PURPOSE AND VISION

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

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

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

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

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

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

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

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

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

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


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

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

Create and reinforce settlement boundaries.

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

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

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

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

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

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

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

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

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

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

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

**Policy documents**

Consider as relevant:

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

Strategies

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

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

- Upper Yarra Valley and Dandenong Ranges Region - Regional Strategy Plan (1996)
Settlement - Hume

Strategies

Facilitate growth and development specifically in the regional cities of Shepparton, Wangaratta, Wodonga and Benalla.

Facilitate and strengthen the economic role of Seymour, while supporting population growth.

Support growth and development in other existing urban settlements and foster the sustainability of small rural settlements.

Support improved access to a range of employment and education opportunities, particularly in key urban locations such as Benalla, Seymour, Shepparton, Wangaratta and Wodonga.
Supply of urban land

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

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

Ensure that sufficient land is available to meet forecast demand.

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

Planning for urban growth should consider:

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

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

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

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

Policy guidelines
Consider as relevant:

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

Objective
To facilitate the orderly development of urban areas.

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

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

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

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

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

Strategies
Define preferred development sequences in areas of growth to better coordinate infrastructure planning and funding.
Ensure that new land is released in areas of growth in a timely fashion to facilitate coordinated and cost-efficient provision of local and regional infrastructure.
Require new development to make a financial contribution to the provision of infrastructure such as community facilities, public transport and roads.
Improve the coordination and timing of infrastructure and service delivery in areas of growth.
Support opportunities to co-locate facilities.
Ensure that planning for water supply, sewerage and drainage works receives high priority in early planning for areas of growth.

Policy documents
Consider as relevant:

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

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

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

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

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

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

Give clear direction on preferred locations for investment.

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

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

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

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

Encourage economic activity and business synergies.

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

Policy documents
Consider as relevant:
- *Precinct Structure Planning Guidelines* (Growth Areas Authority, 2009)
Activity centres - Metropolitan Melbourne

Strategies

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

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

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

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

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

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

Strategies
Concentrate urban expansion into growth areas that are served by high-capacity public transport.
Implement the strategic directions in the Growth Area Framework Plans.
Encourage average overall residential densities in the growth areas of a minimum of 15 dwellings per net developable hectare, and over time, seek an overall increase in residential densities to more than 20 dwellings per net developable hectare.
Deliver timely and adequate provision of public transport and local and regional infrastructure and services, in line with a preferred sequence of land release.
Provide for significant amounts of local employment opportunities and in some areas, provide large scale industrial or other more regional employment generators.
Create a network of mixed-use activity centres that are high quality, well designed and create a sense of place.
Provide a diversity of housing type and distribution.
Retain unique characteristics of established areas impacted by growth.
Protect and manage natural resources and areas of heritage, cultural and environmental significance.
Create well planned, easy to maintain and safe streets and neighbourhoods that reduce opportunities for crime, improve perceptions of safety and increase levels of community participation.

Develop Growth Area Framework Plans that will:

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

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

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

**Policy documents**

Consider as relevant:

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

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

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

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

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

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

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

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

Improve connections to regional and metropolitan transport services.
Coastal settlement

Objective
To plan for sustainable coastal development.

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

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

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

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

Policy documents
Consider as relevant:

Regional and local places

Objective
To facilitate integrated place-based planning.

Strategies
Integrate relevant planning considerations to provide specific direction for the planning of sites, places, neighbourhoods and towns.
Consider the distinctive characteristics and needs of regional and local places in planning for future land use and development.
ENVIRONMENTAL AND LANDSCAPE VALUES

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

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

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

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

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

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

Avoid impacts of land use and development on important areas of biodiversity.
Consider impacts of any change in land use or development that may affect the biodiversity value of national parks and conservation reserves or nationally and internationally significant sites; including wetlands and wetland wildlife habitat designated under the Convention on Wetlands of International Importance (the Ramsar Convention) and sites utilised by species listed under the Japan-Australia Migratory Birds Agreement (JAMBA), the China-Australia Migratory Birds Agreement (CAMBA), or the Republic of Korea-Australia Migratory Bird Agreement (ROKAMBA).
Assist in the identification, protection and management of important areas of biodiversity.
Assist in the establishment, protection and re-establishment of links between important areas of biodiversity, including through a network of green spaces and large-scale native vegetation corridor projects.

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

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

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

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

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

Apply the hierarchy of principles for coastal planning and management:

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

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

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

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

Encourage revegetation of cleared land abutting coastal reserves.

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

Avoid disturbance of coastal acid sulfate soils.

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

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

Policy documents
Consider as relevant:

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

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

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

Policy documents
Consider as relevant:

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

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

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

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

Promote a sense of place and landscape identity by:

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

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

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

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

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

Policy documents
Consider as relevant:

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

Objective

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

Strategies

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Policy guidelines

Consider as relevant:

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

Policy documents

Consider as relevant:

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

Objective
To protect and conserve environmentally sensitive areas.

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

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

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

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

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

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

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

Planning should prepare for and respond to the impacts of climate change.
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)
SOIL DEGRADATION
Contaminated and potentially contaminated land

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

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

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

Policy documents
Consider as relevant:

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

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

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

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

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

Policy guidelines
Consider as relevant:

- Any applicable regional catchment strategy.

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

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

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

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

Prevent inappropriate development in areas affected by groundwater salinity.

**Policy guidelines**
Consider as relevant:

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

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

**Policy documents**
Consider as relevant:

Noise abatement

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

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

Policy documents
Consider as relevant:

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

Objective
To assist the protection and improvement of air quality.

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

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

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

Policy documents
Consider as relevant:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Prevent inappropriately dispersed urban activities in rural areas.

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

Limit new housing development in rural areas by:

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

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

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

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

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

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

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

Strategy

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

**Objective**
To encourage sustainable agricultural land use.

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

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

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

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

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.

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

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

Facilitate ongoing productivity and investment in high value agriculture.

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

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

**Policy documents**
Consider as relevant:

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

Strategy

Support clustering of intensive rural industries and agricultural production.

Take advantage of locational opportunities, including separation from sensitive land uses and access to transport, power, water and communications infrastructure.
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)
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)
Resource exploration and extraction - Hume

Strategy

Support the availability of construction materials locally and consider measures to facilitate and manage their extraction.
**BUILT ENVIRONMENT AND HERITAGE**

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

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

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

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

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

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

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

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

Strategies
Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.

Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.

Ensure the interface between the private and public realm protects and enhances personal safety.

Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.

Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.

Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.

Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.

