed residential aged care facilities to meet existing and future needs.
To recognise that residential aged care facilities have a different scale and built form to the surrounding neighbourhood.
To ensure residential aged care facilities do not unreasonably impact on the amenity of adjoining dwellings.

Application
This clause applies to an application to construct a building or construct or carry out works for a residential aged care facility in the General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Application requirements
An application must be accompanied by:
- A site and context description.
- A design response.
- A landscape plan.

Site and context description
The site and context description may use a site plan, photographs or other techniques and must include:
- Site shape, size, orientation and easements.
- Levels of the site and the difference in levels between the site and surrounding properties.
- The location of existing buildings on the site and on adjacent properties, including the location and height of walls built to the boundary of the site.
- The use of adjacent buildings and land.
- The location of secluded private open space and habitable room windows of adjacent properties which have an outlook to the site within 9 metres.
- Solar access to the site and to adjacent properties.
- Any contaminated soils and filled areas, where known.
- Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
- Street frontage features such as poles, street trees and kerb crossovers.
- Any other notable features or characteristics of the site.
If in the opinion of the responsible authority a requirement of the site and context description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Design response
The design response must explain how the proposed design:
- Responds to the site and context description.
- Meets the requirements of this clause.
Landscape plan
The landscape plan must include:

- Landscaping of communal open space for the enjoyment of residents and staff.
- Landscaping along the boundaries of the site.
- On-site management of run-off from paved areas.
- Retaining significant trees where possible.

Development requirements

Operation
If there is any inconsistency between a requirement in this clause and a requirement in another provision of this planning scheme, this clause prevails.

Building height
In the Neighbourhood Residential Zone, General Residential Zone and Township Zone the maximum building height must not exceed 16 metres.
In the Mixed Use Zone and Residential Growth Zone the maximum building height should not exceed 16 metres.

Street setback
Walls of buildings should be set back from streets the distance specified in the table:

<table>
<thead>
<tr>
<th>Development context</th>
<th>Minimum setback from front street (metres)</th>
<th>Minimum setback from a side street (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</td>
<td>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>The site is on a corner.</td>
<td>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. This does not include a porte cochère.</td>
<td>Front walls of new development fronting the side street of a corner site should be setback at least the same distance as the setback of the front wall of any existing building on the abutting</td>
</tr>
</tbody>
</table>
### Development context

<table>
<thead>
<tr>
<th>Development context</th>
<th>Minimum setback from front street (metres)</th>
<th>Minimum setback from a side street (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>allotment facing the side street or 4 metres, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>Side walls of new development on a corner site should be setback the same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</td>
<td></td>
</tr>
</tbody>
</table>

### Side and rear setbacks

A new building not on or within 200mm of a boundary should be set back from side or rear boundaries by 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Screens, sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.
**Walls on boundaries**

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary for a length of more than:

- 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
- Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports; whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

**Daylight to existing windows**

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.
Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

North-facing windows

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
Overshadowing open space

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Solar panel overshadowing

Buildings should be sited and designed to ensure that the capacity of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced.

Overlooking

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.2 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.2 metres above floor level.
- Have permanently fixed external screens to at least 1.2 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.2 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:
- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

### Noise impacts

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

### Daylight to new windows

A window in a habitable room should be located to face:
- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

### Site coverage

The site area covered by buildings should not exceed 80 percent.

### Access

Access ways should be designed to:
- Provide direct access to on-site designated areas for car and bicycle parking.
- Provide direct access to the building for emergency vehicles.
- Provide access for service and delivery vehicles to on-site loading bays and storage areas.
- Ensure vehicles can enter and exit a development in a forward direction.
- Provide a carriageway width of at least 5.5 metres and an internal radius of at least 4 metres at a change of direction.
- The number and location of access points from streets to the site and the design of crossovers must be to the requirements of the relevant road authority.
- Shared access ways or car parks should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced by 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the access way.

**Building entry**

The main pedestrian entry to a building should:
- Have convenient access from a street.
- Be sheltered from the weather.
- Have convenient access from on-site car parking.
- Have a designated vehicle standing area suitable for use by a community bus and a disabled parking area should be provided in an area that is convenient for the drop-off and pick-up of residents.

**Communal open space**

Accessible and useable communal open space should be provided for residents and staff.

**Front fence**

A front fence within 3 metres of a street should not exceed:
- 2 metres in height in streets in a Road Category 1; and
- 1.5 metres in height on all other streets.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:
- How the proposed development responds to the site and context description.
- Where the requirements of this clause are not met, the impact on the amenity of the adjoining dwellings.
- The proposed amenity for future residents of the residential aged care facility.
- The effect of overshadowing on an appropriately located existing rooftop solar energy facility on an adjoining lot.
STORMWATER MANAGEMENT IN URBAN DEVELOPMENT

Purpose

To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

Application

This clause applies to an application under a provision of a zone to subdivide land, construct a building, or construct or carry out works, other than the following applications:

- An application under a provision of the Farming Zone, Green Wedge Zone, Green Wedge A Zone, Low Density Residential Zone, Public Conservation and Resource Zone, Road Zone, Rural Activity Zone, Rural Conservation Zone, Rural Living Zone, Urban Floodway Zone or Urban Growth Zone.

- A VicSmart application.

- An application to subdivide land in a residential zone for residential purposes.

- An application to construct or extend a dwelling, fence or residential building in a residential zone.

- An application for development associated with the use of land for agriculture or earth and energy resources industry.

- An application to construct a building or construct or carry out works associated with one dwelling on a lot.

- An application to alter, extend or make structural changes to an existing building provided the gross floor area of the building is not increased by more than 50 square metres.

- An application to construct a building with a gross floor area not exceeding 50 square metres.

- An application to construct or carry out works with an area not exceeding 50 square metres.

- An application to subdivide land into lots each containing an existing building or car parking space.

- An application to construct a building or to construct or carry out works on a lot if all of the following requirements are met:
  - The lot was created in accordance with a permit granted under this planning scheme.
  - The application for that permit was assessed against the requirements of this clause.

- An application for land affected by a development plan or incorporated plan that was approved or incorporated in this planning scheme before the approval date of Amendment VC154.

- An application lodged before the approval date of Amendment VC154.

- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC154.

Operation

The provisions of this clause contain:

- Objectives. An objective describes the desired outcome to be achieved in the completed development.

- Standards. A standard contains the requirements to meet the objective.
A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative solution meets the objective, the alternative solution may be considered.

53.18-3
26/10/2018
VC154

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
26/10/2018
VC154

Stormwater management objectives for subdivision

To minimise damage to properties and inconvenience to the public from stormwater.

To ensure that the street operates adequately during major storm events and provides for public safety.

To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

Standard W1

The stormwater management system should be:
- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:
- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
- Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.
For storm events greater than 20% AEP and up to and including 1% AEP standard:

- Provision must be made for the safe and effective passage of stormwater flows.
- All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
- Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $da \cdot Vave < 0.35 \text{ m}^2/\text{s}$ (where, $da =$ average depth in metres and $Vave =$ average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.

Stormwater management objectives for buildings and works

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

To ensure that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system.

Standard W2

The stormwater management system should be designed to:

- Minimise the impact of chemical pollutants and other toxicants including by, but not limited to, bunding and covering or roofing of storage, loading and work areas.
- Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

Site management objectives

To protect drainage infrastructure and receiving waters from sedimentation and contamination.

To protect the site and surrounding area from environmental degradation prior to and during construction of subdivision works.
Standard W3

An application should describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Stormwater.
- Litter, concrete and other construction wastes.
- Chemical contamination.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any relevant water and stormwater management objective, policy or statement set out in this planning scheme.
- The capacity of the site to incorporate stormwater retention and reuse and other water sensitive urban design features.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.
ONE DWELLING ON A LOT

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.
To encourage residential development that provides reasonable standards of amenity for existing and new residents.
To encourage residential development that is responsive to the site and the neighbourhood.

Application
These provisions apply to an application to construct a building or construct or carry out works associated with one dwelling on a lot under the provisions of:
- A Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.
- A Neighbourhood Character Overlay if the land is in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.

Operation
The provisions of this clause contain:

- **Objectives.** An objective describes the desired outcome to be achieved in the completed development.

- **Standards.** A standard contains the requirements to meet the objective.
  A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

- **Decision guidelines.** The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements
A development:

- Must meet all of the objectives of this clause.

- Should meet all of the standards of this clause.

If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a schedule to the zone applies.

If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a requirement of a standard different from a requirement set out in this clause or a requirement in the zone or a schedule to the zone, the requirement in the schedule to the overlay applies.

If the land is included in an overlay, other than a Neighbourhood Character Overlay, and a schedule to the overlay specifies a requirement different from a requirement of a standard set out in this clause or a requirement of a standard set out in the zone or a schedule to the zone, the requirement in the overlay applies.
NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

An application must be accompanied by:

- A neighbourhood and site description.
- A design response.

Neighbourhood and site description

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the neighbourhood:
  - The built form, scale and character of surrounding development including front fencing.
  - Architectural and roof styles.
  - Any other notable features or characteristics of the neighbourhood.

- In relation to the site:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and to surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the neighbourhood and site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Satisfactory neighbourhood and site description

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 54.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

Design response

The design response must explain how the proposed design:
• Derives from and responds to the neighbourhood and site description.
• Meets the objectives of Clause 54.
• Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.
NEIGHBOURHOOD CHARACTER

Neighbourhood character objective
To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.
To ensure that the design responds to the features of the site and the surrounding area.

Standard A1
The design response must be appropriate to the neighbourhood and the site.
The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The neighbourhood and site description.
- The design response.

Integration with the street objective
To integrate the layout of development with the street.

Standard A2
Dwellings should be oriented to front existing and proposed streets.
High fencing in front of dwellings should be avoided if practicable.
Dwellings should be designed to promote the observation of abutting streets and any abutting public open spaces.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
SITE LAYOUT AND BUILDING MASSING

Street setback objective
To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

Standard A3
Walls of buildings should be set back from streets:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, the distance specified in Table A1.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table A1 Street setback

<table>
<thead>
<tr>
<th>Development context</th>
<th>Minimum setback from front street (Metres)</th>
<th>Minimum setback from a side street (Metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</td>
<td>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>The site is on a corner.</td>
<td>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>The same distance as the setback of the front wall of any existing building on the abutting allotment facing the side street or 2 metres, whichever is the lesser.</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- Whether a different setback would be more appropriate taking into account the prevailing setbacks of existing buildings on nearby lots.
- The visual impact of the building when viewed from the street and from adjoining properties.
- The value of retaining vegetation within the front setback.
Building height objective
To ensure that the height of buildings respects the existing or preferred neighbourhood character.

Standard A4
The maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land.

If no maximum height is specified in the zone, schedule to the zone or an overlay, the maximum building height should not exceed 9 metres, unless the slope of the natural ground level at any cross section wider than 8 metres of the site of the building is 2.5 degrees or more, in which case the maximum building height should not exceed 10 metres.

Changes of building height between existing buildings and new buildings should be graduated.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Any maximum building height specified in the zone, a schedule to the zone or an overlay applying to the land.
- The design response.
- The effect of the slope of the site on the height of the building.
- The relationship between the proposed building height and the height of existing adjacent buildings.
- The visual impact of the building when viewed from the street and from adjoining properties.

Site coverage objective
To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.

Standard A5
The site area covered by buildings should not exceed:

- The maximum site coverage specified in a schedule to the zone, or
- If no maximum site coverage is specified in a schedule to the zone, 60 per cent.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The existing site coverage and any constraints imposed by existing development or the features of the site.
- The site coverage of adjacent properties.
- The effect of the visual bulk of the building and whether this is acceptable in the neighbourhood.

Permeability objectives
To reduce the impact of increased stormwater run-off on the drainage system.
To facilitate on-site stormwater infiltration.
Standard A6
The site area covered by pervious surfaces should be at least:
- The minimum area specified in a schedule to the zone; or
- If no minimum area is specified in a schedule to the zone, 20 per cent of the site.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The existing site coverage and any constraints imposed by existing development.
- The capacity of the drainage network to accommodate additional stormwater.
- The capacity of the site to absorb run-off.
- The practicality of achieving the minimum site coverage of pervious surfaces, particularly on lots of less than 300 square metres.

Energy efficiency protection objectives
To achieve and protect energy efficient dwellings.
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

Standard A7
Buildings should be:
- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy facility must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the dwelling, if practicable.
Dwellings should be designed so that solar access to north-facing windows is maximised.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The size, orientation and slope of the lot.
- The existing amount of solar access to abutting properties.
- The extent to which an existing rooftop solar energy facility on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy facility on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy facility on an adjoining lot.
- The availability of solar access to north-facing windows on the site.
**Significant trees objectives**

To encourage development that respects the landscape character of the neighbourhood.

To encourage the retention of significant trees on the site.

**Standard A8**

Development should provide for the retention or planting of trees, where these are part of the neighbourhood character.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The health of any trees that were removed or are proposed to be removed.
- Whether a tree was removed to gain a development advantage.
AMENITY IMPACTS

Side and rear setbacks objective
To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard A10
A new building not on or within 200mm of a boundary should be set back from side or rear boundaries:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic fuel or water tanks, and heating or cooling equipment or other services may encroach not more than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways, ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Diagram A1 Side and rear setbacks

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.

Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.

Whether the wall abuts a side or rear lane.

**Walls on boundaries objective**

To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

**Standard A11**

A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of a lot should not abut the boundary:

- For a length more than the distance specified in a schedule to the zone; or
- If no distance is specified in a schedule to the zone, for a length of more than:
  - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
  - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports, whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where the slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The extent to which walls on boundaries are part of the neighbourhood character.
- The visual impact of the building when viewed from adjoining properties.
- The impact on the amenity of existing dwellings.
- The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.
- The orientation of the boundary that the wall is being built on.
- The width of the lot.
- The extent to which the slope and retaining walls or fences reduce the effective height of the wall.
- Whether the wall abuts a side or rear lane.
- The need to increase the wall height to screen a box gutter.
Daylight to existing windows objective

To allow adequate daylight into existing habitable room windows.

Standard A12

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram A2 Daylight to existing windows

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.
- The impact on the amenity of existing dwellings.

North-facing windows objective

To allow adequate solar access to existing north-facing habitable room windows.

Standard A13

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metre for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling.
- The impact on the amenity of existing dwellings.

Overshadowing open space objective
To ensure buildings do not unreasonably overshadow existing secluded private open space.

Standard A14
Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of existing dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling.
The time of day that sunlight is available to the secluded private open space of the existing dwelling.

The effect of a reduction in sunlight on the existing use of the secluded private open space.

**Overlooking objective**

To limit views into existing secluded private open space and habitable room windows.

**Standard A15**

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space and habitable room windows of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other, or
- Have sill heights of at least 1.7 metres above floor level, or
- Have obscure glazing in any part of the window below 1.7 metres above floor level, or
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

**Diagram A4 Overlooking open space**

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of the secluded private open space or habitable room window.
- The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.
- The internal daylight to and amenity of the proposed dwelling.
ON-SITE AMENITY AND FACILITIES

Daylight to new windows objective
To allow adequate daylight into new habitable room windows.

Standard A16

A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether there are other windows in the habitable room which have access to daylight.

Private open space objective
To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard A17

A dwelling should have private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimensions is specified in a schedule to the zone, a dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 40 square metres. At least one part of the private open space should consist of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 3 metres at the side or rear of the dwelling with convenient access from a living room.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability of the private open space, including its size and accessibility.
- The availability of and access to public open space.
- The orientation of the lot to the street and the sun.

Solar access to open space objective
To allow solar access into the secluded private open space of a new dwelling.

Standard A18

The private open space should be located on the north side of the dwelling, if practicable.

The southern boundary of secluded private open space should be set back from any wall on the north of the space at least \((2 + 0.9h)\) metres, where ‘h’ is the height of the wall.
Diagram A5 Solar access to open space

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the secluded private open space based on the sunlight it will receive.
DETAILED DESIGN

Design detail objective
To encourage design detail that respects the existing or preferred neighbourhood character.

Standard A19
The design of buildings, including:
- Facade articulation and detailing,
- Window and door proportions,
- Roof form, and
- Verandahs, eaves and parapets,
should respect the existing or preferred neighbourhood character.
Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.
- Whether the design is innovative and of a high architectural standard.

Front fences objective
To encourage front fence design that respects the existing or preferred neighbourhood character.

Standard A20
The design of front fences should complement the design of the dwelling and any front fences on adjoining properties.
A front fence within 3 metres of a street should not exceed:
- The maximum height specified in a schedule to the zone, or
- If no maximum height is specified in a schedule to the zone, the maximum height specified in Table A2.

<table>
<thead>
<tr>
<th>Street context</th>
<th>Maximum front fence height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Streets in a Road Zone, Category 1</td>
<td>2 metres</td>
</tr>
<tr>
<td>Other streets</td>
<td>1.5 metres</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The setback, height and appearance of front fences on adjacent properties.
- The extent to which slope and retaining walls reduce the effective height of the front fence.
- Whether the fence is needed to minimise noise intrusion.
TWO OR MORE DWELLINGS ON A LOT AND RESIDENTIAL BUILDINGS

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.
To encourage residential development that provides reasonable standards of amenity for existing and new residents.
To encourage residential development that is responsive to the site and the neighbourhood.

Application
Provisions in this clause apply to an application to:
- Construct a dwelling if there is at least one dwelling existing on the lot,
- Construct two or more dwellings on a lot,
- Extend a dwelling if there are two or more dwellings on the lot,
- Construct or extend a dwelling on common property, or
- Construct or extend a residential building,
in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.
The provisions of this clause apply to an application specified above, in the manner set out in the following table.

<table>
<thead>
<tr>
<th>Application type</th>
<th>Applicable clauses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To construct or extend a dwelling (other than a dwelling in or forming part of an apartment development), or To construct or extend a residential building.</td>
<td>All of Clause 55 except Clause 55.07-1 to 55.07-15 (inclusive).</td>
</tr>
<tr>
<td>To construct or extend an apartment development, or To construct or extend a dwelling in or forming part of an apartment development.</td>
<td>All of Clause 55 except Clause 55.03-5, Clause 55.03-6, Clause 55.04-8, Clause 55.05-1, Clause 55.05-2 and Clause 55.05-6.</td>
</tr>
</tbody>
</table>

These provisions do not apply to an application to construct or extend a development of five or more storeys, excluding a basement or to construct or extend a dwelling in a development of five or more storeys, excluding a basement.

Operation
The provisions of this clause contain:
- **Objectives.** An objective describes the desired outcome to be achieved in the completed development.
- **Standards.** A standard contains the requirements to meet the objective.
  A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
- **Decision guidelines.** The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements
A development:
Must meet all of the objectives of this clause that apply to the application.

Should meet all of the standards of this clause that apply to the application.

For all of the provisions of Clause 55 other than Clause 55.07 (Apartment developments):

- If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a schedule to the zone applies.

- If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a requirement of a standard different from a requirement set out in this clause or a requirement in the zone or a schedule to the zone, the requirement in the schedule to the overlay applies.

- If the land is included in an overlay, other than a Neighbourhood Character Overlay, and a schedule to the overlay specifies a requirement different from a requirement of a standard set out in this clause or a requirement of a standard set out in the zone or a schedule to the zone, the requirement in the overlay applies.

The requirements of a standard set out in Clause 55.07 (Apartment developments) apply to the exclusion of any different requirement specified in a zone, a schedule to a zone, or a schedule to an overlay.

**Transitional provisions**

Clause 55.03-4 of this planning scheme, as in force immediately before the approval date of Amendment VC154, continues to apply to:

- An application for a planning permit lodged before that date.

- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.
NEIGHBOURHOOD AND SITE DESCRIPTION AND DESIGN RESPONSE

An application must be accompanied by:

- A neighbourhood and site description.
- A design response.

Neighbourhood and site description

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the neighbourhood:
  - The pattern of development of the neighbourhood.
  - The built form, scale and character of surrounding development including front fencing.
  - Architectural and roof styles.
  - Any other notable features or characteristics of the neighbourhood.

- In relation to the site:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - The location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and to surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - The location of local shops, public transport services and public open spaces within walking distance.
  - Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the neighbourhood and site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Satisfactory neighbourhood and site description

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 55.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.
Design response

The design response must explain how the proposed design:

- Derives from and responds to the neighbourhood and site description.
- Meets the objectives of Clause 55.
- Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.
NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE

**Neighbourhood character objectives**
To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.
To ensure that development responds to the features of the site and the surrounding area.

**Standard B1**
The design response must be appropriate to the neighbourhood and the site.
The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The neighbourhood and site description.
- The design response.

**Residential policy objectives**
To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.
To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.

**Standard B2**
An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- The design response.

**Dwelling diversity objective**
To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

**Standard B3**
Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:
- Dwellings with a different number of bedrooms.
- At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.

**Infrastructure objectives**
To ensure development is provided with appropriate utility services and infrastructure.
To ensure development does not unreasonably overload the capacity of utility services and infrastructure.

**Standard B4**

Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The capacity of the existing infrastructure.
- In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

**Integration with the street objective**

To integrate the layout of development with the street.

**Standard B5**

Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.

Development should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Development next to existing public open space should be laid out to complement the open space.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
SITE LAYOUT AND BUILDING MASSING

Street setback objective

To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

Standard B6

Walls of buildings should be set back from streets:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, the distance specified in Table B1.

Porches, pergolas and verandas 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>--------------------------------------------------------------------------------------------------)-------------------------------------------------------------------------------------------------------------</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>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>
<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**

![Diagram B4 Overlooking open space]

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:
- The design response.
- The impact on the amenity of the secluded private open space or habitable room window.
- The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.
- The internal daylight to and amenity of the proposed dwelling or residential building.

**Internal views objective**
To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.

**Standard B23**
Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.

**Decision guideline**
Before deciding on an application, the responsible authority must consider the design response.

**Noise impacts objectives**
To contain noise sources in developments that may affect existing dwellings.

To protect residents from external noise.

**Standard B24**
Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.

Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.

**Decision guideline**
Before deciding on an application, the responsible authority must consider the design response.
ON-SITE AMENITY AND FACILITIES

Accessibility objective
To encourage the consideration of the needs of people with limited mobility in the design of developments.