Promote good urban design along and abutting transport corridors.

Policy documents
Consider as relevant:

Urban design - Metropolitan Melbourne

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

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

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

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

Policy documents
Consider as relevant:

Subdivision design

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

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

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

Policy documents
Consider as relevant:

Healthy neighbourhoods

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

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

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

Policy documents
Consider as relevant:

Healthy neighbourhoods - Metropolitan Melbourne

Strategy

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

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

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

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

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

Objective
To ensure development respects valued areas of rural character.

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

Objective

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

Strategies

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

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

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

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

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

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

Objective
To ensure the conservation of places of heritage significance.

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

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

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

Encourage appropriate development that respects places with identified heritage values.

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

Policy documents
Consider as relevant:

- Aboriginal Heritage Act 2006
HOUSING

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

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

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

Objective
To promote a housing market that meets community needs.

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

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

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

Facilitate the delivery of high quality social housing.

Policy documents
Consider as relevant:

Integrated housing - Metropolitan Melbourne

Strategies

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

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

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

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

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

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

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

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

**Strategies**

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

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

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

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

Direct new housing to areas with appropriate infrastructure.
Housing diversity

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

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

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

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

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

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

Strategy

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

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

Strategies
Improve housing affordability by:

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

Increase the supply of well-located affordable housing by:

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

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

Policy documents
Consider as relevant:

Rural residential development

Objective
To identify land suitable for rural residential development.

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

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

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

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

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

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

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

Encourage consolidation of existing isolated small lots in rural zones.

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

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

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

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

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

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

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

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

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

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

Encourage planning for housing that:

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

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

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

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

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

Policy guidelines
Consider as relevant:

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

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

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

Objective
To strengthen and diversify the economy.

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

Strategies

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

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

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

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

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

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

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

Facilitate investment in Melbourne’s outer areas to increase local access to employment.
Diversified economy - Hume

Strategy

Encourage appropriate new and developing forms of industry, agriculture, tourism and alternative energy production.
Innovation and research

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

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

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

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

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

Locate commercial facilities in existing or planned activity centres.

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

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

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

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

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

Objective
To manage out-of-centre development.

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

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

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

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

Objective
To ensure availability of land for industry.

Strategies
Provide an adequate supply of industrial land in appropriate locations including sufficient stocks of large sites for strategic investment.
Identify land for industrial development in urban growth areas where:

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

Protect and carefully plan existing industrial areas to, where possible, facilitate further industrial development.
Avoid approving non-industrial land uses that will prejudice the availability of land in identified industrial areas for future industrial use.

Policy documents
Consider as relevant:

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

Objective
To facilitate the sustainable development and operation of industry.

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

Policy documents
Consider as relevant:

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

Objective
To protect industrial land of state significance.

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

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

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

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

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

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

Policy guidelines
Consider as relevant:

- Any applicable regional tourism development strategy.

Policy documents
Consider as relevant:

Tourism in Metropolitan Melbourne

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

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

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

Strategies

Support opportunities for nature-based tourism throughout the region, including in wetlands of national and regional significance, such as the Winton Wetlands, the Barmah Forest and the lower Ovens River.

Support large commercial tourism uses in urban locations or rural areas of lower agricultural value and away from areas identified as strategic agricultural land.

Facilitate rural tourism activities that support agricultural enterprises such as cellar door and farm gate sales and accommodation in appropriate locations.

Support the region’s network of tracks and trails and activities that complement and extend their use.
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)
Transport links - Hume

Strategy

Support improved east-west transport links including those into Gippsland.
Sustainable personal transport

Objective
To promote the use of sustainable personal transport.

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

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

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

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

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

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

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

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

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

Policy documents
Consider as relevant:


**Sustainable personal transport - Metropolitan Melbourne**

**Strategies**

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

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

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

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

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

**Strategies**

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

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

Identify and plan for new Principal Public Transport Network routes.

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

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

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

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

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

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

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

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

Selectively expand and upgrade the road network to provide for:

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

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

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

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

**Objective**

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

**Strategies**

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

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

Design and locate local car parking to:

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

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

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

**Policy documents**

Consider as relevant:

Planning for ports

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

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

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

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

Policy documents
Consider as relevant:

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

Objective

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

Strategies

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

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

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

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

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

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

Ensure that any use or development within port environs:

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

Policy documents

Consider as relevant:

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

Objective

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

Strategies

Protect airports from incompatible land uses.

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

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

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

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

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

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

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

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

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

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

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

Plan for areas around all airfields such that:

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

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

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

Policy documents

Consider as relevant:

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

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

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

Policy documents
Consider as relevant:

- *Melbourne Airport Master Plan 2013 - People Place Prosperity* (Australia Pacific Airports (Melbourne) Pty Ltd, 2013)
- *Melbourne Airport Strategy* (Government of Victoria/Federal Airports Corporation, approved 1990) and its associated *Final Environmental Impact Statement*
Freight links

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

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

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

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

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

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

Link areas of production and manufacturing to export markets.

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

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

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

Minimise negative impacts of freight movements on urban amenity.

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

Policy documents
Consider as relevant:

Freight links - Metropolitan Melbourne

Strategy

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

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

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

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

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

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

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

Objective
To facilitate appropriate development of energy supply infrastructure.

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

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

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

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

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

Policy documents
Consider as relevant:

Renewable energy - Metropolitan Melbourne

Strategy

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

Strategy
Create renewable energy hubs that support co-location of industries to maximise resource use efficiency and minimise waste generation.
Support opportunities to generate renewable energy from waste.
Pipeline infrastructure

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

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

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

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

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

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

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

Strategies

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

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

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

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

**Objective**

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

**Strategies**

Consider demographic trends, existing and future demand requirements and the integration of facilities into communities in planning for the location of education and early childhood facilities.

Locate childcare, kindergarten and primary school facilities to maximise access by public transport and safe walking and cycling routes.

Ensure childcare, kindergarten and primary school facilities provide safe vehicular drop-off zones.

Locate secondary school and tertiary education facilities in designated education precincts and areas that are highly accessible to public transport.

Locate tertiary education facilities within or adjacent to activity centres.

Ensure streets and accessways adjoining education and early childhood facilities are designed to encourage safe bicycle and pedestrian access.

Develop libraries as community based learning centres.
Strategy

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

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

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

Strategies

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

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

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

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

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

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

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

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

Create opportunities to enhance open space networks within and between settlements.
Ensure that land is set aside and developed in residential areas for local recreational use and to create pedestrian and bicycle links to commercial and community facilities.

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

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

Protect large regional parks and significant conservation areas.
Ensure land identified as critical to the completion of open space links is transferred for open space purposes.

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

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

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

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

Develop open space to maintain wildlife corridors and greenhouse sinks.

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

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

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

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

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

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

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

**Objective**

To strengthen the integrated metropolitan open space network.

**Strategies**

Develop a network of local open spaces that are accessible and of high-quality and include opportunities for new local open spaces through planning for urban redevelopment projects. Ensure major open space corridors are protected and enhanced.

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

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

Create continuous open space links and trails along the:

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

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

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

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

Support establishing community gardens and productive streetscapes.

**Policy documents**

Consider as relevant:

- *Maribyrnong River Valley Design Guidelines* (Department of Planning and Community Development, 2010)
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)
Avoid locating water treatment plants close to development nodes.
**Telecommunications**

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

**Strategies**
Facilitate the upgrading and maintenance of telecommunications facilities.
Ensure that modern telecommunications facilities are widely accessible to business, industry and the community.
Ensure the communications technology needs of business, domestic, entertainment and community services are met.
Ensure that the use of land for a telecommunications facility is not prohibited in any zone.
Encourage the continued deployment of broadband telecommunications services that are easily accessible by:
- Increasing and improving access for all sectors of the community to the broadband telecommunications trunk network.
- Supporting access to transport and other public corridors for the deployment of broadband networks in order to encourage infrastructure investment and reduce investor risk.
Ensure a balance between the provision of important telecommunications services and the need to protect the environment from adverse impacts arising from telecommunications infrastructure.
Planning should have regard to national implications of a telecommunications network and the need for consistency in infrastructure design and placement.

**Policy documents**
Consider as relevant:
Telecommunications - Metropolitan Melbourne

Strategy

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

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

Strategies
Ensure future waste and resource recovery infrastructure needs are identified and planned for to safely and sustainably manage all waste and maximise opportunities for resource recovery.
Protect waste and resource recovery infrastructure against encroachment from incompatible land uses by ensuring buffer areas are defined, protected and maintained.
Ensure waste and resource recovery facilities are sited, designed, built and operated so as to minimise impacts on surrounding communities and the environment.
Encourage technologies that increase recovery and treatment of resources to produce energy and other marketable end products.
Enable waste and resource recovery facilities to locate close together in order to share separation distances, reduce the impacts of waste transportation and improve the economic viability of resource recovery.
Site, design, manage and rehabilitate waste disposal facilities in accordance with the Waste Management Policy (Siting, Design and Management of Landfills) (Environment Protection Authority, 2004).
Integrate waste and resource recovery infrastructure planning with land use and transport planning.
Encourage development that facilitates sustainable waste and resource recovery.

Policy guidelines
Consider as relevant:
- Any applicable Regional Waste and Resource Recovery Implementation Plan.

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

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

The Shire
The Shire’s southern boundary is approximately 35 kilometres north of Melbourne, just outside the suburban fringe from which Mitchell extends north into the heart of Victoria. Mitchell shares boundaries with Hume and Whittlesea to the south; Macedon Ranges, Mount Alexander and Greater Bendigo to the west; Strathbogie to the north; and Murrindindi to the east. The Shire includes the townships of Beveridge, Wallan, Kilmore, Wandong-Heathcote Junction, Broadford, Seymour, Pyalong, Tooborac, Puckapunyal and Tallarook, and has an area of approximately 2864 square kilometres. A mix of rural holdings blends with Mitchell’s townships to create a diverse region that provides welcoming stopping places for travellers on the Hume Freeway and the Goulburn Valley and Northern Highways.

The community
At 30 June 2008, Mitchell had an estimated resident population of 32,760 with continuing population growth of more than 2% each year. Mitchell’s age structure is youthful, with 29.4% aged under 18 and only 14.2% aged over 60.

Mitchell’s population is expected to increase by 50% by the year 2020, and double by the year 2030. Most of this growth will be in the south of the Shire, with the populations of Wallan and Beveridge growing to 30,000 and 50,000 residents respectively. While the southern growth areas will see a greater proportion of younger families, there is an expectation overall for a healthier, ageing population, living longer with a greater proportion of persons over 60 years old. Mitchell will also become culturally and linguistically more diverse.

Metropolitan and Shire growth
The projected population growth will not be uniform. The southern part of Mitchell, including Wallan and Beveridge which lie within the Urban Growth Boundary (UGB), and the southern town of Kilmore will experience a markedly greater rate of growth relative to the balance of the Shire. For relatively small towns, this rate of growth has significant implications for infrastructure and service needs and provision, but also for the perception and character of the settlements.

Metropolitan growth will be a primary driver in population growth but the amenity and lifestyle choices offered by the Shire are also likely to remain a significant magnet. Employment will be a further contributing factor to driving growth, although jobs are more likely to be established in the Hume corridor and mainly to the south of Mitchell.

The growth of metropolitan Melbourne, including Beveridge and Wallan, will also attract significant investment in regional transport and other infrastructure. The major highways through the Shire and the north-south rail link are strong strategic assets. Population growth will generate demand for further infrastructure, housing and services that will in turn generate jobs and economic growth.

The economy
Mitchell has a diverse employment base, without being reliant or dependent upon a single employer or industrial sector. The employment sector includes retail and community services in the major towns, and agriculture and the service sector more broadly throughout the Shire. Manufacturing ranges from home based industries in some of the smaller centres to larger manufacturing and processing establishments in Broadford, Seymour and Kilmore. The economic contributions of the agricultural base, including the various ancillary and service industries are significant.

The main employment sectors in Mitchell are public administration and safety (16%), retail trade (14%), education and training (11%), health care and social assistance (10%) and manufacturing (9%). Estimated economic output includes manufacturing (21.5%), followed by government administration and defence (16.7%), retail trade (9.5%), construction (7.3%), and agriculture,
forestry and fishing (6%). Small businesses contribute significantly to Mitchell’s economy, with 90% being either single operator or having less than five employees. The tourism sector, which attracts 456,000 visitors per annum, is principally serviced by single operators and small businesses.

**The environment**

Mitchell sits at the top of the Goulburn-Broken and Port Phillip Bay catchments with the Great Dividing Range passing through the southern area of the Shire. A small area on the north-western edge of the Shire is in the North Central catchment area. Regional catchment strategies have been prepared by the respective Catchment Management Authorities for the three catchments. There is a strong emphasis in the strategies on the importance of improving water quality in streams. In the Goulburn-Broken strategy there is a major focus on reducing the salinity levels in the Goulburn River. Flooding is an issue particularly along areas of the Goulburn River and Whiteheads Creek at Seymour.