Standard B25
The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.

Dwelling entry objective
To provide each dwelling or residential building with its own sense of identity.

Standard B26
Entries to dwellings and residential buildings should:
- Be visible and easily identifiable from streets and other public areas.
- Provide shelter, a sense of personal address and a transitional space around the entry.

Daylight to new windows objective
To allow adequate daylight into new habitable room windows.

Standard B27
A window in a habitable room should be located to face:
- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- Whether there are other windows in the habitable room which have access to daylight.

Private open space objective
To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard B28
A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:
- An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or
- A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or
- A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

The balcony requirements in Clause 55.05-4 do not apply to an apartment development.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability of the private open space, including its size and accessibility.
- The availability of and access to public or communal open space.
- The orientation of the lot to the street and the sun.

---

**Solar access to open space objective**
To allow solar access into the secluded private open space of new dwellings and residential buildings.

**Standard B29**
The private open space should be located on the north side of the dwelling or residential building, if appropriate.

The southern boundary of secluded private open space should be set back from any wall on the north of the space at least \((2 + 0.9h)\) metres, where ‘\(h\)’ is the height of the wall.

**Diagram B5 Solar access to open space**

---

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the secluded private open space based on the sunlight it will receive.

---

**Storage objective**
To provide adequate storage facilities for each dwelling.
Standard B30
Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.
**DETAILED DESIGN**

**Design detail objective**
To encourage design detail that respects the existing or preferred neighbourhood character.

**Standard B31**
The design of buildings, including:
- Facade articulation and detailing,
- Window and door proportions,
- Roof form, and
- Verandahs, eaves and parapets,
should respect the existing or preferred neighbourhood character.

Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.
- Whether the design is innovative and of a high architectural standard.

**Front fences objective**
To encourage front fence design that respects the existing or preferred neighbourhood character.

**Standard B32**
The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.

A front fence within 3 metres of a street should not exceed:
- The maximum height specified in a schedule to the zone, or
- If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3.

**Table B3 Maximum front fence height**

<table>
<thead>
<tr>
<th>Street Context</th>
<th>Maximum front fence height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Streets in a Road Zone, Category 1</td>
<td>2 metres</td>
</tr>
<tr>
<td>Other streets</td>
<td>1.5 metres</td>
</tr>
</tbody>
</table>

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The setback, height and appearance of front fences on adjacent properties.
- The extent to which slope and retaining walls reduce the effective height of the front fence.
- Whether the fence is needed to minimise noise intrusion.

**Common property objectives**

To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.

To avoid future management difficulties in areas of common ownership.

**Standard B33**

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

**Site services objectives**

To ensure that site services can be installed and easily maintained.

To ensure that site facilities are accessible, adequate and attractive.

**Standard B34**

The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.

Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

Bin and recycling enclosures should be located for convenient access by residents.

Mailboxes should be provided and located for convenient access as required by Australia Post.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.
APARTMENT DEVELOPMENTS

Purpose
Clause 55.07 sets out requirements for an apartment development.

Energy efficiency objectives
To achieve and protect energy efficient dwellings and buildings.
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.
To ensure dwellings achieve adequate thermal efficiency.

Standard B35
Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy facility must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified Table B4 in should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table B4 Cooling load

<table>
<thead>
<tr>
<th>NatHERS climate zone</th>
<th>NatHERS maximum cooling load</th>
</tr>
</thead>
<tbody>
<tr>
<td>Climate zone 21 Melbourne</td>
<td>30</td>
</tr>
<tr>
<td>Climate zone 22 East Sale</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 27 Mildura</td>
<td>69</td>
</tr>
<tr>
<td>Climate zone 60 Tullamarine</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 62 Moorabbin</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 63 Warrnambool</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 64 Cape Otway</td>
<td>19</td>
</tr>
<tr>
<td>Climate zone 66 Ballarat</td>
<td>23</td>
</tr>
</tbody>
</table>

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and layout of the site.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.
- The extent to which an existing rooftop solar energy facility on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy facility on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy facility on an adjoining lot.

**Communal open space objective**

To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.

**Standard B36**

Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.

Communal open space should:

- Be located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.

- Be designed to protect any natural features on the site.

- Maximise landscaping opportunities.

- Be accessible, 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</td>
<td>1 small tree (6-8 metres) per 30 square metres of deep soil</td>
</tr>
<tr>
<td></td>
<td>(minimum dimension of 3 metres)</td>
<td></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 LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table B6 Noise influence area

<table>
<thead>
<tr>
<th>Noise source</th>
<th>Noise influence area</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Zone interface</strong></td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>300 metres from the Industrial 1, 2 and 3 zone boundary</td>
</tr>
<tr>
<td><strong>Roads</strong></td>
<td></td>
</tr>
<tr>
<td>Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume</td>
<td>300 metres from the nearest trafficable lane</td>
</tr>
<tr>
<td><strong>Railways</strong></td>
<td></td>
</tr>
<tr>
<td>Railway servicing passengers in Victoria</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight outside Metropolitan Melbourne</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight in Metropolitan Melbourne</td>
<td>135 metres from the centre of the nearest track</td>
</tr>
</tbody>
</table>

*Note: The noise influence area should be measured from the closest part of the building to the noise source.*

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether it can be demonstrated that the design treatment incorporated into the development meets the specified noise levels or an acoustic report by a suitably qualified specialist submitted with the application.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
- Whether the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
Accessibility objective

To ensure the design of dwellings meets the needs of people with limited mobility.

Standard B41

At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table B7.

Table B7 Bathroom design

<table>
<thead>
<tr>
<th></th>
<th>Design option A</th>
<th>Design option B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Door opening</td>
<td>A clear 850mm wide door opening.</td>
<td>A clear 820mm wide door opening located opposite the shower.</td>
</tr>
<tr>
<td>Door design</td>
<td>Either:</td>
<td>Either:</td>
</tr>
<tr>
<td></td>
<td>• A slide door, or</td>
<td>• A slide door, or</td>
</tr>
<tr>
<td></td>
<td>• A door that opens outwards, or</td>
<td>• A door that opens outwards, or</td>
</tr>
<tr>
<td></td>
<td>• A door that opens inwards that is clear of the circulation area and has readily removable hinges.</td>
<td>• A door that opens inwards 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. The circulation area can include a shower area.</td>
</tr>
<tr>
<td></td>
<td>The circulation area for the toilet and shower can overlap.</td>
<td></td>
</tr>
<tr>
<td>Path to circulation area</td>
<td>A clear path with a minimum width of 900mm from the door opening to the circulation area.</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>Shower</td>
<td>A hobless (step-free) shower.</td>
<td>A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.</td>
</tr>
<tr>
<td>Toilet</td>
<td>A toilet located in the corner of the room.</td>
<td>A toilet located closest to the door opening and clear of the circulation area.</td>
</tr>
</tbody>
</table>

Building entry and circulation objectives

To provide each dwelling and building with its own sense of identity.

To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.

To ensure internal communal areas provide adequate access to daylight and natural ventilation.

Standard B42

Entries to dwellings and buildings should:
Be visible and easily identifiable.

Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
  - Include at least one source of natural light and natural ventilation.
  - Avoid obstruction from building services.
  - Maintain clear sight lines.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of internal communal areas based on daylight access and the natural ventilation it will receive.

**Private open space above ground floor objective**

To provide adequate private open space for the reasonable recreation and service needs of residents.

**Standard B43**

A dwelling should have private open space consisting of:

- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or
- A balcony with an area and dimensions specified in Table B8 and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.

**Table B8 Balcony size**

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum area</th>
<th>Minimum dimension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio or 1 bedroom dwelling</td>
<td>8 square metres</td>
<td>1.8 metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>8 square metres</td>
<td>2 metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>12 square metres</td>
<td>2.4 metres</td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and functionality of the private open space, including its size and accessibility.
- The amenity of the private open space based on the orientation of the lot, the wind conditions and the sunlight it will receive.
- The availability of and access to public or communal open space.
Storage objective
To provide adequate storage facilities for each dwelling.

Standard B44
Each dwelling should have convenient access to usable and secure storage space.
The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet
the requirements specified in Table B9.

Table B9 Storage

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Total minimum storage volume</th>
<th>Minimum storage volume within the dwelling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>8 cubic metres</td>
<td>5 cubic metres</td>
</tr>
<tr>
<td>1 bedroom dwelling</td>
<td>10 cubic metres</td>
<td>6 cubic metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>14 cubic metres</td>
<td>9 cubic metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>18 cubic metres</td>
<td>12 cubic metres</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability, functionality and location of storage facilities provided for the dwelling.

Waste and recycling objectives
To ensure dwellings are designed to encourage waste recycling.
To ensure that waste and recycling facilities are accessible, adequate and attractive.
To ensure that waste and recycling facilities are designed and managed to minimise impacts on
residential amenity, health and the public realm.

Standard B45
Developments should include dedicated areas for:
- Waste and recycling enclosures which are:
  - Adequate in size, durable, waterproof and blend in with the development.
  - Adequately ventilated.
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.
- Adequate facilities for bin washing. These areas should be adequately ventilated.
- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.
- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.
Waste and recycling management facilities should be design and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- The design response.
- Any relevant waste and recycling objective, policy or statement set out in this scheme.

### Functional layout objective
To ensure dwellings provide functional areas that meet the needs of residents.

**Standard B46**
Bedrooms should:

- Meet the minimum internal room dimensions specified in Table B10.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

**Table B10 Bedroom dimensions**

<table>
<thead>
<tr>
<th>Bedroom type</th>
<th>Minimum width</th>
<th>Minimum depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main bedroom</td>
<td>3 metres</td>
<td>3.4 metres</td>
</tr>
<tr>
<td>All other bedrooms</td>
<td>3 metres</td>
<td>3 metres</td>
</tr>
</tbody>
</table>

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table B11.

**Table B11 Living area dimensions**

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum width</th>
<th>Minimum area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio and 1 bedroom dwelling</td>
<td>3.3 metres</td>
<td>10 sqm</td>
</tr>
<tr>
<td>2 or more bedroom dwelling</td>
<td>3.6 metres</td>
<td>12 sqm</td>
</tr>
</tbody>
</table>

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and amenity of habitable rooms.

### Room depth objective
To allow adequate daylight into single aspect habitable rooms.

**Standard B47**
Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:
The room combines the living area, dining area and kitchen.

The kitchen is located furthest from the window.

The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability, functionality and amenity of the dwelling based on layout, siting, size and orientation of habitable rooms.
- Any overhang above habitable room windows that limits daylight access.

---

**Windows objective**

To allow adequate daylight into new habitable room windows.

**Standard B48**

Habitable rooms should have a window in an external wall of the building. A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.

The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability and amenity of the dwelling based on layout, siting, size and orientation of habitable rooms.

---

**Natural ventilation objectives**

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

**Standard B49**

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
Ventilation openings with approximately the same area.
The breeze path is measured between the ventilation openings on different orientations of the dwelling.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation, slope and wind exposure of the site.
- The extent to which the orientation of the building and the layout of dwellings maximises opportunities for cross ventilation.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
RESIDENTIAL SUBDIVISION

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To create liveable and sustainable neighbourhoods and urban places with character and identity.
To achieve residential subdivision outcomes that appropriately respond to the site and its context for:

- Metropolitan Melbourne growth areas.
- Infill sites within established residential areas.
- Regional cities and towns.

To ensure residential subdivision design appropriately provides for:

- Policy implementation.
- Liveable and sustainable communities.
- Residential lot design.
- Urban landscape.
- Access and mobility management.
- Integrated water management.
- Site management.
- Utilities.

Application
These provisions apply to an application to subdivide land in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone and any Comprehensive Development Zone or Priority Development Zone that provides for residential development.

These provisions do not apply to an application to subdivide land into lots each containing an existing dwelling or car parking space.

Operation
The provisions of this clause contain:

- **Objectives.** An objective describes the desired outcome to be achieved in the completed subdivision.
- **Standards.** A standard contains the requirements to meet the objective.

A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

Requirement
An application to subdivide land:

- Must be accompanied by a site and context description and a design response.
- Must meet all of the objectives included in the clauses specified in the zone.
- Should meet all of the standards included in the clauses specified in the zone.
Certification of standards

A subdivision may be certified by a person authorised by the Minister for Planning as meeting the requirements of a standard in this clause.

A standard that is certified as met is deemed to have met the objective of that standard.
Subdivision site and context description

The site and context description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the site:
  - Site shape, size, dimensions and orientation.
  - Levels and contours of the site.
  - Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
  - The siting and use of existing buildings and structures.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Access points.
  - Location of drainage and other utilities.
  - Easements.
  - Any identified natural or cultural features of the site.
  - Significant views to and from the site.
  - Noise and odour sources or other external influences.
  - Soil conditions, including any land affected by contamination, erosion, salinity, acid sulphate soils or fill.
  - Any other notable features or characteristics of the site.
  - Adjacent uses.
  - Any other factor affecting the capacity to develop the site including whether the site is affected by inundation.

- An application for subdivision of 3 or more lots must also describe in relation to the surrounding area:
  - The pattern of subdivision.
  - Existing land uses.
  - The location and use of existing buildings on adjacent land.
  - Abutting street and path widths, materials and detailing.
  - The location and type of significant vegetation.

- An application for subdivision of 60 or more lots must also describe in relation to the surrounding area:
  - Location, distance and type of any nearby public open space and recreational facilities.
  - Direction and distances to local shops and community facilities.
  - Directions and walking distances to public transport routes and stops.
  - Direction and walking distances to existing neighbourhood, major and principal activity centres and major employment areas.
- Existing transport routes, including freeways, arterial roads and streets connecting
  neighbourhoods.
- Local street network including potential connections to adjacent subdivisions.
- Traffic volumes and movements on adjacent roads and streets.
- Pedestrian, bicycle and shared paths identifying whether their primary role is neighbourhood
  or regional access.
- Any places of cultural significance.
- Natural features including trees and other significant vegetation, drainage lines, water
  courses, wetlands, ridgelines and hill tops.
- Proximity of any fire threats.
- Pattern of ownership of adjoining lots.

If in the opinion of the responsible authority a requirement of the site and context description is
not relevant to the assessment of an application, the responsible authority may waive or reduce
the requirement.

**Satisfactory subdivision site and context description**

If the responsible authority decides that the site and context description is not satisfactory, it may
require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an
application until it is satisfied that the site and context description meets the requirements of Clause
56.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of
the Act.

**Subdivision design response**

The design response must explain how the proposed design:

- Derives from and responds to the site and context description.
- Responds to any site and context features for the area identified in a local planning policy or
  a Neighbourhood Character Overlay.
- Responds to any relevant objective, policy, strategy or plan set out for the area in this scheme.
- Meets the relevant objectives of Clause 56.

The design response must include a dimensioned plan to scale showing the layout of the subdivision
in context with the surrounding area. If in the opinion of the responsible authority this requirement
is not relevant to the assessment of an application, it may waive or reduce the requirement.

An application for subdivision of 60 or more lots must also include a plan that meets the
requirements of Standard C2. The plan must also show the:

- Proposed uses of each part of the site.
- Natural features of the site and identify any features proposed to be altered.
- Proposed integrated water management system.
- Proposed staging of the subdivision.
POLICY IMPLEMENTATION

Strategic implementation objective
To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.

Standard C1
An application must be accompanied by a written statement that describes how the subdivision is consistent with and implements any relevant growth area, activity centre, housing, access and mobility, community facilities, open space and recreation, landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy or plan for the area set out in this scheme.
LIVEABLE AND SUSTAINABLE COMMUNITIES

Compact and walkable neighbourhoods objectives
To create compact neighbourhoods that are oriented around easy walking distances to activity centres, schools and community facilities, public open space and public transport.
To allow easy movement through and between neighbourhoods for all people.

Standard C2
A subdivision should implement any relevant growth area or any approved land-use and development strategy, plan or policy for the area set out in this scheme.
An application for subdivision must include a plan of the layout of the subdivision that:
- Meets the objectives (if relevant to the class of subdivision specified in the zone) of:
  - Clause 56.03-2 Activity centres
  - Clause 56.03-3 Planning for community facilities
  - Clause 56.04-1 Lot diversity and distribution
  - Clause 56.06-2 Walking and cycling network
  - Clause 56.06-3 Public transport network
  - Clause 56.06-4 Neighbourhood street network
- Shows the 400 metre street walking distance around each existing or proposed bus stop, 600 metres street walking distance around each existing or proposed tram stop and 800 metres street walking distance around each existing or proposed railway station and shows the estimated number of dwellings within those distances.
- Shows the layout of the subdivision in relation to the surrounding area.
- Is designed to be accessible for people with disabilities.

Activity centre objective
To provide for mixed-use activity centres, including neighbourhood activity centres, of appropriate area and location.

Standard C3
A subdivision should implement any relevant activity centre strategy, plan or policy for the area set out in this scheme.
Subdivision should be supported by activity centres that are:
- Accessible by neighbourhood and regional walking and cycling networks.
- Served by public transport that is connected to the regional public transport network.
- Located at public transport interchange points for the convenience of passengers and easy connections between public transport services.
- Located on arterial roads or connector streets.
- Of appropriate size to accommodate a mix of uses that meet local community needs.
- Oriented to support active street frontages, support street-based community interaction and pedestrian safety.
Planning for community facilities objective

To provide appropriately located sites for community facilities including schools, libraries, preschools and childcare, health services, police and fire stations, recreation and sports facilities.

Standard C4

A subdivision should:

- Implement any relevant regional and local community facility strategy, plan or policy for the area set out in this scheme.
- Locate community facilities on sites that are in or near activity centres and public transport.

School sites should:

- Be integrated with the neighbourhood and located near activity centres.
- Be located on walking and cycling networks.
- Have a bus stop located along the school site boundary.
- Have student drop-off zones, bus parking and on-street parking in addition to other street functions in abutting streets.
- Adjoin the public open space network and community sporting and other recreation facilities.
- Be integrated with community facilities.
- Be located on land that is not affected by physical, environmental or other constraints.

Schools should be accessible by the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.

Primary schools should be located on connector streets and not on arterial roads.

New State Government school sites must meet the requirements of the Department of Education and Training and abut at least two streets with sufficient widths to provide student drop-off zones, bus parking and on-street parking in addition to other street functions.

Built environment objective

To create urban places with identity and character.

Standard C5

The built environment should:

- Implement any relevant urban design strategy, plan or policy for the area set out in this scheme.
- Provide living and working environments that are functional, safe and attractive.
- Provide an integrated layout, built form and urban landscape.
- Contribute to a sense of place and cultural identity.

An application should describe the identity and character to be achieved and the elements that contribute to that identity and character.

Neighbourhood character objective

To design subdivisions that respond to neighbourhood character.

Standard C6

Subdivision should:
Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme.

- Respond to and integrate with the surrounding urban environment.
- Protect significant vegetation and site features.
LOT DESIGN

Lot diversity and distribution objectives
To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.
To provide higher housing densities within walking distance of activity centres.
To achieve increased housing densities in designated growth areas.
To provide a range of lot sizes to suit a variety of dwelling and household types.

Standard C7
A subdivision should implement any relevant housing strategy, plan or policy for the area set out in this scheme.
Lot sizes and mix should achieve the average net residential density specified in any zone or overlay that applies to the land or in any relevant policy for the area set out in this scheme.
A range and mix of lot sizes should be provided including lots suitable for the development of:
- Single dwellings.
- Two dwellings or more.
- Higher density housing.
- Residential buildings and Retirement villages.

Unless the site is constrained by topography or other site conditions, lot distribution should provide for 95 per cent of dwellings to be located no more than 400 metre street walking distance from the nearest existing or proposed bus stop, 600 metres street walking distance from the nearest existing or proposed tram stop and 800 metres street walking distance from the nearest existing or proposed railway station.

Lots of 300 square metres or less in area, lots suitable for the development of two dwellings or more, lots suitable for higher density housing and lots suitable for Residential buildings and Retirement villages should be located in and within 400 metres street walking distance of an activity centre.

Lot area and building envelopes objective
To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.

Standard C8
An application to subdivide land that creates lots of less than 300 square metres should be accompanied by information that shows:
- That the lots are consistent or contain building envelope that is consistent with a development approved under this scheme, or
- That a dwelling may be constructed on each lot in accordance with the requirements of this scheme.

Lots of between 300 square metres and 500 square metres should:
- Contain a building envelope that is consistent with a development of the lot approved under this scheme, or
If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope.

If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.

Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope.

A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:

- The objectives of the relevant standards are met, and
- The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act.

Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:

- The building envelope must meet Standards A10 and A11 of Clause 54 in relation to the adjoining lot, and
- The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.

Lot dimensions and building envelopes should protect:

- Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.
- Existing or proposed easements on lots.
- Significant vegetation and site features.

**Solar orientation of lots objective**

To provide good solar orientation of lots and solar access for future dwellings.

**Standard C9**

Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.

Lots have appropriate solar orientation when:

- The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.
- Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north.
- Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.

**Street orientation objective**

To provide a lot layout that contributes to community social interaction, personal safety and property security.
Standard C10

Subdivision should increase visibility and surveillance by:

- Ensuring lots front all roads and streets and avoid the side or rear of lots being oriented to connector streets and arterial roads.
- Providing lots of 300 square metres or less in area and lots for 2 or more dwellings around activity centres and public open space.
- Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries.
- Providing roads and streets along public open space boundaries.

Common area objectives

To identify common areas and the purpose for which the area is commonly held.

To ensure the provision of common area is appropriate and that necessary management arrangements are in place.

To maintain direct public access throughout the neighbourhood street network.

Standard C11

An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:

- The common area to be owned by the body corporate, including any streets and open space.
- The reasons why the area should be commonly held.
- Lots participating in the body corporate.
- The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.
URBAN LANDSCAPE

Integrated urban landscape objectives
To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.

To incorporate natural and cultural features in the design of streets and public open space where appropriate.

To protect and enhance native habitat and discourage the planting and spread of noxious weeds.

To provide for integrated water management systems and contribute to drinking water conservation.

Standard C12
An application for subdivision that creates streets or public open space should be accompanied by a landscape design.