There are important historic buildings in most towns and the rural areas. Historic precincts are found in a number of towns, particularly in Kilmore along the Northern Highway - the Old Sydney Road. An area known as the Australian Light Horse Memorial Park on the eastern edge of Seymour is a former military training area with strong associations with the Australian Army. This area is potentially a site of national significance. The Mount William axe-quarry site, a major Aboriginal archaeological site, is also of national significance as are other areas of the Shire.

Mitchell has a diverse range of landscapes including steep to gently undulating sedimentary hills, dissected granite plateaus with gentle to steep slopes, undulating volcanic plains, and alluvial floodplains associated with major rivers and creeks. Climatic variation is pronounced with a higher rainfall and longer growing season in the southern portion of the Shire. Mitchell is bounded to the east and west by forested highlands and presents an important link in the landscape for wildlife movement.

Many areas of the Shire have been cleared for farming creating a mosaic of farmland, with remnant bushland found on road reserves, waterways and small bushland reserves.

**Key planning issues**

- Population growth and changing settlements, including the growth of metropolitan Melbourne.
- Climate change.
- Economic challenges and opportunities.
- Changing legal and policy frameworks.
- Peak oil.
- Changes in the demographic makeup of the Shire.
- Maintaining the country character of the Shire.
- Transport and infrastructure.
- Natural resource management and biodiversity.
- Urban design.
- Diverse housing needs.
- Protecting farming land.

**Strategic vision**

**Council Plan**

The *Council Plan 2013-2017 (Revised 2014)* provides Council’s ‘Vision’:

*Together with our community, creating a sustainable future.*
Mitchell 2020

The Mitchell 2020 – Community Plan describes the Council and community vision and priorities for the next 10 years and establishes a shared basis for joint planning, service delivery and advocacy.

According to Mitchell 2020, the most valued assets in the community are the Shire’s country lifestyle, attractive rural landscapes, the sense of community well-being, relaxed style of living, access to trains and accessibility to Melbourne.

The Mitchell 2020 ‘vision’ is:

- Mitchell Shire in 2020 will be seen as a municipality that has embarked upon a journey of significant growth. In doing so it will have been recognised for achieving sustainable outcomes and prosperity for its distinctive communities. Mitchell will be a sought after location in which to actively live and work. Visitors will seek to explore the many and varied experiences within the Shire.

- Diverse housing opportunities, combined with high quality community, educational and recreational facilities, means that Mitchell will be seen as a destination offering unique opportunities to existing and future residents.

- Mitchell in 2020 will reflect and protect its natural environment, promoting a lifestyle that encourages community participation. Residents of all age groups will be engaged in active and passive recreation using the many tracks, trails, parks, cultural assets and sporting facilities that are a feature of the Shire.

- Mitchell will have utilised its natural advantages with regard to its strategic location and well planned infrastructure to attract employment and investment. The network of public transport options will create connectivity within and between communities in urbanised and rural environments.
Strategic framework plan

**Puckapunyal Army Base**
- A major Australian Army training base
- Significant infrastructural and environmental impacts

**Seymour**
- Major agricultural and rural residential area

**Tallarook Range**
- Important environmental and recreational area

**Goulburn River**
- Major river system

**Wangong/Heathcote Junction**
- Important growth area

**Port Phillip Catchment**
- Major coastal area

**Important stone resources**
- Significant natural resources

**Waterford Park**
- Significant open space

**Kilmore**
- Important growth area

**Mitchell Corridor**
- Major employment and residential area

**Mt William Major Archaeological Site**
- Significant historical site

**Moe East Major Archaeological Site**
- Significant historical site

**Strategic Framework for Mitchell Shire**
- Development and growth strategy

**Improved transport links**
- To improve connectivity and economic growth

**Residential**
- Growth area for residential development

**Commercial**
- Growth area for commercial development

**Agricultural**
- Growth area for agricultural development

**Natural Environmental Areas**
- Key areas for conservation and recreation

**Special Study Areas**
- Areas requiring special attention

**Growth Centers**
- Key development centers

**Significant Employment Centers**
- Major employment centers

**Significant Service Centers**
- Key service centers
SETTLEMENT

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

Specific references to individual towns are also included in Clause 21.11 (Local Areas).

Urban growth

The primary towns in Mitchell are Wallan, Kilmore, Broadford, Beveridge, Seymour and Wandong-Heathcote Junction. These are supported by a series of smaller towns and settlements including Tooborac, Pyalong, Tallarook, Waterford Park, Clonbinane, Sunday Creek, Emu Flat and Baynton East that are distinguished by a smaller village scale, low density/rural living clusters and the very limited provision of services.

Population growth rates together with the emerging roles of various centres and the realisation of the advantages of the Shire’s location have forged a substantial new settlement strategy which builds on the existing ‘traditional’ towns of Seymour, Kilmore and Broadford, embraces the ‘new’ towns of Wallan and Wandong-Heathcote Junction and incorporates Beveridge.

These towns and settlements perform complementary roles within an overall strategy to utilise the Shire’s accessibility to the metropolitan area via road and rail and to progressively build the population base of each of the major towns and settlements. By establishing areas for staged development and pursuing a number of distinct roles or themes for each of the major urban areas, Council, the community, servicing authorities and the development industry will have a clearer idea and capacity to plan and develop relevant physical infrastructure, community services and facilities, commercial development and employment areas. Building the community’s capacity to finance the necessary infrastructure will be a major task for Council.

As metropolitan Melbourne expands, Mitchell’s role will continue to evolve in line with the North Growth Corridor Plan, movements in the UGB and the progressive implementation of Precinct Structure Plans for developing areas.

Key issues

- Development pressures associated with metropolitan urban growth.
- The lack of services in smaller settlements.
- The growth of towns and smaller settlements.

Objective 1

To plan for the orderly development of existing settlements.

Strategies

- Implement town structure plans and establish growth boundaries around primary settlements.
- Maintain and strengthen the individual attributes of existing settlements, including the urban-rural lifestyle mix.
- Minimise the impact of urban development on the historic, environmental and rural settings of settlements and on the productive capacity of surrounding agricultural land.
- Ensure that sufficient suitably zoned land is provided to support the economic well being of settlements.
- Ensure that new residential development proposals are based on:
  - Full physical servicing of the development including a reticulated sewerage system.
  - Sites that either relate directly to an existing town or community or that reinforce the physical links between towns and communities.
  - A demonstrated capability of the land to support the development.
- The full provision of community facilities commensurate with the population level to be supported.

- Stage settlement development to maximise the efficiency of future investments in sewerage and wastewater treatment plants and other infrastructure requirements.

- Encourage infill development where this can make use of existing infrastructure capacity.

- Reinforce the distinction between the emerging metropolitan area and the existing country towns by physical separation, character, landform and landscape.

**Objective 2**
To manage urban growth.

**Strategies**
- Ensure infrastructure provision does not lag behind population and housing growth.

- Ensure retail facilities and community services are not unnecessarily duplicated across communities.

- Facilitate the planned expansion and release of commercial and industrial development.

- Strongly discourage new housing development and living outside of nominated settlements.

- Discourage unplanned residential development in rural areas.

**Activity centres**
The activity centres in the larger settlements will be the focus of a broad range of new enterprises and employment opportunities in the retail, commercial, administrative and service sectors. They will develop as diverse mixed use areas. The size of the activity centres and the range of services and employment will be a function of the size of the local community and the centre’s catchment.

**Key issue**
- The need for activity centres to be consolidated as the focus for retail, community and commercial activity.

**Objective 1**
To create functional and attractive activity centres.

**Strategies**
- Encourage the consolidation of retail and commercial activity within town centres, particularly within Seymour and Broadford.

- Improve the visual amenity of town centres.

- Ensure the Wallan town centre is planned to cater for the retail needs of the growing population.

- Recognise the role of Wallan as a Major Activity Centre and protect the role of the existing town centre as the premier retail destination in the south of the Shire, with appropriately scaled local centres playing a supporting role.

- Ensure ease of access to and within centres by different modes of transport.

- Encourage urban design improvements, landscaping and walkways in and around activity centres.

- Create attractive town centres through improved streetscaping and ongoing maintenance.

- Support and facilitate homemaker/big box retailing at appropriate locations across the Shire in line with Structure Plans or retail strategy.
Open space

Open space will provide a diversity of experiences across a network of open space as well as within individual parks and facilities. The open space network and facilities will promote and encourage lifelong participation in leisure, physical exercise and social activities as well as passive recreation opportunities. The development of open space that accommodates multiple users in order to encourage shared use of facilities will be encouraged and will ensure residents and visitors have equal opportunity to participate in sport and leisure activities, regardless of ability, age, gender, cultural background, or economic capacity. Open Spaces will be aesthetically appealing and encourage healthy lifestyles for current and future generations. The development and provision of open space will be guided by demographic characteristics and settlement type to determine the scale and delivery of services and infrastructure, which will be tailored to ensure equity and viability of leisure opportunities across the Shire.

Key issue

- Providing appropriate levels and types of open space in all settlements.

Objective 1

To ensure that public open space and recreation facilities are provided in accordance with the needs of the community and planned in accordance with the Mitchell Open Space Strategy 2013-2023 vision principles:

- Diversity,
- Appropriateness,
- Co-location and multiple use,
- Access and inclusion,
- Tailored delivery,
- Community and stakeholder partnerships,
- Protection and enhancement of natural and cultural heritage,
- Affordability.

Strategies

- Integrate landscape and environmental features into the regional open space systems of the Shire and the urban area.
- Develop a diversity of well designed and functional regional, district, neighbourhood and suburban open spaces in strategic locations.
- Ensure all public open space and indoor activity areas are accessible to people regardless of physical ability, age, gender, or cultural background, and are equipped with public amenities that meet the needs of the community.
- Develop walking and cycling paths along creeks and rivers.
- Ensure that there is a network of shared trails, connecting open space areas and providing Shire-wide networks.
- Develop open space areas so that they enhance and protect the natural environment and features, landscape characters and cultural heritage.
- Discourage the use of encumbered land as part of the open space contribution for any development.
- Enhance public open space areas through continuing installation of drought tolerant and synthetic grass, drought tolerant indigenous landscaping, sports ovals and the provision of public art in parks.
ENVIRONMENTAL AND LANDSCAPE VALUES

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

Specific references to individual towns are also included in Clause 21.11 (Local Areas).

Biodiversity

The Goulburn Broken Catchment Management Authority has identified the majority of Mitchell as being within the South West Goulburn Zone. This zone includes the following key biodiversity assets: Grassy Woodlands; Grassy Dry Forests; Granite Country; Box Ironbark; Damp Forests; Riparian Systems; and Mount Piper. Thirty three threatened fauna species have been identified in the zone, some of which have been identified as species for conservation including the Brush-tailed Phascogale, Sugar Glider, Golden Sun Moth, Golden Whistler, Crested Shrike-tit and Hooded Robin.

The proportion of private land in Mitchell containing native vegetation is the highest among the peri-urban councils and includes areas of State and national significance.

Roadside vegetation and wildlife corridors also contain pockets of remnant indigenous vegetation with rare, vulnerable and significant flora species. Some of the roadsides and corridors provide a valuable source of native seed stock and important habitat for wildlife. The conservation and protection of these areas is an important strategy.

Approximately 9,350 hectares are contained in national parks and public land conservation areas, with the greatest concentration being within the Kinglake National Park. Other significant forests include the Mount Disappointment and Tallarook State Forests.

Clearing has reduced the natural bushland and has impaired ecosystem functions throughout the Shire. Bushland has largely been reduced to small privately owned patches, public reserves, road reserves and waterways. These remnant areas are susceptible to ongoing degradation due to impacts along edges with other land uses, removal of firewood, ‘tidying up’, grazing, salinity and other land uses. The resulting fragmented landscape is susceptible to the gradual loss and the extinction of local species and loss of biodiversity.

Key issues

- Protecting and restoring biodiversity and natural habitats.
- Recognising the importance of the Shire’s biodiversity assets.

Objective 1

To protect and enhance indigenous flora, fauna and habitat.

Strategies

- Revegetate and connect bio-links, including along watercourses.
- Protect high quality native vegetation and habitat for native animals.
- Control declared and environmental pest plants and declared pest animals.
- Identify and document remnant vegetation, biodiversity assets and wildlife corridors.
- Improve the connectivity and long term security of indigenous habitats and species.

Significant environments and landscapes

Mitchell has a diverse range of landscapes including steep to gently undulating sedimentary hills, dissected granite plateaus, volcanic plains and flat alluvial flood plains associated with major rivers. Collectively these diverse landscapes make a major contribution to Mitchell’s amenity and attraction for lifestyle living, and need to be protected from inappropriate use and development.
Notably, hilltops and ridgelines are seen in the distance throughout Mitchell and inappropriate development on these natural features can destroy the attractiveness and environmental qualities of the area. The natural landscapes and related views also provide an important opportunity for tourism and economic development. Buildings can be intrusive in this type of environment if constructed in materials which may not blend with the surrounding environment.