The landscape design should:
- Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme.
- Create attractive landscapes that visually emphasise streets and public open spaces.
- Respond to the site and context description for the site and surrounding area.
- Maintain significant vegetation where possible within an urban context.
- Take account of the physical features of the land including landform, soil and climate.
- Protect and enhance any significant natural and cultural features.
- Protect and link areas of significant local habitat where appropriate.
- Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space.
- Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread into the surrounding environment.
- Ensure landscaping supports surveillance and provides shade in streets, parks and public open space.
- Develop appropriate landscapes for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas.
- Provide for walking and cycling networks that link with community facilities.
- Provide appropriate pathways, signage, fencing, public lighting and street furniture.
- Create low maintenance, durable landscapes that are capable of a long life.
- The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.

Public open space provision objectives
To provide a network of quality, well-distributed, multi-functional and cost-effective public open space that includes local parks, active open space, linear parks and trails, and links to regional open space.

To provide a network of public open space that caters for a broad range of users.

To encourage healthy and active communities.
To provide adequate unencumbered land for public open space and integrate any encumbered land with the open space network.

To ensure land provided for public open space can be managed in an environmentally sustainable way and contributes to the development of sustainable neighbourhoods.

**Standard C13**

The provision of public open space should:

- Implement any relevant objective, policy, strategy or plan (including any growth area precinct structure plan) for open space set out in this scheme.
- Provide a network of well-distributed neighbourhood public open space that includes:
  - Local parks within 400 metres safe walking distance of at least 95 percent of all dwellings. Where not designed to include active open space, local parks should be generally 1 hectare in area and suitably dimensioned and designed to provide for their intended use and to allow easy adaptation in response to changing community preferences.
  - Additional small local parks or public squares in activity centres and higher density residential areas.
  - Active open space of 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>
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<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 to1000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed(^2)</td>
<td>15kph</td>
</tr>
<tr>
<td>Carriageway width(^3) &amp; parking provision within street reservation</td>
<td>5.5m wide with 1 hard standing verge parking space per 2 lots. or 5.5m wide with parking on carriageway - one side. Appropriately signed.</td>
</tr>
<tr>
<td>Verge width(^4)</td>
<td>7.5m minimum total width. For services provide a minimum of 3.5m on one side and a minimum of 2.5m on the other.</td>
</tr>
<tr>
<td>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>
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.

Traffic volume
1000vpd to 2000vpd

Target speed
30kph

Carriageway width & parking provision within street reservation
5.5m wide with 1 hard standing verge parking space per 2 lots.

Verge width
4m minimum each side

Kerbing
Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.

Footpath provision
1.5m wide footpaths on both sides.
Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre.
Be offset a minimum distance of 1m from the kerb.

Cycle path provision
Carriageway designed as a shared zone and appropriately signed.

Access Street - Level 2
A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

Traffic volume
2000vpd to 3000vpd

Target speed
40kph

Carriageway width & parking provision within street reservation
7m-7.5m wide with parking on both sides of carriageway

Verge width
4.5m minimum each side

Kerbing
Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.

Footpath provision
1.5m wide footpaths on both sides.
Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre.
Be offset a minimum distance of 1m from the kerb.

<table>
<thead>
<tr>
<th>Cycle path provision</th>
<th>Carriageway designed as a shared zone and appropriately signed.</th>
</tr>
</thead>
</table>

**Connector Street - Level 1**

A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

<table>
<thead>
<tr>
<th>Traffic volume</th>
<th>3000 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed</td>
<td>50 kph(^1) reduced to 40 kph at schools and 20 kph at pedestrian and cycle crossing points.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Carriageway width(^2), cycle lane provision, parking provision and bus stops within street reservation</th>
<th>3.5m minimum lane width in each direction of travel.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections.</td>
</tr>
<tr>
<td></td>
<td>For on-street cycling, increase the minimum clear carriageway in each direction by:</td>
</tr>
<tr>
<td></td>
<td>- 0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or</td>
</tr>
<tr>
<td></td>
<td>- 1.5m where a trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway and there is a single lane in each direction separated by a raised trafficable median of at least 2.0m in width with mountable kerbs; or</td>
</tr>
<tr>
<td></td>
<td>- 1.7m where a dedicated 1.7m wide bicycle lane is marked on the carriageway.</td>
</tr>
<tr>
<td></td>
<td>An additional dedicated parking lane or indented parking within the verge must be provided where street parking is required. A parking lane width of 2.3m is required where parallel parking is provided.</td>
</tr>
<tr>
<td></td>
<td>Bus stops at the kerbside, not indented within the verge.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Verge width(^4)</th>
<th>4.5m minimum each side.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kerbing(^5)</td>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Footpath provision</th>
<th>1.5m wide footpaths on both sides.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Footpath widened to a minimum 2.0m in the vicinity of a school, shop, public transport stop or other activity centre.</td>
</tr>
<tr>
<td></td>
<td>Footpaths offset a minimum distance of 1m from the kerb.</td>
</tr>
</tbody>
</table>

**Connector Street - Level 2**

A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

<table>
<thead>
<tr>
<th>Traffic volume</th>
<th>3,000 vpd to 7,000 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed</td>
<td>60 kph(^3) or 50km/h reduced to 40kph at schools.</td>
</tr>
</tbody>
</table>
Carriageway width\(^3\), cycle lane provision, parking provision and bus stops within street reservation

- 3.5m minimum lane width in each direction of travel.
- 4.0m minimum lane width at approaches to and departures from roundabouts and T-interfaces.
- 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-interfaces where there are two lanes in each direction separated by an non-trafficable central medium.
- For on-street cycling, increase the minimum clear carriageway in each direction by:
  - 0.7m where the trafficable carriageway is shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or
  - 1.7m where a dedicated 1.7m wide dedicated bicycle lane is marked on the carriageway.
  - 0.3m where there are two trafficable lanes in each direction separated by a non-trafficable central median and the carriageways are shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or
  - 0.5m where there are two trafficable lanes in each direction separated by a non-trafficable central median and a 1.7m wide dedicated bicycle lane is marked on the carriageway.
- An additional dedicated parking lane or indented parking within the verge must be provided where street parking is required. A parking lane width of 2.3m is required where parallel parking is provided.
- Bus stops located at the kerbside, not indented within the verge.

Verge width\(^4\)

- 6m minimum each side (plus central median).

Kerbing\(^5\)

- Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.

Footpath and cycle path provision

- 1.5m wide footpath on each side and 1.7m bicycle lanes on the carriageway; or
- 2.5m wide shared foot and cycle path on both sides and no dedicated bicycle lanes marked on the carriageway.
- Footpaths widened to a minimum of 2.0m in the vicinity of a school, shop, public transport stop or other activity centre.
- Footpaths or shared foot and cycle paths offset a minimum distance of 1m from the kerb.

Arterial Road

<table>
<thead>
<tr>
<th>Traffic volume(^1)</th>
<th>Greater than 7000 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed(^2)</td>
<td>Arterial road design as required by the relevant roads authority.</td>
</tr>
<tr>
<td>Carriageway width(^3) &amp; parking provision within street reservation</td>
<td>Arterial road design as required by the relevant roads authority.</td>
</tr>
</tbody>
</table>
**Key to Table C1**

1. Indicative maximum traffic volume for 24-hour period. These volumes depend upon location. Generation rates may vary between existing and newly developing areas.

2. Target speed is the desired speed at which motorists should travel. This is not necessarily the design speed and is not greater than the marked legal speed limit.

3. Width is measured from kerb invert to kerb invert. Widening may be required at bends to allow for wider vehicle paths using appropriate Australian Standards for on street and off-street parking but should not negate the function of bends serving as slow points.

4. Verge width includes footpaths. Additional width may be required to accommodate a bicycle path.

5. Where drainage is not required a flush pavement edge treatment can be used. Layback kerbs are preferred for safety reasons. Upright kerbs may be considered for drainage purposes or in locations where on-street parking should be clearly defined and parking within the verge is not desired.

6. Turning requirements to access and egress parking on abutting lots may require additional carriageway width. The recommended carriageway width of 5.5m will provide adequate access to a standard 3.5m wide single garage built to the property line.

7. 50kph is the default urban speed limit in Victoria.

8. Target speed must not exceed the legal speed limit.
INTEGRATED WATER MANAGEMENT

Drinking water supply objectives
To reduce the use of drinking water.
To provide an adequate, cost-effective supply of drinking water.

Standard C22
The supply of drinking water must be:
- Designed and constructed in accordance with the requirements and to the satisfaction of the relevant water authority.
- Provided to the boundary of all lots in the subdivision to the satisfaction of the relevant water authority.

Reused and recycled water objective
To provide for the substitution of drinking water for non-drinking purposes with reused and recycled water.

Standard C23
Reused and recycled water supply systems must be:
- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority, Environment Protection Authority and Department of Health and Human Services.
- Provided to the boundary of all lots in the subdivision where required by the relevant water authority.

Waste water management objective
To provide a waste water system that is adequate for the maintenance of public health and the management of effluent in an environmentally friendly manner.

Standard C24
Waste water systems must be:
- Designed, constructed and managed in accordance with the requirements and to the satisfaction of the relevant water authority and the Environment Protection Authority.
- Consistent with any relevant approved domestic waste water management plan.
Reticulated waste water systems must be provided to the boundary of all lots in the subdivision where required by the relevant water authority.

Stormwater management objectives
To minimise damage to properties and inconvenience to residents from stormwater.
To ensure that the street operates adequately during major storm events and provides for public safety.
To minimise increases in stormwater and protect the environmental values and physical characteristics of receiving waters from degradation by stormwater.
To encourage stormwater management that maximises the retention and reuse of stormwater.
To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.
Standard C25

The stormwater management system must be:

- Designed and managed in accordance with the requirements and to the satisfaction of the relevant drainage authority.
- Designed and managed in accordance with the requirements and to the satisfaction of the water authority where reuse of stormwater is proposed.
- Designed to meet the current best practice performance objectives for stormwater quality as contained in the *Urban Stormwater - Best Practice Environmental Management Guidelines* (Victorian Stormwater Committee, 1999).
- Designed to ensure that flows downstream of the subdivision site are restricted to pre-development levels unless increased flows are approved by the relevant drainage authority and there are no detrimental downstream impacts.
- Designed to contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

The stormwater management system should be integrated with the overall development plan including the street and public open space networks and landscape design.

For all storm events up to and including the 20% Average Exceedence Probability (AEP) standard:

- Stormwater flows should be contained within the drainage system to the requirements of the relevant authority.
- Ponding on roads should not occur for longer than 1 hour after the cessation of rainfall.

For storm events greater than 20% AEP and up to and including 1% AEP standard:

- Provision must be made for the safe and effective passage of stormwater flows.
- All new lots should be free from inundation or to a lesser standard of flood protection where agreed by the relevant floodplain management authority.
- Ensure that streets, footpaths and cycle paths that are subject to flooding meet the safety criteria $d_a V_{av} < 0.35 \text{ m}^2/\text{s}$ (where, $d_a =$ average depth in metres and $V_{av} =$ average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.
SITE MANAGEMENT

Site management objectives
To protect drainage infrastructure and receiving waters from sedimentation and contamination.
To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.
To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.

Standard C26
A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Dust.
- Run-off.
- Litter, concrete and other construction wastes.
- Chemical contamination.
- Vegetation and natural features planned for retention.

Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.
Shared trenching objectives

To maximise the opportunities for shared trenching.
To minimise constraints on landscaping within street reserves.

Standard C27

Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.

Electricity, telecommunications and gas objectives

To provide public utilities to each lot in a timely, efficient and cost effective manner.
To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.

Standard C28

The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.

Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.

The telecommunication system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.

Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.

Fire hydrants objective

To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.

Standard C29

Fire hydrants should be provided:

- A maximum distance of 120 metres from the rear of the each lot.
- No more than 200 metres apart.

Hydrants and fire plugs must be compatible with the relevant fire service equipment. Where the provision of fire hydrants and fire plugs does not comply with the requirements of standard C29, fire hydrants must be provided to the satisfaction of the relevant fire authority.

Public lighting objective

To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.
To provide pedestrians with a sense of personal safety at night.
To contribute to reducing greenhouse gas emissions and to saving energy.
Standard C30

Public lighting should be provided to streets, footpaths, public telephones, public transport stops and to major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles.

Public lighting should be designed in accordance with the relevant Australian Standards.

Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.
APARTMENT DEVELOPMENTS

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To encourage apartment development that provides reasonable standards of amenity for existing and new residents.
To encourage apartment development that is responsive to the site and the surrounding area.

Application
Provisions in this clause apply to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, if:

- The apartment development is five or more storeys, excluding a basement, and is in the General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone, or
- The apartment development is in the Commercial 1 Zone, Commercial 3 Zone, Special Use Zone, Comprehensive Development Zone, Capital City Zone, Docklands Zone, Priority Development Zone or Activity Centre Zone.

Operation
The provisions of this clause contain:

- Objectives. An objective describes the desired outcome to be achieved in the completed development.
- Standards. A standard contains the requirements to meet the objective. A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
- Decision guidelines. The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements
A development:

- Must meet all of the objectives of this clause.
- Should meet all of the standards of this clause.

If a zone or a schedule to a zone, or a schedule to an overlay specifies a requirement different from a requirement of a standard set out in Clause 58 (excluding Clause 58.04-1), the requirement in Clause 58 applies.

For Clause 58.04-1 (Building setback):

- If a zone or a schedule to a zone specifies a building setback requirement different from a requirement set out in Clause 58.04-1, the building setback requirement in the zone or a schedule to the zone applies.
- If the land is included in an overlay and a schedule to the overlay specifies a building setback requirement different from the requirement set out Clause 58.04-1 or a requirement set out in the zone or a schedule to the zone, the requirement for building setback in the overlay applies.
URBAN CONTEXT REPORT AND DESIGN RESPONSE

Application requirements

An application must be accompanied by:

- An urban context report.
- A design response.

Urban context report

The urban context report may use a site plan, photographs or other techniques and must include:

An accurate description of:

- Site shape, size, orientation and easements.
- Levels and contours of the site and the difference in levels between the site and surrounding properties.
- The location and height of existing buildings on the site and surrounding properties.
- The use of surrounding buildings.
- The location of private open space of surrounding properties and the location of trees, fences and other landscape elements.
- Solar access to the site and to surrounding properties.
- Views to and from the site.
- Street frontage features such as poles, street trees and kerb crossovers.
- The location of local shops, public transport services and public open spaces within walking distance.
- Movement systems through and around the site.
- Any other notable feature or characteristic of the site.

An assessment of the characteristics of the area including:

- Any environmental features such as vegetation, topography and significant views.
- The pattern of subdivision.
- Street design and landscape.
- The pattern of development.
- Building form, scale and rhythm.
- Connection to the public realm.
- Architectural style, building details and materials.
- Off-site noise sources.
- The relevant NatHERS climate zones (as identified in Clause 58.03-1).
- Social and economic activity.
- Any other notable or cultural characteristics of the area.

Satisfactory urban context report

If the responsible authority decides that the urban context report is not satisfactory, it may require more information from the applicant under Section 54 of the Act.
The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the urban context report meets the requirements of Clause 58.01-2 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

**Design response**

The design response must explain how the proposed design:

- Responds to any relevant planning provision that applies to the land.
- Meets the objectives of Clause 58.
- Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme.
- Derives from and responds to the urban context report.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.
URBAN CONTEXT

Urban context objectives
To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.
To ensure that development responds to the features of the site and the surrounding area.

Standard D1
The design response must be appropriate to the urban context and the site.
The proposed design must respect the existing or preferred urban context and respond to the features of the site.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.

Residential policy objectives
To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.
To support higher density residential development where development can take advantage of public and community infrastructure and services.

Standard D2
An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.

Dwelling diversity objective
To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard D3
Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.

Infrastructure objectives
To ensure development is provided with appropriate utility services and infrastructure.
To ensure development does not unreasonably overload the capacity of utility services and infrastructure.
Standard D4
Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The capacity of the existing infrastructure.
- In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

Integration with the street objective
To integrate the layout of development with the street.

Standard D5
Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.

Development should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Development next to existing public open space should be laid out to complement the open space.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.
SITE LAYOUT

Energy efficiency objectives
To achieve and protect energy efficient dwellings and buildings.
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.
To ensure dwellings achieve adequate thermal efficiency.

Standard D6
Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.

Living areas and private open space should be located on the north side of the development, if practicable.
Developments should be designed so that solar access to north-facing windows is optimised.
Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table D1 Cooling load

<table>
<thead>
<tr>
<th>NatHERS climate zone</th>
<th>NatHERS maximum cooling load MJ/M² per annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Climate zone 21 Melbourne</td>
<td>30</td>
</tr>
<tr>
<td>Climate zone 22 East Sale</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 27 Mildura</td>
<td>69</td>
</tr>
<tr>
<td>Climate zone 60 Tullamarine</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 62 Moorabbin</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 63 Warrnambool</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 64 Cape Otway</td>
<td>19</td>
</tr>
<tr>
<td>Climate zone 66 Ballarat</td>
<td>23</td>
</tr>
</tbody>
</table>

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and layout of the site.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.
Communal open space objective
To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.

Standard D7
Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.

Communal open space should:
- Be located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.
- Be designed to protect any natural features on the site.
- Maximise landscaping opportunities.
- Be accessible, useable and capable of efficient management.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.
- The useability and amenity of the communal open space based on its size, location, accessibility and reasonable recreation needs of residents.
- The availability of and access to public 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</td>
</tr>
<tr>
<td></td>
<td></td>
<td>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</td>
</tr>
<tr>
<td></td>
<td></td>
<td>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</td>
</tr>
<tr>
<td></td>
<td></td>
<td>or 2 medium trees per 90 square metres of deep soil</td>
</tr>
</tbody>
</table>

Note: Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for landscape character and environmental sustainability in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The location and size of gardens and the predominant plant types in the area.
- The health of any trees to be removed.
- The suitability of the proposed location and soil volume for canopy trees.
- The ongoing management of landscaping within the development.
- The soil type and drainage patterns of the site.

Access objective

To ensure the number and design of vehicle crossovers respects the urban context.

Standard D11

The width of accessways or car spaces should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street.

The location of crossovers should maximise the retention of on-street car parking spaces.

The number of access points to a road in a Road Zone should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the streetscape.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and footpath.

Parking location objectives
To provide convenient parking for resident and visitor vehicles.
To protect residents from vehicular noise within developments.

Standard D12
Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

Decision guideline
Before deciding on an application, the responsible authority must consider the design response.

Integrated water and stormwater management objectives
To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.
To facilitate stormwater collection, utilisation and infiltration within the development.
To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

Standard D13
Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.
Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant water and stormwater management objective, policy or statement set out in this scheme.
- The design response.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.
AMENITY IMPACTS

Building setback objectives
To ensure the setback of a building from a boundary appropriately responds to the existing urban
context or contributes to the preferred future development of the area.
To allow adequate daylight into new dwellings.
To limit views into habitable room windows and private open space of new and existing dwellings.
To provide a reasonable outlook from new dwellings.
To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.

Standard D14
The built form of the development must respect the existing or preferred urban context and respond
to the features of the site.
Buildings should be set back from side and rear boundaries, and other buildings within the site to:
- Ensure adequate daylight into new habitable room windows.
- Avoid direct views into habitable room windows and private open space of new and existing
dwellings. Developments should avoid relying on screening to reduce views.
- Provide an outlook from dwellings that creates a reasonable visual connection to the external
environment.
- Ensure the dwellings are designed to meet the objectives of Clause 58.

Decision Guidelines
Before deciding on an application, the responsible authority must consider:
- The purpose of the zone and/or overlay that applies to the land.
- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.
- The relationship between the proposed building setback and the building setbacks of existing
adjacent buildings, including the interface with laneways.
- The extent to which the proposed dwellings are provided with reasonable daylight access
through the layout of rooms and the number, size, location and orientation of windows.
- The impact of overlooking on the amenity of existing and proposed dwellings.
- The existing extent of overlooking into existing dwellings and private open space.
- Whether the development meets the objectives of Clause 58.

Internal views objective
To limit views into the private open space and habitable room windows of dwellings within a
development.

Standard D15
Windows and balconies should be designed to prevent overlooking of more than 50 per cent of
the private open space of a lower-level dwelling directly below and within the same development.

Decision guideline
Before deciding on an application, the responsible authority must consider the design response.
Noise impacts objectives

To contain noise sources in developments that may affect existing dwellings.

To protect residents from external and internal noise sources.

Standard D16

Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.

The layout of new dwellings and buildings should minimise noise transmission within the site.

Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.

New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.

Buildings within a noise influence area specified in Table D3 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table D3 Noise influence area

<table>
<thead>
<tr>
<th>Noise source</th>
<th>Noise influence area</th>
</tr>
</thead>
<tbody>
<tr>
<td><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</td>
<td>300 metres from the nearest trafficable lane</td>
</tr>
<tr>
<td>Annual Average Daily Traffic Volume</td>
<td></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</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Melbourne</td>
<td></td>
</tr>
<tr>
<td>Railway servicing freight in Metropolitan Melbourne</td>
<td>135 metres from the centre of the nearest track</td>
</tr>
</tbody>
</table>

Note: The noise influence area should be measured from the closest part of the building to the noise source.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether it can be demonstrated that the design treatment incorporated into the development meets the specified noise levels or an acoustic report by a suitably qualified consultant submitted with the application.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
Whether the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.

Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
ON-SITE AMENITY AND FACILITIES

Accessibility objective
To ensure the design of dwellings meets the needs of people with limited mobility.

Standard D17
At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D4.