**Key issues**

- Protecting and enhancing the distinctive sense of place, cultural identity and landscape within Mitchell.
- Recognising and protecting significant landscapes.
- Protecting and enhancing ecosystems.

**Objective 1**

To protect and enhance the visual quality of rural and urban landscapes.

**Strategies**

- Protect and revegetate landscape features.
- Ensure that structures blend in with the surrounding environment.
- Integrate landscape and environmental features into regional open space systems and the emerging metropolitan area.
- Discourage the siting of buildings on hilltops and ridgelines.
- Ensure developments are not sited so as to require the removal of native vegetation on hilltops and ridgelines.
- Ensure any building or structure erected on or near a hilltop or ridgeline is designed so as not to adversely affect the visual significance of that hilltop or ridgeline.
- Ensure the location and design of access roads or driveways on land with a slope greater than 20% cause minimum visual impact.

**Policy guidelines**

**Exercise of discretion**

It is policy that in the rural zones:

- The external cladding of all buildings is to be of a subdued tone.
- The colour of building materials should minimise the visual intrusion of structures in the area by use of soft earthy tones.

**Decision guidelines**

When deciding on an application for use and development in the rural zones the following will be considered, as appropriate:

- impacts on the environmental, landscape and visual significance of hilltops and ridgelines.
ENVIRONMENTAL RISKS
This clause provides local content to support Clause 13 (Environmental Risks) of the State Planning Policy Framework.
Specific references to individual towns are also included in Clause 21.11 (Local Areas).

Climate change
Climate change is an issue that affects every aspect of everyday lives and must be addressed by every level of government. In Australia, local governments are able to directly affect up to 50% of all greenhouse gas emissions by undertaking energy efficiency and greenhouse abatement projects and supporting the community to do the same.
Climate change will impact on many aspects of the environment including flora and fauna, biodiversity, agriculture and land use, and will require strategic re-thinking about settlement, particularly in highly vulnerable areas.
Council has adopted a Sustainable Resource Management Strategy that seeks to address climate change issues, including energy and water use reductions.

Key issues
- Addressing climate change.
- Minimising greenhouse gas emissions.

Objective 1
To reduce greenhouse gas emissions.

Strategies
- Ensure that Council is a leader in reducing greenhouse gas emissions.
- Facilitate sustainable communities through careful strategic planning.
- Evaluate use and development proposals with clear regard for climate change implications where relevant.

Floodplains
The catchments of the various rivers and streams within Mitchell include areas of flood prone land, where flooding has historically caused substantial damage to the natural and built environment. Floods are naturally occurring events and the inherent functions of the floodplains to convey and store floodwater should be recognised and preserved.

Flooding imposes substantial costs on individuals and the community. While significant costs are incurred by direct damage to public and private property, indirect costs to the community such as loss of productivity, displacement of residents, closure of roads, trauma and ill health are also significant. Notwithstanding these significant impacts, natural flooding of floodplains and their associated wetlands provides essential breeding habitats for bird and aquatic species, and promotes the health of rivers and floodplains.

It is evident that the impact of floods is increasing due to land use and vegetation changes, in particular:
- Raised earthworks (including roadworks, levees and farm channels) which have reduced natural flood storage, obstructed and/or redistributed flood flows, and increased flow velocities and levels.
- Urban expansion in floodplains which has reduced flood storage, obstructed flood flows and increased the risk to life, health and safety to occupants of the floodplain.
Sound floodplain management is the critical means by which the economic, social and environmental risks associated with floodplain use and development can be minimised. This level of management is to be provided by the Mitchell Local Floodplain Development Plan, Goulburn River Precinct, September 2003 which provides a performance-based approach for decision making that reflects local issues and best practice in floodplain management. In the south of the Shire in the Port Phillip and Western Port region, Melbourne Water is the floodplain and drainage manager.

Key issues

- Maintaining natural environmental processes within floodplains.
- Protecting the community from the economic, social and environmental risks associated with flooding.
- Overland flooding.

Objective 1

To sustainably manage floodplains.

Strategies

- Discourage raised earthworks that reduce natural flood storage, obstruct and/or redistribute flood flows, and increase flow velocities and levels.
- Discourage urban expansion within floodplains that reduces flood storage, obstructs flood flows and increases the risk to life, health and safety.

Soil degradation

Much of Mitchell is highly susceptible to land degradation problems, particularly the steep granite and sedimentary areas. Degradation currently being experienced includes erosion, a rising saline watertable, and reduced water quality. The impacts of climate change, including higher temperatures, extended periods of drought and more severe storm conditions will further degrade sensitive areas.

Clearing, overgrazing and loss of native perennial pasture has led to increased soil erosion. Some areas, such as the north west of the Shire, the Tallarook Ranges, Kilmore East hills and the outskirts of the Seymour and Broadford townships have potential erosion issues and need to be managed in a way that addresses these problems in the long term.

The clearing of trees and other native vegetation species, particularly on the steeper sedimentary hills, has increased groundwater recharge, resulting in a rising saline watertable and saline discharge areas. Land capability mapping has identified that all land north of the Divide could be subject to the risk of salinity if indiscriminate removal of native vegetation is undertaken.

Key issues

- Avoiding land degradation associated with erosion, a rising saline watertable and reduced water quality.

Objective 1

To ensure that the use and development of land does not cause significant land disturbance.

Strategies

- Minimise the need for earthworks on land with a slope greater than 20%.
- Minimise the removal of native vegetation on land with a slope greater than 20%.

Objective 2

To minimise land degradation.
Strategies

- Minimise soil erosion, vegetation loss, run-off, saline discharge and effluent release into watercourses.
- Discourage the development of land in rural areas with a greater than 20% slope.
- Ensure that the use and development of land with a greater than 20% slope takes into account environmental constraints such as erosion.

Policy guidelines

Application requirements

- An application to subdivide or develop land under the Erosion Management Overlay must be accompanied by information evaluating the erosion risk on the site, including:
  - A site assessment plan which incorporates a detailed land capability evaluation to be conducted by an appropriately qualified land capability specialist.
  - A detailed environmental management plan which includes proposals for the ongoing maintenance of soil stability, where necessary.
  - A plan containing a building envelope, indicating that the building envelope is not subject to high or severe erosion hazard.
  - A plan showing that appropriate access and servicing of the site or building envelope will not result in erosion or landslip.
  - Evidence that development and works will not increase the level of erosion risk on the site.

Exercise of discretion

- The comments of the Department of Environment and Primary Industries will be sought where sites have demonstrated land degradation problems.

Decision guidelines

- When deciding on an application to use, subdivide or develop land or carry out works the following matters will be considered, as appropriate:
  - The relevant Land Capability Mapping.
  - The advice of any relevant land management agency.

Noise and air

Noise and air pollution affect the natural environment and standard of living. While many of the controls relating to noise and air pollution are administered by the Environment Protection Agency, Council assists in enforcing some of these controls through the planning scheme and local laws.

Key issues

- Protecting the community and the environment from the impacts of noise and air pollution.

Objective 1

To reduce noise and air pollution.

Strategies

- Ensure appropriate planning permit conditions, such as hours of operation and building setbacks are applied and enforced to address noise and air pollution.
Bushfire

Extensive areas of the Shire are identified as being prone to bushfires, including in and around Mt Disappointment State Forest, Tallarook Ranges and the Puckapunyal Army Base. The impacts of a bushfire on life and property are influenced by factors including the subdivision pattern, availability of reticulated water, proximity to vegetation and community capacity. Bushfire can also impact on water quality.

**Key issues**

- Identifying areas prone to bushfire.
- Applying design, siting and subdivision standards in bushfire prone areas.
- Impacts of bushfire on water quality.

**Objective 1**

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

**Strategies**

- Ensure that the design, siting and layout of subdivision increase protection from fire.
- Ensure that use and development include adequate fire protection measures.
NATURAL RESOURCE MANAGEMENT

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

Specific references to individual towns are also included in Clause 21.11 (Local Areas).

Agriculture

The natural resource and rural areas of the Shire are significant assets, supporting approximately $25 million worth of agricultural production annually.

The highest quality agricultural land is associated with the alluvial areas covering almost 50,000ha. The elevated river terraces above the Goulburn River are particularly noteworthy. These areas have been classified as moderate in terms of land capability but can be improved by the level and nature of land management. The major concerns in these areas include flood risk, site drainage, salinity, degradation of soil structure, stream bank erosion and the impact of rural residential development. Mitchell is characterised by many small landholdings. Of the 4,661 parcels in multi-lot properties, only 23% are over 40 ha.

There is strong demand, especially in the southern areas for smaller lots for ‘lifestyle’ living and small enterprise farms. In some cases this has had a positive environmental effect by, reducing grazing pressure, increasing tree planting, attracting environmentally conscious residents who undertake more intensive land management efforts. In other cases, increased subdivision has had negative effects by increasing pest plants and animals, overgrazing, noise pollution, water pollution from septic tanks and effects on our natural waterways of the creation of additional farm dams capturing water.

Council’s strategic position is that fragmentation of productive agricultural land by subdivision is to be avoided to ensure that the productive capacity of the land is maintained.

Key issues

- Minimising the loss of productive agricultural land.
- Addressing the decreasing viability of traditional farming.
- Minimising the impacts of unplanned rural living on farming operations.
- Addressing ‘right to farm’ issues.
- Accommodating smaller, boutique and lifestyle farming enterprises.
- Adjusting to greater reliance on off-farm income.

Objective 1

To ensure that the use, development or subdivision of land is not prejudicial to agricultural enterprises or to the productive capacity of the land.

Strategies

- Ensure that the excision of dwellings and the creation of lots smaller than specified in the schedule to the Farming Zone are consistent with the purposes of the zone.
- Ensure that a dwelling excision is designed in a manner which does not prejudice surrounding rural production activities.
- Protect farming and other agricultural practises from the encroachment of urban growth.
- Discourage the development of rural living style development within established agricultural areas.
- Retain productive land for agricultural purposes.
- Support land rehabilitation in farming areas unsuited to traditional agriculture.
Discourage the expansion of urban uses and development into high quality agricultural areas.

**Objective 2**
To support the diversification of agriculture, the development of agro-forestry and the processing of agricultural products grown within the municipality.

**Strategies**
- Support agricultural industries which are ecologically sustainable and incorporate best practice management.
- Support the development of the equine industry as a major economic, social, lifestyle and recreational sector.
- Support the development of the existing timber industry (plantations and agro-forestry, harvesting and processing.
- Strengthen the role and identity of the major towns as rural service centres.
- Discourage the conversion of land to non-soil based use and development unless there is no other suitable site for the proposed use and development and overwhelming public benefit is demonstrated.
- Encourage the retention of agricultural land in productive units in preference to the fragmentation of land.
- Encourage agro-forestry which assists in rectifying current landcare issues such as vegetation/habitat loss, soil erosion and salinity.

**Objective 3**
To encourage and promote environmentally sustainable management of land, water and biological resources.

**Strategies**
- Support agricultural diversification and the introduction of more intensive types of agricultural uses or other forms of farming that are more environmentally and ecologically sustainable and better use the land and its capabilities.
- Obtain net environmental benefits (such as increased tree planting, fencing of environmentally sensitive areas, erosion control, control of pest animals and weeds, stormwater management and creation of linked environmental corridors/public reserves) when approving subdivision and/or development of rural land.
- Encourage better land management practices.
- Ensure that use and development avoid, mitigate or repair degradation of natural resources.

**Policy guidelines**

**Decision guidelines**
- When deciding on an application for use, development or subdivision in rural areas the following matters will be considered, as appropriate:
  - The potential effect of use and development on the quality and quantity of natural resources in the water catchment.
Whether the proposal is consistent with and seeks to implement a certified whole farm plan, land management plan or integrated land management plan to the satisfaction of Council.

Criteria or performance measures
- An application for small lot subdivision in the Farming Zone should meet the following criteria or performance measures:
  - Lots created under the provisions of Clause 35.07-3 should have a maximum size of 2 hectares.
  - Dwellings excised under the provisions of Clause 35.07-3 will be in a habitable condition and comply with the Building Code of Australia.
  - The excision of dwellings will take place in a manner which will ensure the dwelling does not have the potential to restrict agricultural production on adjacent land and should ensure that adequate distance is maintained within the existing lots around the dwelling to limit likely impacts (if any) of adjacent agricultural activity.
  - Subdivision that is likely to lead to such a concentration of lots as to change the general use and character of the rural area will be discouraged unless it can be shown that the clustering of lots will not limit the productive use and development of the larger lots in the area.
  - Subdivision within water supply catchment areas will be strongly discouraged in order to protect water quantity and quality.