Table D4 Bathroom design

<table>
<thead>
<tr>
<th>Design option A</th>
<th>Design option B</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Door opening</strong></td>
<td>A clear 850mm wide door opening.</td>
</tr>
<tr>
<td><strong>Door design</strong></td>
<td>Either:</td>
</tr>
<tr>
<td></td>
<td>- A slide door, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens outwards, or</td>
</tr>
<tr>
<td></td>
<td>- A door that opens inwards that is clear of the circulation area and has readily removable hinges.</td>
</tr>
<tr>
<td><strong>Circulation area</strong></td>
<td>A clear circulation area that is:</td>
</tr>
<tr>
<td></td>
<td>- A minimum area of 1.2 metres by 1.2 metres.</td>
</tr>
<tr>
<td></td>
<td>- Located in front of the shower and the toilet.</td>
</tr>
<tr>
<td></td>
<td>- Clear of the toilet, basin and the door swing.</td>
</tr>
<tr>
<td></td>
<td>The circulation area for the toilet and shower can overlap.</td>
</tr>
<tr>
<td><strong>Path to circulation area</strong></td>
<td>A clear path with a minimum width of 900mm from the door opening to the circulation area.</td>
</tr>
<tr>
<td><strong>Shower</strong></td>
<td>A hobless (step-free) shower.</td>
</tr>
<tr>
<td><strong>Toilet</strong></td>
<td>A toilet located in the corner of the room.</td>
</tr>
<tr>
<td></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></td>
<td>A toilet located closest to the door opening and clear of the circulation area.</td>
</tr>
</tbody>
</table>

Building entry and circulation objectives
To provide each dwelling and building with its own sense of identity.

To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.

To ensure internal communal areas provide adequate access to daylight and natural ventilation.
**Standard D18**

Entries to dwellings and buildings should:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
  - Include at least one source of natural light and natural ventilation.
  - Avoid obstruction from building services.
  - Maintain clear sight lines.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of internal communal areas based on daylight access and the natural ventilation it will receive.

**Private open space objective**

To provide adequate private open space for the reasonable recreation and service needs of residents.

**Standard D19**

A dwelling should have private open space consisting of:

- An area of 25 square metres, with a minimum dimension of 3 metres at natural ground floor level and convenient access from a living room, or
- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or
- A balcony with an area and dimensions specified in Table D5 and convenient access from a living room, or
- A roof-top area of 10 square metres with a minimum dimension of 2 metres and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.

**Table D5 Balcony size**

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum area</th>
<th>Minimum dimension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio or 1 bedroom dwelling</td>
<td>8 square metres</td>
<td>1.8 metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>8 square metres</td>
<td>2 metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>12 square metres</td>
<td>2.4 metres</td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability and functionality of the private open space, including its size and accessibility.
- The amenity of the private open space based on the orientation of the lot, the wind conditions and the sunlight it will receive.
- The availability of and access to public or communal open space.

**Storage objective**

To provide adequate storage facilities for each dwelling.

**Standard D20**

Each dwelling should have convenient access to usable and secure storage space.

The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D6.

**Table D6 Storage**

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Total minimum storage volume</th>
<th>Minimum storage volume within the dwelling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>8 cubic metres</td>
<td>5 cubic metres</td>
</tr>
<tr>
<td>1 bedroom dwelling</td>
<td>10 cubic metres</td>
<td>6 cubic metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>14 cubic metres</td>
<td>9 cubic metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>18 cubic metres</td>
<td>12 cubic metres</td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and location of storage facilities provided for the dwelling.
**Common property objectives**  
To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.  
To avoid future management difficulties in areas of common ownership.

**Standard D21**  
Developments should clearly delineate public, communal and private areas.  
Common property, where provided, should be functional and capable of efficient management.

**Site services objectives**  
To ensure that site services can be installed and easily maintained.  
To ensure that site facilities are accessible, adequate and attractive.

**Standard D22**  
The design and layout of dwellings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.  
Mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.  
Mailboxes should be provided and located for convenient access as required by Australia Post.

**Decision guideline**  
Before deciding on an application, the responsible authority must consider the design response.

**Waste and recycling objectives**  
To ensure dwellings are designed to encourage waste recycling.  
To ensure that waste and recycling facilities are accessible, adequate and attractive.  
To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

**Standard D23**  
Developments should include dedicated areas for:  
- Waste and recycling enclosures which are:  
  - Adequate in size, durable, waterproof and blend in with the development.  
  - Adequately ventilated.  
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.  
- Adequate facilities for bin washing. These areas should be adequately ventilated.  
- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.  
- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
- Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.
- Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:

- Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.
- Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- Any relevant waste and recycling objective, policy or statement set out in this scheme.
INTERNAL AMENITY

Functional layout objective
To ensure dwellings provide functional areas that meet the needs of residents.

Standard D24
Bedrooms should:

- Meet the minimum internal room dimensions specified in Table D7.
- Provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe.

Table D7 Bedroom dimensions

<table>
<thead>
<tr>
<th>Bedroom type</th>
<th>Minimum width</th>
<th>Minimum depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Main bedroom</td>
<td>3 metres</td>
<td>3.4 metres</td>
</tr>
<tr>
<td>All other bedrooms</td>
<td>3 metres</td>
<td>3 metres</td>
</tr>
</tbody>
</table>

Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table D8.

Table D8 Living area dimensions

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum width</th>
<th>Minimum area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio and 1 bedroom dwelling</td>
<td>3.3 metres</td>
<td>10 sqm</td>
</tr>
<tr>
<td>2 or more bedroom dwelling</td>
<td>3.6 metres</td>
<td>12 sqm</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and amenity of habitable rooms.

Room depth objective
To allow adequate daylight into single aspect habitable rooms.

Standard D25
Single aspect habitable rooms should not exceed a room depth of 2.5 times the ceiling height. The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met:

- The room combines the living area, dining area and kitchen.
- The kitchen is located furthest from the window.
- The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. This excludes where services are provided above the kitchen.

The room depth should be measured from the external surface of the habitable room window to the rear wall of the room.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
The design response.

The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.

The useability, functionality and amenity of the dwelling based on layout, siting, size and orientation of habitable rooms.

Any overhang above habitable room windows that limits daylight access.

**Windows objective**

To allow adequate daylight into new habitable room windows.

**Standard D26**

Habitable rooms should have a window in an external wall of the building. A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.

The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability and amenity of the dwelling based on the layout, siting, size and orientation of habitable rooms.

**Natural ventilation objectives**

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

**Standard D27**

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation, slope and wind exposure of the site.
- The extent to which the orientation of the building and the layout of dwellings maximises opportunities for cross ventilation.

- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
REALIGN THE COMMON BOUNDARY BETWEEN TWO LOTS

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.

- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, car parking area, driveways, storage areas, loading areas and private open space.
  - The location of any easements on the subject land.
  - The location of the approved stormwater discharge point.
  - The location and details of any significant vegetation.
  - The location of any street trees, poles, pits or other street furniture.
  - Existing and proposed vehicle access to the lots.
  - Any abutting roads.
  - The location of the existing and proposed common boundary between the lots and the proposed size and shape of the realigned lots.
  - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.

- If the land is in more than one ownership, the consent of the owners of the land.

- If common property is proposed, an explanation of why the common property is required.

- A written statement that describes:
  - The existing use of the land and its possible future development.
  - The reason for the realignment of the common boundary.
  - For land in an overlay, how the proposal responds to any statement of significance, objectives or requirements specified in the schedule to the overlay.

- If the land is in an area where reticulated sewerage is not provided, a plan which shows the location of any existing effluent disposal area for each lot or a land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

- If the land is in a residential zone and the realignment of the common boundary will result in a vacant lot, information that shows that the vacant lot meets the requirements of Standard C8 of Clause 56.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Respond to and integrate with the surrounding urban or rural environment.
  - Protect significant vegetation.
  - Appropriately accommodate any existing or proposed easements on the lots.
- Protect solar access for existing and any future dwellings on the lots.
- Appropriately accommodate any existing waste storage areas, loading bays and vehicle standing areas on the site.
- Appropriately accommodate private open space.
- Appropriately accommodate the provision of utility services to each lot.
- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
- Appropriately accommodate the siting of buildings having regard to the risk of spread of fire.
- Appropriately accommodate the existing use and possible future development of the land.

- Whether the provision of common property is appropriate for the purpose for which the land is to be commonly held.
- If the land is in a residential zone and the realignment of the common boundary will result in a vacant lot, the objective and standard of Clause 56.04-2.
- The statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.
- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.
SUBDIVISION OF BUILDINGS AND CAR PARKING SPACES

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A copy of the relevant planning permit and approved plans for the development.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, car parking areas and private open space.
  - The location, shape and size of the proposed lots to be created.
  - The location of any easements on the subject land.
  - The location and details of any significant vegetation.
  - The location of the approved stormwater discharge point.
  - Any abutting roads.
  - The location of any street trees, poles, pits and other street furniture.
  - Existing and proposed vehicle access to the lots.
  - Any loading bays and vehicle standing areas.
  - Any waste storage areas.
  - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.

- For the subdivision of existing buildings and car parking spaces, a copy of the occupancy permit or a certificate of final inspection for the development.

- For the subdivision of land into two lots with an approved development currently under construction, evidence that the construction has commenced.

- If common property is proposed, an explanation of why the common property is required.

- If the land is in an area where reticulated sewerage is not provided, a plan which shows the location of any existing effluent disposal area for each lot or a land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

- For land in an overlay, a written statement that describes how the proposal responds to any statement of significance, objectives or requirements specified in the schedule to the overlay.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Are consistent with the approved plans and conditions of any relevant planning permit for the development.
  - Are consistent with the layout of existing buildings and car parking spaces on the land.
  - Appropriately accommodate any existing waste storage areas.
  - Appropriately accommodate any existing loading bay and vehicle storage area.
- Appropriately accommodate significant vegetation.
- Appropriately accommodate existing or proposed easements on the lots.
- Appropriately accommodate the provision of utility services to each lot.
- Appropriately accommodate the siting of buildings having regard to safety and the risk of spread of fire.

- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.

- For the subdivision of existing buildings and car parking spaces, whether each new lot, other than common property, contains an existing building, part of an existing building or a car parking space.

- Whether the provision and location of common property is appropriate for the purpose for which the land is to be commonly held.

- Whether any public open space contribution is required under Clause 53.01 of this scheme or under Section 18 of the Subdivision Act 1988.

- The statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.

- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.
FRONT FENCE IN A RESIDENTIAL ZONE

Information requirements
An application must be accompanied by the following information as appropriate:

- A copy of the title for the subject land and a copy of any registered restrictive covenant.
- A plan drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location, length, height and design of the proposed fence including details of materials.
  - The location, height and design of any existing front fence on adjoining and nearby properties including details of materials.
- A photograph of the site and adjoining and nearby properties along the street frontage.
- The reason for the proposed height.

Decision guidelines
In assessing an application the responsible authority must consider as appropriate:

- Whether the setback, height and design of the proposed fence are:
  - Appropriate to the neighbourhood character and the site.
  - Consistent with any relevant neighbourhood character objective or policy set out in the scheme.
  - Appropriate with the setback, height and appearance of front fences on adjoining and nearby properties.
  - Complement the design of the dwelling.
- The extent to which slope and retaining walls reduce the effective height of the proposed fence.
- Whether the proposed fence is needed to minimise noise intrusion.
- The reason for the proposed height.
BUILDINGS AND WORKS IN A ZONE (EXCEPT A RURAL ZONE)

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A description of the use of the land and the proposed buildings and works.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and use of buildings and works on adjoining land.
  - Relevant ground levels.
  - Any contaminated soils and filled areas, where known.
  - The layout of existing and proposed buildings and works.
  - All existing and proposed driveways, car parking, bicycle parking and loading areas.
  - Existing and proposed landscape areas.
  - All external storage and waste treatment areas.
  - The location of easements and services.
  - Elevation drawings to scale showing the height, colour and materials of all proposed buildings and works.
- A photograph of the building or area affected by the proposal.
- A written statement describing the proposal and if relevant:
  - The built form and character of adjoining and nearby buildings.
  - The heritage character of any adjoining heritage places.
  - Ground floor street frontages, including visual impacts and pedestrian safety.
- A written statement describing whether the proposed buildings and works meet:
  - The number of car parking spaces required under Clause 52.06 or in the schedule to Clause 45.09.
  - Any development requirement specified in the zone or the schedule to the zone.
- Any relevant requirement in an approved development plan or incorporated plan for the land.
- Any other information specified in the schedule to the zone.
- For land in a residential zone, a written statement, plan or diagram showing how the proposal meets:
  - The requirements in the following standards of Clause 54:
    - A10 Side and rear setbacks.
    - A11 Walls on boundaries.
    - A12 Daylight to existing windows.
    - A13 North-facing windows.
    - A14 Overshadowing open space.
If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard the schedule to the zone applies.

**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant urban design and built form policy set out in the scheme.
- Whether the movement of pedestrians and cyclists, and vehicles providing for supplies and waste removal are appropriately accommodated.
- Whether the design complements the built form of the surrounding properties and the streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- Whether the land and building have availability of and connection to services.
- Whether the proposed development adversely impacts the amenity of the land and the locality including existing dwellings on adjoining sites.
- Whether the proposed development appropriately provides for landscaping.
- Whether the proposed development adversely affects solar access to existing open spaces and public places.
- Whether the proposal meets the car parking requirements specified in Clause 52.06 or in the schedule to the Parking Overlay.
- Whether the proposal meets the maximum building height specified in the schedule to the zone.
- Whether the proposal meets any relevant requirements specified in the zone or the schedule to the zone.
- Whether the proposal is consistent with any relevant approved development plan or incorporated plan.
- The objectives set out in the schedule to the zone.
- Whether the proposal provides adequate vehicle loading and unloading facilities.
- For land in a residential zone:
  - Whether the proposed development is consistent with any neighbourhood character objectives set out in the schedule to the zone.
  - Whether the development is compatible with residential use.
  - The scale and intensity of the development.
  - The design, height, setback and appearance of the proposed buildings and works.
BUILDINGS AND WORKS IN AN OVERLAY

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location, height and design of the proposed buildings and works including details of materials.
  - The location of any existing buildings, including fences and trees.
  - For land in a Neighbourhood Character Overlay, any buildings proposed to be demolished.
- For land in a Neighbourhood Character Overlay, a written description of the proposal including:
  - The built form and character of adjoining and nearby buildings.
  - How the proposal responds to the key features and objectives specified in the schedule to the overlay.
  - If demolition is proposed, the reason for the demolition.
  - How the proposal meets the requirements of Clause 54.02-1, 54.02-2, 54.03-1, 54.03-2, 54.03-3, 54.03-4, 54.04-1, 54.04-2, 54.04-3, 54.04-4, 54.06-1, 54.06-2, including any Clause 54 modification specified in the schedule to the overlay.
- For land in a Design and Development Overlay, a written description of the proposal including:
  - How the proposal responds to the design objectives specified in a schedule to the overlay.
  - How the proposal meets the requirements specified in a schedule to the overlay.
  - The built form and character of adjoining and nearby buildings.
- A photograph of the building or area affected by the proposal.
- For land in an Erosion Management Overlay, information showing:
  - The extent of any proposed earthworks.
  - The means proposed to stabilise disturbed areas.
- For an application under the Salinity Management Overlay, written advice including plan references and any conditions from the referral authority demonstrating that the referral authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the buildings and works will adversely affect that significance or the objectives.
- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.
- For an application in a Salinity Management Overlay, any comments from the relevant referral authority.
- For an application in a Neighbourhood Character Overlay, the relevant objectives, standards and decision guidelines of Clause 54.
- Any relevant decision guideline specified in the overlay and the schedule to the overlay.
REMOVE, DESTROY OR LOP A TREE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- If the tree to be removed, destroyed or lopped is identified as a significant tree in a schedule to the overlay, a report prepared by an arborist.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape, size and slope of the site.
  - The location of the tree to be removed, destroyed or lopped.
  - The location and type of other significant vegetation on the site.
  - The location, species and height of any significant trees on the site that have been removed or approved to be removed in the past 3 years.
- A written statement that describes:
  - The species, height and trunk girth of the tree to be removed, destroyed or lopped.
  - The reason the tree is to be removed, destroyed or lopped.
  - If provision is to be made to replace the tree elsewhere on the land.
  - If the tree is to be lopped, the extent of lopping proposed.
  - Any impacts on the significance of the area.
- A photograph of the tree to be removed, destroyed or lopped.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the proposal will adversely affect that significance or the objectives.
- Whether the tree proposed to be removed, destroyed or lopped contributes to the significance of the area and whether the proposal will adversely affect that significance.
- Whether the removal or lopping of the tree is needed because of the health of the tree.
- Whether the lopping of the tree will adversely affect the health, appearance or significance of the tree.
- Whether the removal of the tree will contribute to soil erosion, slippage or salinisation.
- Whether the removal or lopping of the tree is needed to create a defendable space to reduce the risk of bushfire to life and property.
- If the tree is a native tree, its role in conserving flora and fauna and whether the proposal will adversely affect the conservation of flora and fauna of the area.
- Whether provision is made to plant a new tree elsewhere on the land.
- The reasons for removing the tree including the health of the tree to be removed.
- The cumulative impact of the number of trees that have been removed or been approved for removal in the past 3 years.
- Any relevant decision guideline specified in the overlay or the schedule to the overlay.
APPLICATIONS UNDER A HERITAGE OVERLAY

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, including fences and trees.
  - The location, height and design of the proposed building or works including details of proposed materials.
  - Any buildings to be demolished.
  - An elevation of the proposed building.
  - The size and design of any proposed sign, including details of the supporting structure and any proposed illumination.
  - The location, style, size, colour and materials of any proposed solar energy facility (that is visible from the street frontage or any nearby public park), including details of the supporting structure.

- A written description of the proposal including:
  - Any impacts on the significance of the heritage place.
  - How the proposal responds to any relevant local heritage policy set out in the scheme.
  - If lopping of a tree is proposed, the reason for the lopping, the extent of lopping and an arborist report.

- The proposed colour schedule and nature of any materials and finishes.
- A photograph of the area affected by the proposal including any building, outbuilding, fence or tree which may be affected by the proposal.
- A photograph of the subject site and adjoining properties along the street frontage.
- If subdivision is proposed, the location, shape and size of the proposed lots to be created.
- If a sign is proposed:
  - The location, size and design of the proposed sign on the site or building.
  - The location and size of existing signage on the site including details of any signs to be retained or removed.
- If a solar energy facility is proposed that is visible from the street frontage or any nearby public park:
  - Measures proposed to minimise the visibility of the facility and protect the structural integrity of heritage features.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

General

- The significance of the heritage place and whether the proposal will adversely affect that significance.
- Any applicable statement of significance, heritage study and any applicable conservation policy.
- Whether the proposal will adversely affect the character or appearance of the building or heritage place.
- Whether the proposal meets any relevant local heritage policy set out in the scheme.

**Demolition**
- Whether the outbuilding to be demolished contributes to the significance, character or appearance of the building or heritage place.

**Buildings and works**
- Whether the location, bulk, form and appearance of the proposed building or works will adversely affect the significance of the building or heritage place.
- Whether the proposed building or works will affect the health or appearance of a tree which is the subject of a Heritage Overlay.

**Alterations**
- Whether the proposed alterations will restore or reconstruct original fabric which has been removed or damaged.
- Whether the proposed alterations will adversely affect the significance, character and appearance of the heritage place.

**Fences**
- Whether the fence proposed to be demolished contributes to the significance, character and appearance of the building or heritage place.
- Whether the proposed fence, including its style, height and materials, is appropriate to the building or heritage place.

**Trees**
- Whether the proposed lopping will adversely affect the health, appearance or significance of the tree.

**Subdivision**
- Whether the proposed subdivision retains the significant setting (landscapes, landscape features and views) of the heritage place.
- Whether the proposed subdivision respects the rhythm and spacing of buildings in the streetscape.
- Whether the proposed subdivision will result in a new boundary fence, wall or structure that adversely affects the setting of the heritage place.

**Signage**
- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.
APPLICATIONS UNDER A SPECIAL BUILDING OVERLAY

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - The layout, size and use of existing and proposed buildings and works, including floor plan layout and vehicle parking areas.
  - Setbacks between existing and proposed buildings and site boundaries.
  - Natural surface levels of the site to Australian Height Datum.
  - Floor and surface levels of any existing and proposed buildings and works to Australian Height Datum.
  - Cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.
  - If subdivision is proposed, the location, shape and size of the proposed lots to be created.
- If a referral to the floodplain management authority is required, written advice, including endorsed plans of the proposal and any conditions, from the relevant floodplain management authority demonstrating that the floodplain management authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Clauses 13.01 and 13.03 of the Planning Policy Framework.
- Whether the proposal is consistent with any local floodplain development plan for the area incorporated into this scheme.
- If a referral to the floodplain management authority is required, any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The flood risk including:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessways.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
SIGNS

Information requirements
An application must be accompanied by the following information, as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A site context report, using a site plan, photographs or other methods to accurately describe:
  - The location of the proposed sign on the site or building and distance from property boundaries.
  - The location and size of existing signs on the site including details of any signs to be retained or removed.
  - The location and form of existing signs on adjoining properties and in the locality.
  - The location of closest traffic control signs.
  - Identification of any view lines or vistas that could be affected by the proposed sign.
- The dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width and depth of the total sign structure including the method of support and any associated structures such as safety devices and service platforms.
- The colour, lettering style and materials of the proposed sign.
- The size of the proposed display (total display area including all sides of a multi-sided sign).

Decision guidelines
In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant local advertising policy set out in the scheme.
- Whether the proposal will impact the character of the area including:
  - Natural environment, heritage, waterway, open space and rural landscape values.
  - The desired future character of the area.
  - The cumulative impact of signs on the character of an area.
  - The need to avoid visual disorder or clutter of signs.
- Whether the proposal will impact views and vistas including:
  - Important views from the public realm.
  - Significant public views.
  - Views to existing signs.
- Whether the proportion, scale and form of the proposed sign relates to the site, building, streetscape, setting or landscape including:
  - The position of the proposed sign, including if it protrudes above existing buildings or landscape and natural elements.
  - Screening of unsightly elements.
  - The number, scale and location of existing signs.
  - The ability to rationalise or simplify the number of signs.
  - The ability to include landscaping to reduce the visual impact of the proposed sign structure.
- The extent to which the proposed sign requires the removal of vegetation.

- Whether the proposed sign is consistent with any outdoor advertising theme.

- Whether there is a need for identification and the opportunities for adequate identification on the site or locality.

- Whether the proposed sign will adversely impact road safety.
CAR PARKING

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - The location of existing buildings.
  - All car parking spaces and access lanes.
  - Allocation of car parking spaces to different uses or tenancies, if applicable.
  - Landscaping and sensitive water design treatments.
- A written statement that describes:
  - The proposed use of the site, number of employees and patrons and hours of operation.
  - The previous use of the site.
  - The site and floor area to be occupied.
  - The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.
  - The total number of car parking spaces provided.
  - The likely impact of a reduction in car parking on the amenity of the area and on the area’s existing car parking.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Whether the reduction of the car parking requirement is consistent with any relevant local planning policy or incorporated plan.
- The objectives contained in the schedule to the Parking Overlay.
- Whether there is availability of alternative car parking in the locality including:
  - Efficiencies gained from the consolidation of shared car parking spaces.
  - Public car parks intended to serve the land.
  - On street parking in non-residential zones.
  - Streets in residential zones specifically managed for non-residential parking.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- Whether there is any car parking deficiency associated with the existing use of the land.
- Whether there is any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.
- Whether fewer car parking spaces will impact local amenity, including pedestrian amenity and the amenity of nearby residential areas.
- Whether there is a need to create safe, functional and attractive parking areas.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the use.
- The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.
- On street parking in residential zones in the locality of the land that is intended to be for residential use.
- The future growth and development of any nearby activity centre.
- Local traffic management in the locality of the land.
- Access to or provision of alternative transport modes to and from the land.
- Whether any car parking spaces to be provided meet the design standards of Clause 52.06.
- Any relevant decision guideline specified in a schedule to the Parking Overlay.
TWO LOT SUBDIVISION IN A RURAL ZONE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings and associated works.
  - The location, shape and size of the proposed lots to be created.
  - The location of any easements on the subject land.
  - The location of any significant vegetation, waterways and wetlands.
  - The location of the approved stormwater discharge point and effluent disposal areas.
  - Any abutting roads.
  - Existing and proposed vehicle access to the lots.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Are consistent with the layout of existing buildings and associated works on the land.
  - Appropriately accommodate significant vegetation.
  - Appropriately accommodate existing or proposed easements on the lots.
  - Appropriately accommodate the provision of utility services to each lot.
  - Appropriately accommodate existing and proposed vehicle access to the lots.
- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Any Regional Catchment Strategy applying to the land.
- If the land is in an overlay, statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.
- Whether any public open space contribution is required under Clause 53.01 of this scheme or under Section 18 of the Subdivision Act 1988.
BUILDINGS AND WORKS IN A RURAL ZONE

Information requirements
An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A description of the use of the land and the proposed buildings and works.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location of any waterway or wetlands.
  - The location and use of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All existing and proposed driveways, car parking and loading areas.
  - Existing and proposed landscape areas.
  - All external storage and waste treatment areas.
- Elevation drawings to scale showing the height, colour and materials of all proposed buildings and works.
- A photograph of the building or area affected by the proposal.

Decision guidelines
In assessing an application the responsible authority must consider as appropriate:

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, character and appearance of the area, landscape features, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- Whether the proposal will have an adverse impact on adjoining and nearby land uses.
- The need to protect amenity of existing residents.
- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses.
- The likely environmental impact on the natural physical features and biodiversity of the area, including the need to retain vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
- The capability of the land to accommodate the proposed development.
- Whether the development will support and enhance agricultural production.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The impact of the proposal on any wetlands or waterways.
- Any integrated land management plan prepared for the site.
- Whether the development will require traffic management measures.
- For buildings and works associated with a dwelling:
  - Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
  - Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, nose, odour, use of chemicals and farm machinery, traffic and hours of operation.
  - Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
  - The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.
EXTENSION TO ONE DWELLING ON A LOT IN A RESIDENTIAL ZONE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A site plan, drawn to scale and fully dimensioned showing:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Any other notable features of the site.
  - In relation to the neighbourhood:
    - The built form, scale and character of surrounding development.
    - Architectural and roof styles.
    - Any other notable features or characteristics of the neighbourhood.
- A site and layout plan, drawn to scale and fully dimensioned showing:
  - Site shape, size, orientation, easements and site levels.
  - Adjoining roads.
  - The location and use of buildings and works on adjoining land.
  - The layout and use of existing buildings being retained and all proposed buildings, including finished floor levels.
  - All existing and proposed driveways and crossovers.
  - Existing and proposed landscape and open space areas.
  - All external storage, waste areas and services.
- An elevation plan, drawn to scale showing the height, colour and materials of the proposed extension.
- Photographs of the building or area affected by the proposal.
- A written statement, plan or diagram demonstrating how the proposal meets:
  - The garden area requirement specified in the zone.
  - The requirements in the following standards of Clause 54:
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.
GENERAL EXEMPTIONS
USES NOT REQUIRING A PERMIT

Any requirement in this scheme relating to the use of land, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- The use of land for a Road except within the Urban Floodway Zone and a Public Conservation and Resource Zone.
- The use of land for Natural systems.
- The use of land in a road if the use is associated with the use of adjoining land and is authorised by the Council under a local law.
- The use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.
- The use of land for wind measurement by an anemometer for three years or less.
- The use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.
- The use of land for a carnival or circus if the requirements of A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997 are met.
- The use of land for apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
- The use of land for temporary portable land sales office located on the land for sale.
- The use of land for a Telecommunications facility if the associated buildings and works meet the requirements of Clause 52.19.
- The use of land for a helicopter landing site if the use meets the requirements of Clause 52.15-1.
- The use of land for a minor utility installation.
- The use of land to display a sign.
BUILDINGS AND WORKS

Clauses 62.02-1 and 62.02-2 set out exemptions from permit requirements in this scheme relating to the construction of a building or the construction or carrying out of works. These exemptions do not apply to the removal, destruction or lopping of trees and the removal of vegetation. Exemptions for vegetation removal are set out in Clause 62.02-3.

Buildings and works not requiring a permit

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- Buildings or works which provide for fire protection under relevant legislation.
- Emergency works undertaken by, or on behalf of, a municipality, public authority or utility service provider in the exercise of any power conferred on them under any Act.
- Buildings or works with an estimated cost of $1,000,000 or less carried out by or on behalf of a municipality.
- Maintenance works carried out by a municipality or public authority to prevent or alleviate flood damage.
- An anemometer located on a site for three years or less.
- Buildings and works associated with a use on adjoining land or street trading if authorised under a local law.
- Gardening.
- Buildings and works associated with a minor utility installation.
- Power lines and electrical sub-stations associated with an Energy generation facility or Geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157.
- Buildings or works which are a modification necessary to comply with a direction under the Dangerous Goods Act 1985 or the Occupational Health and Safety Act 2004 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.
- Buildings and works associated with a telecommunications facility if the requirements of Clause 52.19 are met.
- Buildings and works associated with a dam if a licence is required to construct the dam or to take and use water from the dam under the Water Act 1989.
- Buildings and works associated with a carnival or circus if the requirements of A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997 are met.
- Buildings and works associated with apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
- A temporary portable classroom associated with an education centre located on a site for three years or less.
- A temporary shed or temporary structure for construction purposes, or a temporary portable land sales office located on the land for sale.
- A children’s cubbyhouse.
- External lighting normal to a dwelling.
- The construction, alteration, removal or demolition of an observational bore where a licence has been issued for those works under Part 5 of the Water Act 1989.
- Any works associated with the use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.

- A crop support or protection structure associated with horticulture, including a trellis, cloche, net and shadecloth. It does not include a structure with a solid roof or solid wall such as a glass house or igloo.

- An annexe attached to a movable caravan located on land used for a camping and caravan park.

- Works associated with geotechnical testing or service proving.

- Buildings and works associated with the use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.

- The construction of or putting up for display a sign consistent with the requirements of Clause 52.05-10.

62.02-2  
Buildings and works not requiring a permit unless specifically required by the planning scheme

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- A fence.

- The construction of or putting up for display a sign (except for a sign consistent with the requirements of Clause 52.05-10 which is provided for in Clause 62.02-1).

- Roadworks.

- Street furniture including post boxes, telephone booths, fire hydrants, bus shelters, shade sails, traffic control devices and public toilets.

- Park furniture including seating, tables, shelters, rubbish bins, playground equipment, barbeques, shade sails, drinking fountains and public toilets.

- Furniture and works normally associated with an education centre including, but not limited to, outdoor furniture, playground equipment, art works, drinking fountains, rubbish bins and landscaping.

- Disability access and disability facilities associated with an education centre (not including a lift external to a building).

- Art work that is carried out by or on behalf of a public land manager.

- Oil pipelines.

- Buildings and works associated with a dependent person’s unit.

- The internal rearrangement of a building or works provided the gross floor area of the building, or the size of the works, is not increased and the number of dwellings is not increased.

- Repairs and routine maintenance to an existing building or works.

- Domestic services normal to a dwelling.

- A rainwater tank with a capacity of not more than 10,000 litres.

- Bicycle pathways and trails.

- A television antenna.

- A flagpole.

- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- An open-sided pergola or verandah to a dwelling with a finished floor level not more than 800 mm above ground level and a maximum building height of three metres above ground level.
- A deck to a dwelling with a finished floor level not more than 800 mm above ground level.
- A disabled access ramp.
- Any works necessary to prevent soil erosion, or to ensure soil conservation or reclamation.
- A solar energy facility attached to a building that primarily services the land on which it is situated.
- Buildings and works associated with cat cages and runs, bird cages, dog houses, and other domestic animal enclosures associated with the use of the land as a dwelling.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.
- An electric vehicle charging station.

This does not apply if a permit is specifically required for any of these matters.

**Vegetation removal**

Any requirement in this scheme relating to the construction or carrying out of works does not apply to the removal, destruction or lopping of trees and the removal of vegetation.

This does not apply if a permit is specifically required to remove, destroy or lop trees or to remove vegetation.
EVENTS ON PUBLIC LAND

Any requirement in this scheme relating to the use of land or the construction of a building or the construction or carrying out of works does not apply to:

- an event on public land; or
- temporary buildings or works required for the event;

where that event has been authorised by the public land manager or by the council under a local law.

An event includes land used to provide temporary cultural or community activities and entertainment such as a concert, festival or exhibition.

This does not apply to public land where a local provision of this scheme specifically regulates an event for a particular site.
SUBDIVISIONS NOT REQUIRING A PERMIT

Any requirement in this scheme relating to the subdivision of land does not apply to:

- A subdivision by an authority acquiring the land which does not create an additional lot.
- A subdivision by a public authority or utility service provider which does not create an additional lot other than for the sole purpose of a minor utility installation. This does not apply if a permit is required to subdivide land under any overlay.
- A subdivision by an authority acquiring the land which creates additional lots if the additional lots are severed parcels of land without legal access to an existing road and the additional lots are retained by the acquiring authority or sold to an abutting land owner on the condition that the lot be consolidated with abutting land.
- A subdivision which realigns the common boundary between two lots if all the land is in one urban zone and any of the following apply:
  - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is more than 230 square metres, and the area of either lot is reduced by less than 30 square metres.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is 230 square metres or less, and the area of either lot is reduced by less than 5 percent or by less than 30 square metres, whichever 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.
MOUNT ALEXANDER PLANNING SCHEME

SHOP CONDITIONS

A permit must not be granted to:

- Construct or carry out a building or works under Clause 63.05 for a shop with a leasable floor area exceeding 500 square metres.
- Use land under Clause 63.08 for a shop with a leasable floor area exceeding 500 square metres.
DAMAGED OR DESTROYED BUILDINGS OR WORKS

If at least 50 percent of the gross floor area of a building or at least 50 percent of the area of any works is damaged or destroyed so that the use cannot continue without the building or works being reconstructed, the land must be used in conformity with this scheme, unless a permit is granted to continue the use, and to construct or carry out buildings or works.
PROOF OF CONTINUOUS USE

If, in relation to an application or proceeding under the Act or this scheme, including an application for a certificate of compliance under Section 97N of the Act, the extent of any existing use right for a period in excess of 15 years is in question, it is sufficient proof of the establishment of the existing use right if the use has been carried out continuously for 15 years prior to the date of the application or proceeding.

An existing use right may be established under this clause even if the use did not comply with the scheme immediately prior to or during the 15 year period, unless either:

- At any time before or after commencement of the 15 year period the use has been held to be unlawful by a decision of a court or tribunal.
- During the 15 year period, the responsible authority has clearly and unambiguously given a written direction for the use to cease by reason of its non-compliance with the scheme.
DECISION GUIDELINES

Before deciding on an application under Clause 63.05, 63.08 or 63.10, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider the extent to which compliance can be achieved with all scheme requirements that can reasonably be met.
GENERAL PROVISIONS FOR USE AND DEVELOPMENT OF LAND
LAND USED FOR MORE THAN ONE USE

If land is used for more than one use and one is not ancillary to the other, each use must comply with this scheme.
LAND USED IN CONJUNCTION WITH ANOTHER USE

If a provision of this scheme provides that a use of land must be used ‘in conjunction with’ another use of the land:

- there must be an essential association between the two uses; and
- the use must have a genuine, close and continuing functional relationship in its operation with the other use.
SUBDIVISION OF LAND IN MORE THAN ONE ZONE

If a provision of this scheme provides that a permit is required to subdivide land and the land is in more than one zone a permit may be granted even if one of the lots does not comply with the minimum lot size requirements of a zone.

Permit Requirement

A permit may be granted to create one lot smaller than specified in the scheme if all of the following are met:

- The lot to be subdivided is in more than one zone and cannot comply with the minimum lot area specified in the scheme.

- The proposed subdivision does not create lots where any lot extends into more than one zone. This does not apply to any lots created for the following purposes:
  - To comply with the requirements of the Urban Floodway Zone.
  - To provide access to a road.

- The remainder of the proposed lots must comply with the minimum lot area specified in the scheme.
DECISION GUIDELINES

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.
APPROVAL OF AN APPLICATION OR PLAN

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

This clause does not apply to a VicSmart application.
APPROVAL OF AN APPLICATION TO SUBDIVIDE LAND

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any body corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

This clause does not apply to a VicSmart application.
REFERRAL AND NOTICE PROVISIONS

Scope

These provisions set out the 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 Land Act 1958</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide land crossed by a gas transmission pipeline or a gas transmission pipeline easement.</td>
<td>The relevant gas supply authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement.</td>
<td>The relevant electricity transmission authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide a heritage place of which all or part is included in the Victorian Heritage Register.</td>
<td>The Executive Director specified in the Heritage Act 2017</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

Note: A subdivision which does not require referral under Clause 66.01 must be referred if it is listed as a requirement under any other provision of Clause 66.

Mandatory conditions for subdivision permits

A permit for subdivision must contain the following conditions:

The owner of the land must enter into an agreement with:

- a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider’s requirements and relevant legislation at the time; and
- a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider’s requirements and relevant legislation at the time; and
a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

This requirement does not apply to a permit granted to:

- Subdivide land in a rural zone, public land zone, Urban Floodway Zone or Special Use Zone if the responsible authority is satisfied that connection to telecommunication services is not warranted.
- Realign the common boundary between two lots (boundary realignment).
- Subdivide an existing building already connected to telecommunication services.

A permit granted to subdivide land in a manner that does not require referral under Clause 66.01 must contain the following conditions:

- The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority’s requirements and relevant legislation at the time.
- All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
- The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

This requirement does not apply to a permit granted to subdivide land into lots each containing an existing dwelling or car parking space.

**Referrals under the Subdivision Act – certification of plans**

For the purpose of Section 8(1)(a) of the Subdivision Act 1988 referral of a plan is required if:

- A referral is required by a permit issued under this scheme. The plan must be referred to the relevant referral authority.
- A plan creates, varies or removes an easement or restriction likely to be of interest to a referral authority. The plan must be referred to the relevant referral authority.
- The only access to a lot on a plan is over Crown land and the Minister administering the Land Act 1958 has not consented or provision has not been made for a road to be reserved or proclaimed. The plan must be referred to that Minister.
- In the opinion of the Council the plan may affect existing sewerage, water, drainage or other works. The plan must be referred to the referral authority responsible for those works.
USE AND DEVELOPMENT REFERRALS

An application of the kind listed in the tables below must be referred to the person or body specified as the referral authority. The tables below specify whether the referral authority is a determining referral authority or a recommending referral authority.

### Works approval or licence

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>For a use or development requiring any of the following:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Works approval in accordance with Section 19A of the Environment Protection Act 1970.</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A licence to discharge or emit waste in accordance with Section 20 of the Environment Protection Act 1970.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Amendment of a licence under Section 20A of the Environment Protection Act 1970.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Native vegetation

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>- To remove, destroy or lop native vegetation in the Detailed Assessment Pathway as defined in the <em>Guidelines for the removal, destruction or lopping of native vegetation</em> (Department of Environment, Land, Water and Planning, 2017).</td>
<td>Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>).</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>- To remove, destroy or lop native vegetation if a property vegetation plan applies to the site.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- To remove, destroy or lop native vegetation on Crown land which is occupied or managed by the responsible authority.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Cattle feedlot

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for a cattle feedlot.</td>
<td>Minister for Agriculture</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>If the site is located within a special water supply catchment area under the <em>Catchment and Land Protection Act 1994</em>, the relevant water authority under the <em>Water Act 1989</em> and the Secretary to the Department administering the <em>Catchment and Land Protection Act 1994</em></td>
<td></td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>If the number of cattle is 5000 or more, the Environment Protection Authority</td>
<td></td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
### Major electricity line or easement

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To construct a building or construct or carry out works on land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement.</td>
<td>The relevant electricity transmission authority</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Special water supply catchment area

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use, subdivide or consolidate land, to construct a building or construct or carry out works, or to demolish a building or works that are within a Special Water Supply Catchment Area listed in Schedule 5 of the <em>Catchment and Land Protection Act 1994</em> and which provides water to a domestic supply.</td>
<td>The relevant water board or water supply authority</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

This does not apply to an application for a sign, fence, roadworks or unenclosed building or works ancillary to a dwelling.

### Timber production

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for timber production by establishing a plantation.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>)</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To use or develop land for timber production by harvesting timber from native forest, including thinning, if the area of native forest to be subjected to timber production operations is 10 hectares or greater.</td>
<td></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 <em>Dangerous Goods (Storage and Handling) Regulations 2012.</em></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Kind of application | Referral authority | Type of referral authority
--- | --- | ---
- A notification is required under the Occupational Health and Safety Regulations 2007. |  |  
- A licence is required under the Dangerous Goods (Explosives) Regulations 2011. |  |  
- A licence is required under Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture. |  |  
- To construct a building or construct or carry out works on land used for an industry or warehouse for a purpose listed in the table to Clause 53.10 and shown with a Note 2 if the area of the buildings and works will increase by more than 25 per cent and any of the following apply: | The Victorian WorkCover Authority | Determining referral authority
  - A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012. |  |  
  - A notification is required under the Occupational Health and Safety Regulations 2007. |  |  
  - A licence is required under the Dangerous Goods (Explosives) Regulations 2011. |  |  
- A licence is required under the Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture. |  |  

### Stone Extraction

Kind of application | Referral authority | Type of referral authority
--- | --- | ---
- To use or develop land for stone extraction. | Secretary to the Department administering the Heritage Act 1995. | Determining referral authority
  | Secretary to the Department administering the Mineral Resources (Sustainable Development) Act 1990 |  
- To use or develop land for stone extraction: | Secretary to the Department administering the Catchment and Land Protection Act 1994. | Determining referral authority
  - In Special Areas declared under Section 27 of the Catchment and Land Protection Act 1994. |  |  

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66.02-8
25/05/2017
VC133

MOUNT ALEXANDER PLANNING SCHEME

---
<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>- On land where the use or development involves the removal or destruction of native vegetation if the total area to be cleared is 10 hectares or greater.</td>
<td>Secretary to the Department administering the <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></td>
<td></td>
</tr>
<tr>
<td>- To use or develop land for stone extraction:</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>- In areas with communities or taxa listed or critical habitat determined under the <em>Flora and Fauna Guarantee Act 1988</em>.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- On land which has been identified in this scheme as containing sites of flora or fauna significance.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- To use or develop land for stone extraction on land which has been identified in this scheme as flood prone.</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- To use or develop land for stone extraction if the land is intended to be used for land fill at a future date.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- To use or develop land for stone extraction:</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- On land which abuts a local road which intersects with a road declared as a freeway or an arterial road under the <em>Road Management Act 2004</em> and if the development is expected to increase traffic movement at the intersection of the local road and the declared road by ten percent or more.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- On land which abuts a road declared as a freeway or an arterial road under the <em>Road Management Act 2004</em>. This does not apply to a development which generates less than one hundred commercial trips per day, with roadworks at the entrance to the site built in accordance with the requirements of the Roads Corporation and the declared road is not a freeway.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Geothermal energy extraction

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for geothermal energy extraction.</td>
<td>Secretary to the Department administering the Geothermal Energy Resources Act 2005</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Greenhouse gas sequestration

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for greenhouse gas sequestration.</td>
<td>Secretary to the Department administering the Greenhouse Gas Geological Sequestration Act 2008</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Integrated Public Transport Planning

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>An application to subdivide land, to construct a building or to construct or carry out works for any of the following:</td>
<td>Head, Transport for Victoria</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A residential development comprising 60 or more dwellings or lots.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A residential building comprising 60 or more lodging rooms.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A residential village comprising 60 or more dwellings.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A retirement village comprising 60 or more dwellings or lots.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A new retail premises of 4000 or more square metres of leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- An increase of more than 1000 square metres to the leasable floor area of an existing retail premises which is 4000 or more square metres leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- An office development of 10,000 or more square metres of leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A place of assembly comprising 400 or more seats or 600 or more square metres of gross floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- An education centre.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A major sports and recreation facility.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Any alteration or development of public transport infrastructure or stops, unless undertaken for the Head, Transport for Victoria.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

This does not apply to:

- Buildings and works associated with an existing place of assembly, education centre, major sports and recreation facility or retirement village.
- A development consistent with an adopted Structure Plan that has been prepared in consultation with and endorsed by the Head, Transport for Victoria.
An application of the kind listed in the table below, where the planning scheme includes the specified clause, must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 36.03-5 (PCRZ)</td>
<td>An application for the use or development of an Emergency services facility.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 37.03-5 (UFZ)</td>
<td>An application under the zone within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>An application under the zone outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 37.07-5 (UGZ)</td>
<td>An application under the zone within Metropolitan Melbourne.</td>
<td>Victorian Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>An application under the zone outside Metropolitan Melbourne.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 44.02-8 (SMO)</td>
<td>An application under the overlay and any site capability report.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 44.03-6 (FO)</td>
<td>An application under the overlay within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>An application under the overlay outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 44.04-7 (LSIO)</td>
<td>An application under the overlay within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>An application under the overlay outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 44.05-6 (SBO)</td>
<td>An application under the overlay within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause</td>
<td>Kind of application</td>
<td>Referral authority</td>
<td>Type of referral authority</td>
</tr>
<tr>
<td>----------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td></td>
<td>An application under the overlay outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 44.06-6 (BMO)</td>
<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>
</tr>
<tr>
<td></td>
<td>This does not apply to a non habitable outbuilding that meets the following requirements:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• The outbuilding is ancillary to a dwelling,</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• 10 metres of defendable space is provided around the outbuilding in accordance with the vegetation management requirements at Table 6 of Clause 53.02,</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• The canopy of each tree within the defendable space is separated by at least 2 metres, and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• 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.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>An application to subdivide land.</td>
<td>Relevant fire authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td></td>
<td>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.</td>
<td>Relevant fire authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 44.07-4 (SRO)</td>
<td>An application of the kind specified in a schedule to the overlay.</td>
<td>Referral authority specified in a schedule to the overlay</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 45.01-3 (PAO)</td>
<td>An application under the overlay.</td>
<td>Acquiring authority specified in the schedule to the overlay</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 45.07-6 (CLPO)</td>
<td>An application under the overlay.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 52.05</td>
<td>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.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 52.27</td>
<td>An application under the Clause in association with a bar, hotel or nightclub that is to operate after 1am.</td>
<td>Victorian Commission for Gambling and Liquor Regulation</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 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>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></td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 53.05-1</td>
<td>An application to use or develop land for a Freeway service centre.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

In addition to the referral requirements of Clause 66.01, 66.02 and 66.03, an application of the kind listed in the schedule to this clause must be referred to the referral authority specified in the schedule. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

If a local provision of the scheme specifies a person or body as a referral authority for a kind of application or contains a referral requirement, and that specification or requirement is not included in the schedule to this clause, it is not a referral requirement under section 55 of the Act.
### Referral of permit applications under local provisions

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
</table>
| Clause 3 of Schedule 1 to Clause 42.01(ESO) | Application of the kind listed below:  
- Subdivision creating lots less than 40 hectares.  
- Intensive agriculture, lot feeding, poultry farming and pig keeping or any other intensive land use.  
- Any use or development which the responsible authority considers may not satisfy the environmental objective of this schedule.  
- All applications for use and development of land within 100 metres of the full supply level of Lake Eppalock or from any watercourse within the catchment area. | The relevant water authority | Determining referral authority |
| Clause 3 of Schedule 2 to Clause 42.01(ESO) | Application of the kind listed below:  
- Subdivision creating lots less than 40 hectares.  
- Intensive agriculture, lot feeding, poultry farming and pig keeping or any other intensive land use.  
- Any use or development which the responsible authority considers may not satisfy the environmental objective of this schedule.  
- All applications for use and development of land within 100 metres of the full supply level of Lake Cairn Curran or from any watercourse within the catchment area. | The relevant water authority | Determining referral authority |
| Clause 3 of Schedule 3 to Clause 42.01(ESO) | Application of the kind listed below:  
- Subdivision creating lots less than 40 hectares.  
- Intensive agriculture, lot feeding, poultry farming and pig keeping or any other intensive land use.  
- Any use or development which the responsible authority considers may not satisfy the environmental objective of this schedule. | Secretary to the Department of Environment, Land, Water and Planning | Determining 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 3 of Schedule 4 to Clause 42.01 (ESO)</td>
<td>Application of the kind listed below:</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>• Subdivision creating lots less than 40 hectares.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Intensive agriculture, lot feeding, poultry farming and pig keeping or any other intensive land use.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Any use or development which the responsible authority considers may not satisfy the environmental objective of this schedule.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• All applications for use and development of land within 100 metres of the Mount Alexander Regional Park.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Clause 3.0 of Schedule 6 to Clause 42.01 (ESO)</td>
<td>All applications</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 6.0 of Schedule 7 to 42.01 (ESO)</td>
<td>All applications</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</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 | 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 | An application to construct a building or construct or carry out works on land for which a work plan has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990. |                                                                                             |
| Clause | 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 | An application in association with a bar, hotel or nightclub that is to operate after 1am. | Chief Commissioner of Victoria Police |
| Clause | 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 | 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 |
| Clause | An application for a permit to remove, destroy or lop native vegetation under Clause 52.17, which, except for the provisions of Clause 67, would be made to the Minister in accordance with Section 96 of the Act. This does not apply if the application is of a kind which must be referred to the Secretary under Section 55 of the Act. | The Secretary to the Department administering the Flora and Fauna Guarantee Act 1988 |
NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

In addition to the notice requirements of Clause 66.05, notice of an application of the kind specified in the schedule to this clause must be given to the person or body specified in the schedule. If a local provision of the scheme specifies a notice requirement and that requirement is not included in the schedule to this clause, it is not a notice requirement under Section 52(1)(c) of the Act.
## SCHEDULE TO CLAUSE 66.06

### Notice of permit applications under local provisions

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Person or body to be notified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 3 of Schedule 3 to Clause 42.01 (ESO)</td>
<td>Application of the kind listed below: Subdivision creating lots less than 40 hectares. Intensive agriculture, lot feeding, poultry farming and pig keeping or any other intensive land use. Any use or development which the responsible authority considers may not satisfy the environmental objective of this schedule. All applications for use and development of land within 100 metres of the Barfold Gorge.</td>
<td>The National Trust</td>
</tr>
<tr>
<td>Clause 4 of Schedule 2 to Clause 43.02 (DDO)</td>
<td>Any application in relation to impacts on the Castlemaine Diggings Natural Heritage Park or protection of native vegetation</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
</tr>
<tr>
<td></td>
<td>Any application in relation to fire risk</td>
<td>Country Fire Authority</td>
</tr>
<tr>
<td>Clause 4 of Schedule 3 to Clause 43.02 (DDO)</td>
<td>Any application in relation to impacts on the Castlemaine Diggings Natural Heritage Park or protection of native vegetation</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
</tr>
<tr>
<td></td>
<td>Any application in relation to fire risk</td>
<td>Country Fire Authority</td>
</tr>
<tr>
<td>Clause 4 of Schedule 4 to Clause 43.02 (DDO)</td>
<td>Any application in relation to impacts on the Castlemaine Diggings Natural Heritage Park or protection of native vegetation</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
</tr>
<tr>
<td></td>
<td>Any application in relation to fire risk</td>
<td>Country Fire Authority</td>
</tr>
<tr>
<td></td>
<td>Any application in relation to heritage issues</td>
<td>Heritage Victoria</td>
</tr>
<tr>
<td>Clause 4 of Schedule 5 to Clause 43.02 (DDO)</td>
<td>Any application in relation to impacts on the Castlemaine Diggings Natural Heritage Park or protection of native vegetation</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
</tr>
<tr>
<td></td>
<td>Any application in relation to fire risk</td>
<td>Country Fire Authority</td>
</tr>
<tr>
<td>Clause 2.1 of Schedule 5 to Clause 43.04 (DPO)</td>
<td>Any application in relation to a traffic impact assessment</td>
<td>Roads Corporation</td>
</tr>
<tr>
<td></td>
<td>Any application in relation to flora and fauna survey</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
</tr>
<tr>
<td></td>
<td>Any application in relation to fire risk</td>
<td>Country Fire Authority</td>
</tr>
<tr>
<td>Clause 2.0 of Schedule 6 to Clause 43.04 (DPO)</td>
<td>Any application in relation to a traffic impact assessment</td>
<td>Roads Corporation</td>
</tr>
<tr>
<td></td>
<td>Landscape plan for road reserves and public spaces</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
</tr>
<tr>
<td>Clause</td>
<td>Kind of application</td>
<td>Person or body to be notified</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------</td>
</tr>
<tr>
<td>Any application in relation to impacts on the Castlemaine Diggings National Heritage Park and protection of native vegetation</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</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.
71.03 OPERATION OF ZONES

In each zone and schedule to a zone which contains a table of uses, the controls over the use of land are divided into three sections.

Section 1 uses

A use in Section 1 does not require a permit. Any condition opposite the use must be met. If the condition is not met, the use is in Section 2 and requires a permit unless the use is specifically included in Section 3 as a use that does not meet the Section 1 condition.

Section 2 uses

A use in Section 2 requires a permit. Any condition opposite the use must be met. If the condition is not met, the use is prohibited.

Making decisions about Section 2 uses

Because a use is in Section 2 does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the zone and any of the other decision guidelines in Clause 65.

Section 3 uses

A use in Section 3 is prohibited.
OPERATION OF OVERLAYS

If an overlay is shown on the planning scheme map, the provisions of the overlay apply in addition to the provisions of the zone and any other provision of this scheme.

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the overlay and any of the other decision guidelines in Clause 65.
OPERATION OF PARTICULAR PROVISIONS

The requirements of particular provisions apply to the specified categories of use and development and other matters in addition to any provisions which apply due to any other provision of this planning scheme.
OPERATION OF VICSMART APPLICATIONS AND PROCESS

VicSmart applications

Any provision of this planning scheme may specify:

- Classes of application that are VicSmart applications to which Clause 71.06 applies.
- Information requirements for each class of VicSmart application.
- Decision guidelines for each class of VicSmart application.

An application is a VicSmart application if all of the following requirements are met:

- The application is in a class or classes specified in a provision of this planning scheme.
- A permit is required only under the provisions of this planning scheme that are specified as a VicSmart application, and not under any other provision of this planning scheme.
- Nothing authorised by the grant of a permit would result in a breach of a registered restrictive covenant.
- If the application requires referral to a referral authority under Clause 66, the referral requirements in Clause 71.06-2 are met.

VicSmart process

Despite any other provision of this planning scheme:

- A VicSmart application is exempt from the requirements of the Act and planning scheme specified in this clause.
- The responsible authority must assess a VicSmart application in accordance with the requirements of this clause.

If there is any inconsistency between the requirements of this clause and another provision of this planning scheme, this clause prevails.

Referral requirements

If an application requires referral to a referral authority under Clause 66:

- The application must have been considered by the referral authority within the past 3 months of the application being made to the responsible authority.
- The referral authority must have stated in writing that it does not object to the granting of the permit for the proposal.

Information requirements

A VicSmart application must be accompanied by the information requirements specified for the relevant class of application. The information requirements of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, do not apply unless the information requirements for the relevant class of application specify otherwise.

If in the opinion of the responsible authority an information requirement is not relevant to the evaluation of a VicSmart application, the responsible authority may waive or reduce the information requirement.

Exemption from notice and review

A VicSmart application is exempt from:

- The notice requirements of section 52(1)(a), (b), (c) and (d) of the Act.
- The decision requirements of section 64(1), (2) and (3) of the Act.
- The review rights of section 82(1) of the Act.
Matters to be considered

In deciding a VicSmart application, the responsible authority:

- Must only consider the decision guidelines specified for the relevant class of application.
- Is exempt from considering the following matters:
  - The requirements of section 60(1)(b), (c), (e) and (f) and (1A) (b) to (h) and (j) of the Act.
  - The Municipal Planning Strategy and Planning Policy Framework unless the decision guidelines for the relevant class of application specify otherwise.
  - The decision guidelines of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, unless the decision guidelines for the relevant class of application specify otherwise.
  - The decision guidelines in Clause 65.
- In deciding an application for review in relation to a VicSmart application, the Tribunal is exempt from the matters specified in section 84B(2)(b) to (g) and (i) to (ja) of the Act.

Decision guidelines

Before deciding a VicSmart application, the responsible authority must consider the decision guidelines specified for the relevant class of application unless in the opinion of the responsible authority a decision guideline is not relevant to the evaluation of the application.
RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

The responsible authority for the administration and enforcement of this planning scheme or a provision of this planning scheme is specified in this clause and the schedule to this clause.

The person nominated under section 198(1)(a) of the Act or the responsible authority under section 198(1)(b) of the Act, to whom a person may apply for a planning certificate, is specified in the schedule to this clause.

 Minister is responsible authority

The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for a:

- Wind energy facility
- Minor utility installation used to transmit or distribute electricity generated by a Wind energy facility
- Utility installation used to transmit or distribute electricity generated by a Wind energy facility 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.
Responsible authority for administering and enforcing this planning scheme:
The Mount Alexander Shire Council is the responsible authority for administering and enforcing the planning scheme, except for matters specified in Clause 72.01-1 and matters listed in this schedule.

Responsible authority for administering and enforcing a provision of this planning scheme:
None specified.

Person or responsible authority for issuing planning certificates:
Minister for Planning.

Responsible authority for VicSmart applications:
The Chief Executive Officer of the Mount Alexander Shire Council is the responsible authority for considering and determining VicSmart applications to which Clause 71.06 applies, in accordance with Divisions 1, 1A, 2 and 3 of Part 4 of the Act.
WHAT AREA IS COVERED BY THIS PLANNING SCHEME?

This planning scheme applies to the municipal district or other area specified in the schedule to this clause.
SCHEDULE TO CLAUSE 72.02 WHAT AREA IS COVERED BY THIS PLANNING SCHEME?

1.0

Area covered by this planning scheme:
Municipal district of Mount Alexander Shire Council.
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. 1BMO, 1EMO, 1ESO5, 1HO, 1LSIO-FO
2. 2BMO, 2EMO, 2ESO5, 2HO, 2LSIO-FO
3. 3BMO, 3EMO, 3ESO5, 3HO, 3RO, 3SLO1
4. 4BMO, 4EMO, 4ESO5, 4HO, 4LSIO-FO, 4RO, 4SLO1
5. 5BMO, 5DDO, 5EMO, 5ESO5, 5HO, 5PAO, 5RO
6. 6BMO, 6DDO, 6EMO, 6ESO5, 6HO, 6PAO
7. 7BMO, 7ESO1, 7ESO4, 7ESO5, 7HO
8. 8BMO, 8ESO1, 8ESO5, 8HO
9. 9ESO1, 9ESO5
10. 10ESO5, 10HO, 10LSIO-FO
11. 11EMO, 11ESO2, 11ESO5, 11HO, 11LSIO-FO, 11SLO1
12. 12EMO, 12ESO2, 12ESO5, 12HO, 12LSIO-FO, 12SLO1
13. 13BMO, 13EMO, 13ESO2, 13ESO5, 13HO, 13RO, 13SLO1, 13SLO2
14. 14BMO, 14EMO, 14HO, 14RO, 14SLO1, 14SLO2
15. 15BMO, 15EMO, 15HO, 15RO, 15SLO1, 15SLO2
16. 16BMO, 16DDO, 16EMO, 16ESO2, 16HO, 16SLO1, 16SLO2
17. 17BMO, 17EMO, 17HO, 17SLO1, 17SLO2
18. 18BMO, 18DDO, 18EMO, 18ESO5, 18HO, 18LSIO-FO, 18RO, 18SLO1
19. 19BMO, 19DDO, 19EMO, 19ESO5, 19ESO6, 19HO, 19LSIO-FO, 19PAO, 19RO, 19SLO2, 19VPO
20. 20BMO, 20EMO, 20HO, 20LSIO-FO, 20SLO2
21. 21BMO, 21DDO, 21EMO, 21ESO5, 21HO, 21LSIO-FO, 21PAO, 21RO, 21SLO2
22. 22BMO, 22DDO, 22EMO, 22ESO5, 22HO, 22LSIO-FO, 22SLO2
23. 23BMO, 23DDO, 23EMO, 23ESO5, 23HO, 23LSIO-FO, 23RO, 23SLO2
24. 24BMO, 24DDO, 24HO, 24LSIO-FO
26. 26BMO, 26ESO1, 26ESO5, 26HO
27. 27BMO, 27ESO1, 27ESO3, 27ESO5, 27HO
28. 28BMO, 28ESO2, 28ESO5, 28HO, 28SLO1
29. 29BMO, 29EMO, 29ESO2, 29ESO5, 29HO, 29SLO1
30. 30BMO, 30ESO2, 30ESO5, 30HO, 30SLO1
31. 31BMO, 31ESO5, 31HO, 31LSIO-FO, 31RO
32. 32BMO, 32DDO, 32ESO5, 32HO, 32LSIO-FO, 32RO, 32SLO2, 32VPO
33. 33BMO, 33DDO, 33EMO, 33ESO5, 33HO
34. 34BMO, 34DDO, 34ESO1, 34HO
- 35, 35BMO, 35DPO, 35ESO1, 35ESO5, 35HO
- 36, 36BMO, 36DDO, 36ESO1, 36ESO5, 36ESO7, 36HO, 36PAO
- 37, 37BMO, 37ESO1, 37ESO5, 37HO
- 38, 38BMO, 38HO
- 39, 39BMO, 39HO
- 40, 40BMO, 40HO
- 41, 41BMO
- 42, 42BMO, 42HO
## DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

The documents listed in the table and the schedule to this clause are incorporated documents under section 6(2)(j) of the *Planning and Environment Act 1987*.

An incorporated document forms part of this planning scheme.

If a document is not listed in the table or the schedule, it is not an incorporated document.

A document is not incorporated in this planning scheme by reason only that it is referred to in the scheme.

*Note:* Clause 72.08 contains a list of background documents relevant to this planning scheme. A background document does not form part of the planning scheme.

### Table to Clause 72.04

<table>
<thead>
<tr>
<th>Name of document</th>
<th>Introduced by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997</td>
<td>V3</td>
</tr>
<tr>
<td>A Code of Practice for Telecommunications Facilities in Victoria, July 2004</td>
<td>VC26</td>
</tr>
<tr>
<td>Apiary Code of Practice, May 2011</td>
<td>VC81</td>
</tr>
<tr>
<td>Australian Standard AS2890.2-2002 Parking facilities: Off-street commercial vehicle facilities, Standards Australia 2002</td>
<td>VC77</td>
</tr>
<tr>
<td>Australian/New Zealand Standard AS/NZS1158.3.1:1999, Road lighting, Part 3.1: Pedestrian Area (Category P) lighting – Performance and installation design requirements. Standards Australia/Standards New Zealand 1999</td>
<td>VC12</td>
</tr>
<tr>
<td>Building in bushfire-prone areas - CSIRO &amp; Standards Australia (SAA HB36-1993), May 1993</td>
<td>NPS1</td>
</tr>
<tr>
<td>Code of Practice for Bushfire Management on Public Land, 2012</td>
<td>VC101</td>
</tr>
<tr>
<td>Code of Practice for Timber Production 2014</td>
<td>VC101</td>
</tr>
<tr>
<td>Construction Techniques for Sediment Pollution Control, Environment Protection Authority May 1991</td>
<td>NPS1</td>
</tr>
<tr>
<td>Design Vehicles and Turning Path Templates, Austroads, 1995 (AP-34/95)</td>
<td>VC12</td>
</tr>
<tr>
<td>Growth Area Framework Plans, Department of Sustainability and Environment, September 2006</td>
<td>VC41</td>
</tr>
<tr>
<td>Guide to Road Design, Part 6A: Pedestrian and Cycle Paths, Austroads</td>
<td>VC77</td>
</tr>
<tr>
<td>Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management (Publication 891.4, Environment Protection Authority, 2016)</td>
<td>VC132</td>
</tr>
<tr>
<td>Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning 2017)</td>
<td>VC138</td>
</tr>
<tr>
<td>Local Government Planning Guide for Dry Land Salinity - Department Conservation and Natural Resources, 1995</td>
<td>NPS1</td>
</tr>
<tr>
<td>Name of document</td>
<td>Introduced by:</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>Pavement Design - A Guide to the Structural Design of Road Pavements, Austroads, (AP-17/92)</td>
<td>VC12</td>
</tr>
<tr>
<td>Planning requirements for racing dog keeping and training (Department of Environment, Land, Water and Planning, August 2017)</td>
<td>VC139</td>
</tr>
<tr>
<td>Principal Public Transport Network 2017 (State Government of Victoria, 2017)</td>
<td>VC132</td>
</tr>
<tr>
<td>Principal Public Transport Network Area Maps (State Government of Victoria, August 2018)</td>
<td>VC151</td>
</tr>
<tr>
<td>Private Tennis Court Development Code of Practice – Revision 1, March 1999</td>
<td>VC5</td>
</tr>
<tr>
<td>Victorian Code for Broiler Farms 2009 (plus 2018 amendments)</td>
<td>VC60</td>
</tr>
<tr>
<td>Victorian Code for Cattle Feedlots, August 1995</td>
<td>NPS1</td>
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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

<table>
<thead>
<tr>
<th>Name of document</th>
<th>Introduced by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>64 Buntins Road, Elphinstone, December 2012</td>
<td>C80</td>
</tr>
<tr>
<td>Former Shire of Newstead Heritage Precinct Exemptions Incorporated Plan, August 2012</td>
<td>C55</td>
</tr>
<tr>
<td>Goulburn-Murray Water Native Vegetation Code of Practice, February 2011</td>
<td>C64</td>
</tr>
<tr>
<td>Gower Restructure Plan, July 2013</td>
<td>C69</td>
</tr>
<tr>
<td>Halford Street Council Offices Development Plan, June 2001</td>
<td>C13</td>
</tr>
<tr>
<td>Harcourt Modernisation Project Incorporated Document, July 2012</td>
<td>C52</td>
</tr>
<tr>
<td>Loddon Prison Extension, Incorporated Document, December, 2013</td>
<td>GC4</td>
</tr>
<tr>
<td>Maldon Design Guidelines, Mount Alexander Shire, 1998</td>
<td>NPS1</td>
</tr>
<tr>
<td>Maldon North (A) Restructure Plan, July 2013</td>
<td>C63</td>
</tr>
<tr>
<td>Maldon North (B) Restructure Plan, July 2013</td>
<td>C63</td>
</tr>
<tr>
<td>Muckleford South Restructure Plan, July 2013</td>
<td>C63</td>
</tr>
<tr>
<td>Newstead Racecourse Planning Permit Exemptions Incorporated Plan, August 2012</td>
<td>C55</td>
</tr>
<tr>
<td>Pennyweight Flat Restructure Plan, June 2009</td>
<td>C50</td>
</tr>
<tr>
<td>Pollard Restructure Plan, July 2013</td>
<td>C69</td>
</tr>
<tr>
<td>Powerline Bushfire Safety Program - Native Vegetation Removal Code of Practice, August 2016</td>
<td>GC57</td>
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<td>Ravenswood South Restructure Plan, July 2013</td>
<td>C63</td>
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<tr>
<td>Tarilta Restructure Plan, July 2013</td>
<td>C69</td>
</tr>
<tr>
<td>Walmer Restructure Plan, July 2013</td>
<td>C69</td>
</tr>
<tr>
<td>Welshman’s Reef Caravan Park Planning Permit Exemptions Incorporated Plan, October 2011</td>
<td>C55</td>
</tr>
</tbody>
</table>
WHEN DID THIS PLANNING SCHEME BEGIN?

This planning scheme began on the date specified in the schedule to this clause.
Date this planning scheme began:

15 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>Central Highlands Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>G21 Regional Growth Plan (Geelong Region Alliance, 2013).</td>
<td>VC106 Clauses 10 to 19</td>
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<tr>
<td>Gippsland Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Great South Coast Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
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<tr>
<td>Hume Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Loddon Mallee North Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
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<tr>
<td>Loddon Mallee South Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td>Wimmera Southern Mallee Regional Growth Plan (Victorian Government, 2014).</td>
<td>VC106 Clauses 10 to 19</td>
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### Background documents

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<thead>
<tr>
<th>Name of background document</th>
<th>Amendment number - clause reference</th>
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</thead>
<tbody>
<tr>
<td>None specified</td>
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</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: a) a dwelling or residential building, except for: a) an eave, fascia or gutter that does not exceed a total width of 600mm; b) a pergola; c) unroofed terraces, patios, decks, steps or landings less than 800mm in height; d) a basement that does not project above ground level; e) any outbuilding that does not exceed a gross floor area of 10 square metres; and f) domestic services normal to a dwelling or residential building; b) a driveway; or 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>
</tbody>
</table>
| High quality productive agricultural land | Land which is used for animal husbandry or crop raising, and is capable of continuing to sustain agricultural production, and:  
  a) is of prime, or very good, agricultural quality, having regard to soil type, growing season, and availability of infrastructure, and of sufficient extent to support agricultural activities on an economically viable scale; or  
  b) has been identified through a regional, sub-regional, or local study as being of particularly good quality and strategic significance for agriculture in the regional or local context. |
<p>| Hume region                      | The area covered by the Alpine, Benalla, Greater Shepparton, Indigo, Mansfield, Mitchell, Moira, Murrindindi, Strathbogie, Towong, Wangaratta and Wodonga planning schemes.                                                                                                             |
| Land capability assessment       | The assessment of the physical ability of the land to sustain specific uses having regard to its management, and without long term on-site detriment to the environment.                                                                                                                                 |</p>
<table>
<thead>
<tr>
<th>General term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leasable floor area</td>
<td>That part of the net floor area able to be leased. It does not include public or common tenancy areas, such as malls, verandahs, or public conveniences.</td>
</tr>
<tr>
<td>Loddon Mallee North</td>
<td>The area covered by the Buloke, Campaspe, Gannawarra, Mildura and Swan Hill planning schemes.</td>
</tr>
<tr>
<td>region</td>
<td></td>
</tr>
<tr>
<td>Loddon Mallee South</td>
<td>The area covered by the Central Goldfields, Greater Bendigo, Loddon, Macedon Ranges and Mount Alexander planning schemes.</td>
</tr>
<tr>
<td>region</td>
<td></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, Moonie Valley, Moreland, Mornington Peninsula, Nillumbik, Port of Melbourne, Port Phillip, Stonnington, Whitehorse, Wyndham, Yarra and Yarra Ranges Planning Schemes and the area within the urban growth boundary in the Mitchell Planning Scheme.</td>
</tr>
<tr>
<td>Mineral</td>
<td>Any substance which occurs naturally as part of the earth’s crust, including: a) oil shale and coal; and b) hydrocarbons and mineral oils contained in oil shale or coal, or extracted from oil shale or coal by chemical or industrial processes. It does not include water, stone, or petroleum.</td>
</tr>
<tr>
<td>Movable building</td>
<td>A structure, other than a tent, caravan, or vehicle, which is designed to be moved from place to place on more than one occasion.</td>
</tr>
<tr>
<td>Native vegetation</td>
<td>Plants that are indigenous to Victoria, including trees, shrubs, herbs, and grasses.</td>
</tr>
<tr>
<td>Net floor area</td>
<td>The total floor area of all floors of all buildings on a site. It includes half the width of any party wall and the full width of all other walls. It does not include the area of stairs, loading bays, accessways, or car parking areas, or any area occupied by machinery required for air conditioning, heating, power supply, or lifts.</td>
</tr>
<tr>
<td>Plot ratio</td>
<td>The gross floor area of all buildings on a site, divided by the area of the site.</td>
</tr>
<tr>
<td>Private open space</td>
<td>An outdoor area of a dwelling or residential building or land for the exclusive use of the occupants.</td>
</tr>
<tr>
<td>Property vegetation plan</td>
<td>A plan which relates to the management of native vegetation within a property, and which is contained within an agreement made pursuant to section 69 of the Conservation, Forests and Lands Act 1987.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>-----------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Prostitution</td>
<td>The provision by one person to or for another person (whether or not of a different sex) of sexual services in return for payment or reward.</td>
</tr>
<tr>
<td>Public land manager</td>
<td>The Minister, government department, public authority or municipal council having responsibility for the care or management of public land. In relation to Crown land reserved under an Act and managed or controlled by a committee of management, other than Parks Victoria or a municipal council, it means the Minister administering that Act and does not include the committee of management.</td>
</tr>
</tbody>
</table>
| Radio mast            | A mast, for radio transmission or reception in a dwelling, that is:  
|                        | a) with antenna, more than 14 metres above the ground;  
|                        | b) if attached to a building, with antenna, more than 5 metres above the roof line;  
|                        | c) including antenna, wider than 6 metres; or  
|                        | d) excluding antenna, wider than 50 centimetres at any point exceeding 3 metres above the ground.                                                                                                           |
| Retail                | The sale of goods or materials, in any quantity or manner, other than by wholesale.                                                                                                                      |
| Secluded private open space | That part of private open space primarily intended for outdoor living activities which enjoys a reasonable amount of privacy.                                                                            |
| Setback               | The minimum distance from any allotment boundary to a building.                                                                                                                                         |
| Sexual services       | Has the same meaning as it has in the *Sex Work Act 1994*.                                                                                                                                               |
| Site coverage         | The proportion of a site covered by buildings.                                                                                                                                                           |
| Stone                 | Basalt, freestone, granite, limestone, sandstone, or other building stone, or rock, ordinarily used for building, manufacturing, road making, or construction; or clay (not fine clay, bentonite, or kaolin), earth, gravel, quartz (not quartz crystals), sand, soil, slate, or other similar material. |
| Storey                | That part of a building between floor levels. If there is no floor above, it is the part between the floor level and ceiling. It may include an attic, basement, built over car parking area, and mezzanine.         |
| Stormwater            | The net increase in run-off from urban development due to water not being able to seep into the ground because of impervious surfaces, such as roofs and roads.                                           |
| Street leg length     | The distance between street intersections or junctions, or points and locations where vehicles must slow down, usually to a maximum speed of 20 kilometres per hour.                                          |
| Street reserve        | Land set aside for a street pavement and verge.                                                                                                                                                         |
| Sustainable agriculture | The use of farming practices and systems which maintain or enhance:  
|                        | a) the economic viability of agricultural production;  
|                        | b) the natural resource base; and  
<p>|                        | c) other ecosystems which are influenced by agricultural activities.                                                                                                                                      |</p>
<table>
<thead>
<tr>
<th>General term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Telecommunications line</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>Telecommunications network</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>Telecommunications tower</td>
<td>A tower, pole or mast used as part of a Telecommunications network.</td>
</tr>
<tr>
<td>Tenement</td>
<td>Land comprised in:</td>
</tr>
<tr>
<td></td>
<td>a) a lot which does not adjoin another lot in the same ownership; or</td>
</tr>
<tr>
<td></td>
<td>b) lots in the same ownership and which adjoin each other.</td>
</tr>
<tr>
<td></td>
<td>Lots are considered to adjoin each other if they are separated only by a stream, stream reserve, or unmade or unused government road or rail reserve.</td>
</tr>
<tr>
<td>Utility service provider</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>Verge</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>Wall height</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>Wholesale</td>
<td>The sale of goods or materials, to be sold by others.</td>
</tr>
<tr>
<td>Wimmera Southern Mallee region</td>
<td>The area covered by the Hindmarsh, Horsham, Northern Grampians, West Wimmera and Yarriambiack planning schemes.</td>
</tr>
</tbody>
</table>
The following table lists terms which may be used in this planning scheme in relation to signs. A term listed in the first column, under the heading "Sign term", has the meaning set out beside that term in the second column, under the heading "Definition".

<table>
<thead>
<tr>
<th>Sign term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Above-verandah sign</td>
<td>A sign above a verandah or, if no verandah, that is more than 3.7 metres above pavement level, and which projects more than 0.3 metre outside the site.</td>
</tr>
<tr>
<td>Display area</td>
<td>The area of that part of a sign used to display its content, including borders, surrounds and logo boxes. It does not include safety devices, platforms and lighting structures. If the sign does not move or rotate, the area is one side only.</td>
</tr>
<tr>
<td>Animated sign</td>
<td>A sign that can move, contains moving or scrolling parts, changes its message, flashes, or has a moving or flashing border.</td>
</tr>
<tr>
<td>Bed and breakfast sign</td>
<td>A sign at a dwelling that advertises bed and breakfast accommodation in the dwelling.</td>
</tr>
<tr>
<td>Bunting sign</td>
<td>An advertisement that consists of bunting, streamers, flags, windvanes, or the like.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td>A sign that provides business identification information about a business or industry on the land where it is displayed. The information may include the name of the business or building, the street number of the business premises, the nature of the business, a business logo or other business identification information.</td>
</tr>
<tr>
<td>Direction sign</td>
<td>A sign not exceeding 0.3 square metre that directs vehicles or pedestrians. It does not include a sign that contains commercial information.</td>
</tr>
<tr>
<td>Electronic sign</td>
<td>A sign that can be updated electronically. It includes screens broadcasting still or moving images.</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>A sign illuminated by external lighting provided for that purpose.</td>
</tr>
<tr>
<td>High-wall sign</td>
<td>A sign on the wall of a building so that part of it is more than 10 metres above the ground.</td>
</tr>
<tr>
<td>Home based business sign</td>
<td>A sign at a dwelling that advertises a home based business carried on in the dwelling, or on the land around the dwelling.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>A sign illuminated by internal lighting or which contains lights or illuminated tubes arranged as an advertisement.</td>
</tr>
<tr>
<td>Major promotion sign</td>
<td>A sign which is 18 square metres or greater that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.</td>
</tr>
<tr>
<td>Panel sign</td>
<td>A sign with an advertisement area exceeding 10 square metres.</td>
</tr>
<tr>
<td>Pole sign</td>
<td>A sign:</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>Promotion sign</td>
<td>A sign of less than 18 square metres that promotes goods, services, an event or any other matter, whether or not provided, undertaken or sold or for hire on the land or in the building on which the sign is sited.</td>
</tr>
<tr>
<td>Reflective sign</td>
<td>A sign finished with material specifically made to reflect external light.</td>
</tr>
<tr>
<td>Sign</td>
<td>Includes a structure specifically built to support or illuminate a sign.</td>
</tr>
<tr>
<td>Sky sign</td>
<td>A sign:</td>
</tr>
<tr>
<td></td>
<td>a) on or above the roof of a building, but not a verandah;</td>
</tr>
<tr>
<td></td>
<td>b) fixed to the wall of a building and which projects above the wall; or</td>
</tr>
<tr>
<td></td>
<td>c) fixed to a structure (not a building) so that part of it is more than 7 metres above the ground.</td>
</tr>
</tbody>
</table>
LAND USE TERMS

The table to this clause lists terms which may be used in this planning scheme in relation to the use of land. A term describing a use or activity in relation to land which is not listed in the table must not be characterised as a separate use of land if the term is obviously or commonly included within one or more of the terms listed in the table.

Meaning of terms

A term listed in the first column, under the heading "Land use term", has the meaning set out beside that term in the second column, under the heading "Definition".

No definition of listed term indicates ordinary meaning

A term listed in the first column, under the heading "Land use term", which does not have a meaning set out beside that term in the second column, under the heading "Definition", has its ordinary meaning.

Terms which specifically include other listed terms

A term listed in the first column, under the heading "Land use term", which has other terms listed beside it in the third column, under the heading "Includes", includes any term so listed in the third column and any term included within that term in the third column, but does not include any other term listed in the first column.

A term listed in the first column which has other terms listed beside it in the third column may also include other terms which are not listed in the first column.

All terms listed in the third column are also listed in the first column.

Terms which do not specifically include other listed terms

If a term listed in the first column, under the heading "Land use term", does not have any term listed beside it in the third column, under the heading "Includes", that term does not include any term listed in the first column.

However, a term listed in the first column which does not have any term listed beside it in the third column may include other terms which are not listed in the first column.

Terms which are included within other listed terms

A term listed in the first column, under the heading "Land use term", which has a term listed beside it in the fourth column, under the heading "Included in", is included within the term so listed in the fourth column and any term which includes that term in the fourth column.

All terms listed in the fourth column are also listed in the first column.

Terms which are not included within other listed terms

If a term listed in the first column, under the heading "Land use term", does not have a term listed beside it in the fourth column, under the heading "Included in", that term is not included within any other term listed in the first column.

Table to Clause 73.03

<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
<td>Land used to slaughter animals, including birds. It may include the processing of animal products.</td>
<td></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>
</tbody>
</table>
| Adult sex product shop | Land used to sell or hire sexually explicit material, including:  
- a) publications classified as restricted under the Classification (Publications, Films and Computer Games) (Enforcement) Act 1995; and  
- b) materials and devices (other than contraceptives and medical treatments) used in conjunction with sexual behaviour. | Shop | |
| Agriculture | Land used to:  
- a) propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables;  
- b) keep, breed, board, or train animals, including livestock, and birds; or  
- c) propagate, cultivate, rear, or harvest living resources of the sea or inland waters. | Animal husbandry  
Aquaculture  
Crop raising | |
| Airport | | Transport terminal | |
| Amusement park | | Outdoor recreation facility | |
| Amusement parlour | A building that contains:  
- a) three or more coin, card, or token operated amusement machines; | Place of assembly | |
Included in

<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>b) one or more coin, card, or token operated amusement machines with more than one screen or console that can be played by three or more people simultaneously; or</td>
<td>Animal production</td>
<td>Agriculture</td>
</tr>
<tr>
<td></td>
<td>c) two or more coin, card, or token operated billiard, snooker, or pool tables.</td>
<td>Animal training</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Apiculture</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Domestic animal husbandry</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Horse husbandry</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Racing dog husbandry</td>
<td></td>
</tr>
<tr>
<td>Animal husbandry</td>
<td>Land used to keep, breed, board, or train animals, including birds.</td>
<td>Animal production</td>
<td>Animal husbandry</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pig farm</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Poultry farm</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Poultry hatchery</td>
<td></td>
</tr>
<tr>
<td>Animal production</td>
<td>Land used to keep or breed farm animals for the production of livestock, eggs, fibre, meat, milk or other animal products.</td>
<td>Grazing animal production</td>
<td>Animal production</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pig farm</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Poultry farm</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Poultry hatchery</td>
<td></td>
</tr>
<tr>
<td>Animal training</td>
<td>Land used to train animals, other than domestic animals, horses, or racing dogs.</td>
<td>Animal training</td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Apiculture</td>
<td>Land used to keep honeybee hives and to extract honey or other bee hive products.</td>
<td>Animal training</td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Aquaculture</td>
<td>Land used to keep or breed aquatic animals, or cultivate or propagate aquatic plants.</td>
<td>Aquaculture</td>
<td>Agriculture</td>
</tr>
<tr>
<td>Art and craft centre</td>
<td>Land used to manufacture, display, and sell, works of art or craft, such as handicrafts, paintings, and sculptures.</td>
<td>Art and craft centre</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td>Art gallery</td>
<td>Land used to display works of art, including ceramics, furniture, glass, paintings, screen based art, sculptures, and textiles.</td>
<td></td>
<td>Exhibition centre</td>
</tr>
<tr>
<td>Bank</td>
<td></td>
<td></td>
<td>Office</td>
</tr>
<tr>
<td>Bar</td>
<td>Land used to sell liquor for consumption on the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td>Beauty salon</td>
<td></td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>A dwelling used, by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence.</td>
<td></td>
<td>Dwelling</td>
</tr>
<tr>
<td>Betting agency</td>
<td>Land used for gambling by wagering, and where there is the ability to receive a monetary reward.</td>
<td></td>
<td>Gambling premises</td>
</tr>
<tr>
<td>Boat and caravan storage</td>
<td>Land used to store boats, caravans, or vehicle-towed boat trailers.</td>
<td></td>
<td>Store</td>
</tr>
<tr>
<td>Boat launching facility</td>
<td>Land used to launch boats into the water and to retrieve boats from the water.</td>
<td>Boat ramp Slipway</td>
<td>Recreational boat facility</td>
</tr>
<tr>
<td>Boat ramp</td>
<td></td>
<td></td>
<td>Boat launching facility</td>
</tr>
<tr>
<td>Bottle shop</td>
<td>Land used to sell packaged liquor for consumption off the premises.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Broiler farm</td>
<td>Land used to keep broiler chickens for the production of meat.</td>
<td></td>
<td>Poultry farm</td>
</tr>
<tr>
<td>Brothel</td>
<td>Land made available for prostitution by a person carrying on the business of providing prostitution services at the business’s premises.</td>
<td></td>
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</tr>
<tr>
<td>Bus terminal</td>
<td></td>
<td></td>
<td>Transport terminal</td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td>Land used to allow accommodation in caravans, cabins, tents, or the like.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
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</tr>
<tr>
<td>Caretaker's house</td>
<td>A dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation, or plant.</td>
<td>Dwelling</td>
<td></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>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td>Land used to park motor vehicles. It may include charging of electric vehicles.</td>
<td>Motor vehicle, boat, or</td>
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<tr>
<td></td>
<td></td>
<td>caravan sales</td>
<td></td>
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<tr>
<td>Car sales</td>
<td></td>
<td>Service industry</td>
<td></td>
</tr>
<tr>
<td>Car wash</td>
<td>Land used for a cattle feedlot as defined by the Victorian Code for Cattle Feedlots 1995.</td>
<td>Intensive animal production</td>
<td></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>Place of assembly</td>
<td></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>Place of assembly</td>
<td></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>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Commercial display area</td>
<td>Land used only to display goods.</td>
<td>Warehouse</td>
<td></td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Land used to provide accommodation and care services. It includes permanent, temporary</td>
<td>Residential building</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
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</tr>
<tr>
<td>Conference centre</td>
<td>Function centre</td>
<td></td>
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<tr>
<td>Convenience restaurant</td>
<td>Land used to prepare and sell food and drink for immediate consumption, where substantial provision is made for consumption both on and off the premises.</td>
<td>Food and drink premises</td>
<td></td>
</tr>
<tr>
<td>Convenience shop</td>
<td>A building with a leasable floor area of no more than 240 square metres, used to sell food, drinks, and other convenience goods. It may also be used to hire convenience goods.</td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td>Corrective institution</td>
<td>Land used to hold and reform persons committed to it by the courts, such as a prison, remand centre, and other type of detention facility.</td>
<td>Accommodation</td>
<td></td>
</tr>
<tr>
<td>Crematorium</td>
<td>Land used to cremate human remains. It may include funeral chapels or the like.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Crop raising</td>
<td>Land used to propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables.</td>
<td>Horticulture</td>
<td>Agriculture</td>
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<tr>
<td></td>
<td></td>
<td>Rice growing</td>
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<td></td>
<td>Timber production</td>
<td></td>
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<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>Accommodation</td>
<td></td>
</tr>
<tr>
<td>Display home centre</td>
<td>One or more buildings constructed as a dwelling, but used for display, to encourage people to buy or construct similar dwellings. It may include a sales office.</td>
<td></td>
<td>Domestic animal husbandry</td>
</tr>
<tr>
<td>Dog breeding</td>
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<tr>
<td>Land use term</td>
<td>Definition</td>
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<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>Domestic animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Drive-in theatre</td>
<td>Land used to professionally clean or launder clothing or household articles. It may include the use of dry cleaning processes.</td>
<td>Drive-in theatre</td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Dry cleaner</td>
<td>Land used to professionally clean or launder clothing or household articles. It may include the use of dry cleaning processes.</td>
<td>Dry cleaner</td>
<td>Service industry</td>
</tr>
<tr>
<td>Dry cleaning agent</td>
<td>Land used to arrange for professional cleaning or laundering of clothing or household articles predominantly at another location. It does not include the use of dry cleaning processes on the land.</td>
<td>Dry cleaning agent</td>
<td>Shop</td>
</tr>
<tr>
<td>Dwelling</td>
<td>A building used as a self-contained residence which must include: a) a kitchen sink; b) food preparation facilities; c) a bath or shower; and d) a toilet and wash basin. It includes outbuildings and works normal to a dwelling.</td>
<td>Bed and breakfast</td>
<td>Accommodation</td>
</tr>
<tr>
<td>Education centre</td>
<td>Land used for education.</td>
<td>Child care centre</td>
<td></td>
</tr>
<tr>
<td>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 exploration</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Geothermal energy exploration</td>
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<td></td>
<td></td>
<td>Geothermal energy extraction</td>
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<tr>
<td>Land use term</td>
<td>Definition</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>Office</td>
<td></td>
</tr>
<tr>
<td>Emergency services facility</td>
<td>Land used to provide facilities for emergency services, such as fire prevention and ambulance services. It may include administrative, operational or storage facilities associated with the provision of emergency services.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employment training centre</td>
<td></td>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Energy generation facility</td>
<td>Land used to generate energy for use off site other than geothermal energy extraction. It includes any building or other structure or thing used in or in connection with the generation of energy.</td>
<td>Renewable energy facility, Waste-to-energy facility</td>
<td></td>
</tr>
<tr>
<td>Equestrian supplies</td>
<td></td>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Exhibition centre</td>
<td>Land used to display works of art, artefacts, or historical, cultural, or other like works or artefacts.</td>
<td>Art gallery, Museum</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>Land used to prepare and sell food and drink for immediate consumption on, or off, the premises.</td>
<td>Bar, Convenience restaurant, Hotel, Restaurant, Take away food premises</td>
<td></td>
</tr>
<tr>
<td>Freeway service centre</td>
<td>Land which has direct access to a freeway and is used to provide essential services and facilities which encourage drivers to stop and take an effective break in the interests of driver safety.</td>
<td></td>
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</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</tr>
<tr>
<td>Freezing and cool</td>
<td>Land used to store, sell, and distribute fuel.</td>
<td>Liquid fuel depot</td>
<td>Store</td>
</tr>
<tr>
<td>storage</td>
<td></td>
<td>Solid fuel depot</td>
<td></td>
</tr>
<tr>
<td>Fuel depot</td>
<td>Land used to store, sell, and distribute fuel.</td>
<td>Liquid fuel depot</td>
<td>Warehouse</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Solid fuel depot</td>
<td></td>
</tr>
<tr>
<td>Function centre</td>
<td>Land used, by arrangement, to cater for conferences, private functions, and in which food and drink may be served. It may include entertainment and dancing.</td>
<td>Conference centre</td>
<td>Place of assembly</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reception centre</td>
<td></td>
</tr>
<tr>
<td>Funeral parlour</td>
<td>Land used to organise and conduct funerals, memorial services, or the like. It includes the storage and preparation of bodies for burial or cremation.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gambling premises</td>
<td>Land used for gambling by gaming or wagering, and where there is the ability to receive a monetary reward.</td>
<td>Betting agency</td>
<td>Retail premises</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Gaming premises</td>
<td></td>
</tr>
<tr>
<td>Gaming premises</td>
<td>Land used for gambling by gaming, and where there is the ability to receive a monetary reward.</td>
<td></td>
<td>Gambling premises</td>
</tr>
<tr>
<td>Garden supplies</td>
<td>Land used to sell and distribute garden supplies such as sand, soil, railway sleepers, screenings, rock, and the like.</td>
<td></td>
<td>Landscape gardening supplies</td>
</tr>
<tr>
<td>Geothermal energy</td>
<td>Land used for geothermal energy exploration in accordance with the Geothermal Energy Resources Act 2005.</td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>exploration</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Geothermal energy</td>
<td>Land used for geothermal energy extraction in accordance with the Geothermal Energy Resources Act 2005.</td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>extraction</td>
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<td></td>
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</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</td>
<td>Land used for animal production where the animals’ food is obtained by directly grazing, browsing or foraging plants growing on the land. It includes:</td>
<td></td>
<td>Animal production</td>
</tr>
<tr>
<td>production</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Included in:
- 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>Environmental resources industry</td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Greenhouse gas sequestration exploration</td>
<td>Land used for the exploration of greenhouse gas sequestration formations in accordance with the <em>Greenhouse Gas Geological Sequestration Act 2008</em>.</td>
<td>Environmental resources industry</td>
<td>Earth and energy resources industry</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>
<td>Definition</td>
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<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>Transport terminal</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td>Land used to keep, breed, board or train horses.</td>
<td>Horse riding school Horse stables</td>
<td>Animal husbandry</td>
</tr>
<tr>
<td>Horse husbandry</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>Horse riding school</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>Horse stables</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>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>
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<tr>
<td>Host farm</td>
<td></td>
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<tr>
<td>Hotel</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; Refuse disposal; Transfer station.</td>
<td>Materials recycling Refuse disposal Transfer station</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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<tr>
<td>b) dismantling or breaking up</td>
<td>Research and development centre</td>
<td>Rural industry</td>
<td>Service industry</td>
</tr>
<tr>
<td>c) treating waste materials;</td>
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<td></td>
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<tr>
<td>d) winning clay, gravel, rock,</td>
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<tr>
<td>sand, soil, stone, or other</td>
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<td>materials (other than Mineral,</td>
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<tr>
<td>stone, or soil extraction);</td>
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<td>e) laundering, repairing,</td>
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<tr>
<td>servicing or washing any</td>
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<td>article, machinery, or vehicle,</td>
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<td>other than on-site work on a</td>
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<td>building, works, or land; or f)</td>
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<td>any process of testing or</td>
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<td>analysis. If on the same land</td>
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<td>as any of these operations, it</td>
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<td>also includes: a) storing</td>
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<td>goods used in the operation or</td>
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<td>resulting from it; b) providing</td>
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<td>amenities for people engaged</td>
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<td>in the operation; c) selling</td>
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<td>by wholesale, goods resulting</td>
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<td>from the operation; and d)</td>
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<td>accounting or administration</td>
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<td>in connection with the operation.</td>
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<tr>
<td>If Materials recycling, goods</td>
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<tr>
<td>resulting from the operation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>may be sold by retail. If</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td>Land open to the public and used by non-paying persons for leisure or recreation, such as a cycle track, park, picnic or barbecue area, playground, plaza, and walking or jogging track.</td>
<td>Minor sports and</td>
<td></td>
</tr>
<tr>
<td>Minor sports and recreation</td>
<td>facility</td>
<td></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: an abattoir or sale yard; or grazing animal production, pig farm, poultry farm or poultry hatchery.</td>
<td>Cattle feedlot</td>
<td>Animal production</td>
</tr>
<tr>
<td>Intensive dairy farm</td>
<td>Land used for intensive animal production where cattle are kept or bred for the production of milk.</td>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td>Jetty</td>
<td></td>
<td>Marina</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>-------------------------------</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></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>
<td>Included in</td>
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<tr>
<td>-------------------------------------</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 Mineral Resources (Sustainable Development) Act 1990.</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 Mineral Resources (Sustainable Development) Act 1990.</td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Minor sports and recreation facility</td>
<td>Land used for leisure, recreation, or sport, without substantial provision for spectators, and which is usually open to non-paying spectators.</td>
<td>Indoor recreation facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Informal outdoor recreation</td>
<td>Leisure and recreation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Open sports ground</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restricted recreation facility</td>
<td></td>
</tr>
<tr>
<td>Minor utility installation</td>
<td>Land used for a utility installation comprising any of the following: a) sewerage or water mains; b) storm or flood water drains or retarding basins; c) flow measurement device or a structure to gauge waterway flow; d) siphons, water storage tanks, disinfection booster stations and channels; e) gas mains providing gas directly to consumers; f) a sewerage treatment plant, and any associated disposal works, required to serve a neighbourhood; g) a pumping station required to serve a neighbourhood;</td>
<td>Water retarding basin</td>
<td>Utility installation</td>
</tr>
</tbody>
</table>

MOUNT ALEXANDER PLANNING SCHEME
### Land use term | Definition | Includes | Included in
--- | --- | --- | ---
**h)** power lines designed to operate at less than 220,000 volts but excluding any power lines directly associated with an Energy generation facility or Geothermal energy extraction; or

**i)** an electrical sub-station designed to operate at no more than 66,000 volts but excluding any sub-station directly associated with an Energy generation facility or Geothermal energy extraction.

<table>
<thead>
<tr>
<th>Mooring pole</th>
<th>Marina</th>
<th>Mooring pole</th>
<th>Marina</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Motel</strong></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><strong>Motor racing track</strong></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><strong>Motor repairs</strong></td>
<td>Land used to repair or service motor vehicles, and includes the fitting of accessories.</td>
<td>Panel beating</td>
<td></td>
</tr>
<tr>
<td><strong>Motor vehicle, boat, or caravan sales</strong></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></td>
</tr>
<tr>
<td><strong>Museum</strong></td>
<td>Land used to display archaeological, biological, cultural, geographical, geological, historical, scientific, or other like works or artefacts.</td>
<td>Exhibition centre</td>
<td></td>
</tr>
<tr>
<td><strong>Natural systems</strong></td>
<td>Land in substantially its natural state which is used to maintain ecological systems, or to preserve an area of historic, scientific, aesthetic, or cultural significance.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Nightclub</strong></td>
<td>A building used to provide entertainment and dancing. It may include the provision of food and beverage services.</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>
<td>----------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Office</td>
<td>Land used for administration, or clerical, technical, professional or other like business activity. No goods or materials intended for manufacture, sale, or hire may be stored on the land. Other than electoral office and medical centre, it does not include any other defined use.</td>
<td>Bank</td>
<td>Bank, Electoral office, Medical centre, Real estate agency, Travel agency</td>
</tr>
<tr>
<td>Open sports ground</td>
<td>Land used for organised games of sport, but which is available for informal outdoor leisure or recreation when not being used or prepared for an organised game. It may include lights, change rooms, pavilions, and shelters.</td>
<td>Amusement park, Golf course, Golf driving range, Paintball games facility, Zoo</td>
<td>Minor sports and recreation facility</td>
</tr>
<tr>
<td>Outdoor recreation facility</td>
<td>Land used for outdoor leisure, recreation, or sport. It does not include an Open sports ground or Informal outdoor recreation.</td>
<td>Amusement park, 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>Motor repairs</td>
</tr>
<tr>
<td>Party supplies</td>
<td></td>
<td>Restricted retail premises</td>
<td>Restricted retail premises</td>
</tr>
<tr>
<td>Petroleum exploration</td>
<td>Land used for petroleum exploration in accordance with the <em>Petroleum Act 1998</em>.</td>
<td>Earth and energy resources industry</td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Petroleum extraction</td>
<td>Land used for petroleum extraction in accordance with the <em>Petroleum Act 1998</em>.</td>
<td>Earth and energy resources industry</td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Pier</td>
<td></td>
<td>Marina</td>
<td>Marina</td>
</tr>
<tr>
<td>Pig farm</td>
<td>Land used to keep or breed pigs.</td>
<td>Animal production</td>
<td>Animal production</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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<td>----------------------</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>
<td>Includes</td>
<td>Included in</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></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>Land used to provide facilities for boats operated primarily for pleasure or recreation, including boats operated commercially for pleasure or recreation.</td>
<td>Boat launching facility</td>
<td>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>Marina</td>
<td></td>
</tr>
<tr>
<td>Refuse disposal</td>
<td>Land used to dispose of refuse, by landfill, incineration, or other means.</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>Renewable energy facility</td>
<td>Land used to generate energy using resources that can be rapidly replaced by an ongoing natural process. Renewable energy resources include the sun, wind, the ocean, water flows, organic matter and the earth’s heat. It includes any building or other structure or thing used in or in connection with the generation of energy by a renewable resource. It does not include a renewable energy facility principally used to supply energy for an existing use of the land.</td>
<td>Wind energy facility</td>
<td>Energy generation facility</td>
</tr>
<tr>
<td>Research and development centre</td>
<td>Land used to develop or test electronic technology, biotechnology, or any other scientific discipline. It may include administration, promotion, conference, display, laboratory, assembly, and manufacturing areas.</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>Research centre</td>
<td>Land used only for scientific research.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reservoir</td>
<td>A natural or artificial lake used as a source of water supply that is owned or managed by a public authority.</td>
<td></td>
<td>Utility installation</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</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</td>
<td>Accommodation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Residential hotel</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rooming house</td>
<td></td>
</tr>
<tr>
<td>Residential hotel</td>
<td>Land used to provide accommodation in serviced rooms for persons away from their normal place of residence. If it has at least 20 bedrooms, it may include the sale of liquor for consumption on, or off, the premises, function or conference rooms, entertainment, dancing, amusement machines, and gambling.</td>
<td>Motel</td>
<td>Residential building</td>
</tr>
<tr>
<td>Residential village</td>
<td>Land, in one ownership, containing a number of dwellings, used to provide permanent accommodation and which includes communal, recreation, or medical facilities for residents of the village.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Land used to prepare and sell food and drink, for consumption on the premises. It may include:</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td></td>
<td>a) entertainment and dancing; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></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>Minor sports and</td>
<td><strong>Restricted recreation facility</strong>&lt;br&gt;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>Shop</td>
<td>Shop</td>
</tr>
<tr>
<td></td>
<td><strong>Restricted retail premises</strong>&lt;br&gt;Land used to sell or hire:&lt;br&gt;a) automotive parts and accessories;&lt;br&gt;b) camping, outdoor and recreation goods&lt;br&gt;c) electric light fittings;&lt;br&gt;d) animal supplies including equestrian and pet goods;&lt;br&gt;e) floor and window coverings;&lt;br&gt;f) furniture, bedding, furnishings, fabric and manchester and homewares;&lt;br&gt;g) household appliances, household electrical goods and home entertainment goods;&lt;br&gt;h) party supplies;&lt;br&gt;i) swimming pools;&lt;br&gt;j) office equipment and supplies;&lt;br&gt;k) baby and children’s goods, children’s play equipment and accessories;&lt;br&gt;l) sporting, cycling, leisure, fitness goods and accessories; or&lt;br&gt;m) goods and accessories which:&lt;br&gt;  - Require a large area for handling, display and storage of goods; or&lt;br&gt;  - 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&lt;br&gt;Party supplies</td>
<td>Shop</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>Retail premises</td>
<td>Land used to:</td>
<td>Food and drink premises, Gambling premises, Landscape gardening supplies, Manufacturing sales, Market, Motor vehicle, boat, or caravan sales, Postal agency, Primary produce sales, Shop, Trade supplies</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) sell goods by retail, or by retail and wholesale;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) sell services; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) hire goods.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retirement village</td>
<td>Land used to provide permanent accommodation for retired people or the aged and may include communal recreational or medical facilities for residents of the village.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Rice growing</td>
<td></td>
<td></td>
<td>Crop raising</td>
</tr>
<tr>
<td>Road freight terminal</td>
<td></td>
<td></td>
<td>Transport terminal</td>
</tr>
<tr>
<td>Rooming house</td>
<td>Land used for a rooming house as defined in the Residential Tenancies Act 1997.</td>
<td></td>
<td>Residential building</td>
</tr>
<tr>
<td>Rural industry</td>
<td>Land used to:</td>
<td>Abattoir, Sawmill</td>
<td>Industry</td>
</tr>
<tr>
<td></td>
<td>a) handle, treat, process, or pack agricultural produce;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) service or repair plant, or equipment, used in agriculture; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) manufacture mud bricks.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rural store</td>
<td>Land used to store unprocessed agricultural produce, or products used in agriculture.</td>
<td></td>
<td>Store</td>
</tr>
<tr>
<td>Saleyard</td>
<td>Land used to hold, sell, and buy farm animals.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sawmill</td>
<td>Land used to handle, cut, and process timber from logs.</td>
<td></td>
<td>Rural industry</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<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 launder, repair, service or wash articles, machinery, or vehicles.</td>
<td>Dry cleaner</td>
<td>Industry</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Motor repairs</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>Land used to sell motor vehicle fuel from bowsers, and lubricants. It may include the:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) selling of motor vehicle accessories or parts;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) selling of food, drinks and other convenience goods;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) hiring of trailers;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) servicing or washing of motor vehicles; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>e) installing of motor vehicle accessories or parts.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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>Store</td>
</tr>
<tr>
<td>Shipping container storage</td>
<td>Land used to store shipping containers. It may include the cleaning, repair, servicing, painting or fumigation of the shipping containers.</td>
<td></td>
<td></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>a) 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>b) 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>a) food and drink premises;</td>
<td>Dry cleaning agent</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) gambling premises;</td>
<td>Department store</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) landscape gardening supplies;</td>
<td>Hairdresser</td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) manufacturing sales;</td>
<td>Laundromat</td>
<td></td>
</tr>
<tr>
<td></td>
<td>e) market;</td>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td></td>
<td>f) motor vehicle, boat, or caravan sales;</td>
<td>Supermarket</td>
<td></td>
</tr>
<tr>
<td></td>
<td>g) postal agency;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>h) primary produce sales;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>i) trade supplies.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sign</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td></td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>---------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Slipway</td>
<td>Land used to sell solid fuel, such as briquettes, coal, and fire wood.</td>
<td>Boat launching facility</td>
<td></td>
</tr>
<tr>
<td>Solid fuel depot</td>
<td>Land used to sell solid fuel, such as briquettes, coal, and fire wood.</td>
<td>Fuel depot</td>
<td></td>
</tr>
<tr>
<td>Stone exploration</td>
<td>Land used to search for stone, including:</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) conducting geological, geophysical, and geochemical surveys;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) costeaning and bulk sampling;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) drilling; and</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) taking samples for chemical, physical, or other testing.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stone extraction</td>
<td>Land used for the extraction or removal of stone in accordance with the</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mineral Resources (Sustainable Development) Act 1990.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Store</td>
<td>Land used to store goods, machinery, or vehicles.</td>
<td>Warehouse</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Boat and caravan storage</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Freezing and cool storage</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rural store</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Shipping container storage</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Vehicle store</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supermarket</td>
<td>Land used to prepare and sell food and drink for immediate consumption off</td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td></td>
<td>the premises. It may include up to 10 seats available for consumption on the</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>premises.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Take away food premises</td>
<td>Land used to prepare and sell food and drink for immediate consumption off</td>
<td>Food and drink premises</td>
<td></td>
</tr>
<tr>
<td></td>
<td>the premises. It may include up to 10 seats available for consumption on the</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>premises.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility</td>
<td>Land used to accommodate any part of the infrastructure of a Telecommunications network. It includes any telecommunications line, equipment, apparatus, telecommunications tower, mast, antenna, tunnel, duct, hole, pit, pole, or other structure or thing used, or for use in or in connection with a Telecommunications network.</td>
<td>Utility installation</td>
<td></td>
</tr>
<tr>
<td>Tertiary institution</td>
<td></td>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
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</tr>
<tr>
<td>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>Industry</td>
</tr>
<tr>
<td>Transport terminal</td>
<td>Land used to assemble and distribute goods or passengers. It includes facilities to park and manoeuvre vehicles. It does not include a Tramway.</td>
<td>Airport</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></td>
<td></td>
</tr>
<tr>
<td>Utility installation</td>
<td>Land used:</td>
<td>Data centre</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>----------------------------</td>
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<td>---------------------------------------------</td>
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</tr>
<tr>
<td></td>
<td>a) for telecommunications;</td>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) to transmit or distribute gas or oil;</td>
<td>Reservoir</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) to transmit, distribute or store power, including battery storage;</td>
<td>Telecommunications facility</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</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>sullage.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>It includes any associated flow measurement device or a structure to</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>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</td>
<td>Commercial display area</td>
<td></td>
</tr>
<tr>
<td></td>
<td>distribution of goods for wholesale and the storage and distribution of</td>
<td>Fuel depot</td>
<td></td>
</tr>
<tr>
<td></td>
<td>goods for online retail. It does not include premises allowing in-person</td>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td>retail or display of goods for retail, or allowing persons to collect</td>
<td>Milk depot</td>
<td></td>
</tr>
<tr>
<td></td>
<td>goods that have been purchased online.</td>
<td>Store</td>
<td></td>
</tr>
<tr>
<td>Waste-to-energy facility</td>
<td>Land used for the combustion, treatment or bio-reaction of waste to</td>
<td>Energy generation facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td>produce energy for use off site. It includes the activities to collect,</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>temporarily store, process, or transfer waste materials for energy</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>production.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water retarding basin</td>
<td>Land used to store storm or flood water on a temporary basis.</td>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td></td>
</tr>
<tr>
<td>-----------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------------------</td>
<td></td>
</tr>
<tr>
<td>Wharf</td>
<td>Land used to provide facilities for ships, such as bulk and container ships, passenger ships, and defence force marine craft.</td>
<td>Transport terminal</td>
<td></td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Land used to generate electricity by wind force. It includes land used for: a) any turbine, building or other structure or thing used in or in connection with the generation of electricity by wind force b) an anemometer. It does not include turbines principally used to supply electricity for domestic or rural use of the land.</td>
<td>Renewable energy facility</td>
<td></td>
</tr>
<tr>
<td>Winery</td>
<td>Land used to display, and sell by retail, vineyard products, in association with the growing of grape vines and the manufacture of the vineyard products. It may include the preparation and sale of food and drink for consumption on the premises.</td>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
<tr>
<td>Zoo</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
NESTING DIAGRAMS

The information in the table to Clause 73.03 is set out in the following diagrams as a means of indicating the nesting of land use terms.

The table to Clause 73.03 prevails if there is any inconsistency between the table and the diagrams or list.

Land use terms that are not nested are listed at Clause 73.04-17.

Land use terms in bold font are defined in Clause 73.03.

Accommodation group

- Camping and caravan park
- Corrective institution
- Dependent person’s unit
  - Bed and breakfast
- Dwelling
  - Caretaker’s house
- Group accommodation
- Host farm
- Residential aged care facility
  - Community care accommodation
- Residential building
- Residential hotel
  - Motel
- Residential village
  - Rooming house
- Retirement village
Agriculture group (sub-group of Animal production)

- Agriculture
- Animal husbandry
- Animal production
- Intensive animal production
- Cattle feedlot
- Intensive dairy farm
- Pig farm
- Poultry farm
- Broiler farm
- Poultry hatchery

Education centre group

- Child care centre
- Kindergarten
- Employment training centre
- Primary school
- Secondary school
- Tertiary institution
Industry group

- Materials recycling
- Refuse disposal
- Industry
  - Research and development centre
    - Abattoir
  - Rural industry
    - Sawmill
    - Car wash
    - Dry cleaner
  - 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
Office group

Bank

Electoral office

Office

Medical centre

Real estate agency

Travel agency
Place of assembly group

- Amusement parlour
- Carnival
- Cinema
- Cinema-based entertainment facility
- Circus
- Drive-in theatre
- Art gallery

Place of assembly
- Exhibition centre
- Museum
- Function centre
- Conference centre
- Hall
- Reception centre
- Library
- Nightclub
- Place of worship
- Restricted place of assembly
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

Retail premises

Shop
Transport terminal group

- Airport
- Bus terminal
- Heliport
- Railway station
- Road freight terminal
- Wharf
Energy group

- Energy generation facility
  - Renewable energy facility
  - Waste-to-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.