Water
Mitchell is located at the top of the Port Phillip and Goulburn Broken Catchments, with the Great Dividing Range providing the division between catchments to the south of the Shire. A small area on the north-west boundary of the Shire lies within the North Central CMA catchment.

Mitchell has many waterways that have economic, environmental and social benefits. The Goulburn River is the largest waterway while other waterways of significance include: Sunday Creek, Dry Creek, Sugarloaf Creek, Mollison Creek, Kilmore Creek, Kurkarak Creek, Ryan’s Creek, Dabyminga Creek, Whiteheads Creek, Prices Creek, Cameron’s Creek, Gardiners Creek, Percival Creek and Mt. William Creek (all in the Goulburn Broken Catchment); the Merri Creek, Bruce’s Creek, Taylors Creek, Wallan Creek, Strathaird Creek, Deep Creek and Mittagong Creek (all in the Port Phillip Catchment); and Pohlmans Creek, Wild Duck Creek, Mt Ida Creek and Pipers Creek (all in the North Central Catchment).

Mitchell also has Special Water Supply Catchments that supply water for human consumption, including Wallaby Creek, Sunday Creek, Mollison Creek and the catchment areas of Lake Eppalock.

Being at the top of the catchment, the salt loads in waterways contribute to salinity problems downstream. Clearing of land, especially along ridgelines has significantly contributed to the increased salt loads in our water and soils, effecting both stream health and agricultural productivity.

Reduced environmental flows and diminishing river health will continue to be influenced by effluent and nutrient impacts from septic systems, and increasing numbers of stock and domestic farm dams that have diverted and detained water reaching the river and creek systems. Urban stormwater run-off, excessive use of agricultural chemicals, and unsustainable grazing practices have also added to the deterioration of water quality.

Key issue
- Diminishing water quality and supply

Objective 1
To improve the quality of water in waterways and catchments.
Strategies

- Support integrated catchment management.
- Protect and restore native vegetation corridors along waterways.
- Minimise the quantity and retard the flow of stormwater run-off from urbanised areas.
- Create wetlands, where possible, to encourage natural flow systems, improve stormwater quality and encourage and increase native biodiversity.

Objective 2

To ensure that surface and groundwater quality is not adversely affected by development.

Strategies

- Ensure that use and development comply with the relevant State requirements and guidelines, particularly the EPA Publication 891.3 Code of Practice – Guidelines for Environmental Management - Onsite Wastewater Management and municipal wastewater management plan Mitchell Shire Domestic Wastewater Management Plan Final Report, RMCG, November 2006.
- Prevent the discharge of effluent off-site.
- Ensure that the density of effluent disposal systems is suitable to the land capability of the area including proximity to sensitive environmental features, soil type and topography of the site.
- Enable alternative effluent disposal systems, such as package treatment plants and composting toilets, to be used where environmental conditions prevent the disposal of waste by septic tank.
- Promote environmental best practice that reduces the impact of domestic wastewater in the local environment.
- Ensure domestic wastewater is managed within the capability of the land.
- Implement water sensitive urban design principles in the design of public places and new urban development.
- Ensure all new use and development of land that proposes or requires waste water treatment locates effluent disposal systems and irrigation fields to avoid contamination of surface and ground waters, supply channels and domestic water supply reservoirs and catchments.

Policy guidelines

Application requirements

- An application requiring a septic tank must be accompanied by a report demonstrating that:
  - the proposed density of septic tanks (effluent disposal system) will not overload the natural environment with effluent and lead to pollution of watercourses or other properties; and
  - the design and location of septic tanks is appropriate to the site and environmental characteristics of the allotment.
- An application for commercial, residential or industrial land uses or development not connected to an approved waste water treatment system must demonstrate that there will be no decrease in the quality of water in any adjacent or nearby watercourse.

Decision guidelines

- When deciding on an application to use, subdivide or develop land or carry out works, any relevant Land Capability Mapping will be considered.
Dams

A high number of farm dam failures occur within the first year of construction. Council seeks to minimise farm dam failure by providing construction guidelines and requirements.

Key issues

Protecting against the failure of farm dams.

Objective 1

To ensure that farm dams are designed and constructed in such a manner that dam failure is minimised.

Strategies

- Ensure that dams are constructed in accordance with appropriate dam construction and soil conservation techniques.
- Ensure that dam sizes relate to the suitability of the site and to the use intended.
- Ensure appropriate revegetation around the dam.
- Prevent construction of dams in environmental sensitive areas, such as bush gullies.
- Ensure the location of the proposed dam is appropriate to the terrain characteristics of the land and the capacity of the proposed dam is appropriate to the catchment area of the site.
- Ensure spillways are designed to cater for a 1 in 5 year storm level.
- Ensure the removal of trees is minimised.
- Ensure that soil types on the site are suitable for water retention and if not suitable, ensure that adequate mechanical or chemical means will be employed.
- Ensure that the top soil stripped from the site is spread on any exposed batters.
- Ensure exposed soils are revegetated with perennial grasses and appropriate indigenous vegetation as soon as possible after construction.

Policy guidelines

Application requirements

All applications for construction of dams must be accompanied by the following information as appropriate:

- Demonstrated consultation with the Department of Environment and Primary Industries and any relevant Drainage or Water Authority.
- Demonstrated familiarity with recommended dam construction techniques.
- A landscape plan that shows the location of the dam (including any mulch), contours and finished levels, extent of vegetation clearing, dimensions and capacity.
BUILT ENVIRONMENT AND HERITAGE

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

Specific references to individual towns are also included in Clause 21.11 (Local Areas).

Urban environment

The siting and design of development should consider the character and local heritage values of towns. The design of buildings, their mass and scale are important in preserving the character and historical attributes of towns. Streetscape elements are also important to the character of each town and identified streetscape character should be taken into account in the consideration of new use and development.

Development along highways and main roads is important for the character and streetscape presentation of the towns. Development at town entrances should be designed to respect the built environment, and sited and finished to enhance the overall appearance and character of the town and the town entrance.

Street trees are important in creating areas that offer shade and protection from the elements and are conducive to people stopping and using the town. Development located along entrances to all towns should be landscaped with species consistent with the landscape assessment or plan for the town.

Developments located on the edge of towns should also be landscaped to absorb the development within the surrounding landscape and to provide a delineated edge to the town. Attention should also be paid to any opportunities to landscape railway station areas that have a significant impact on the townscapes of Wandong, Broadford, Tallarook and Seymour.

Key issues

- Improving the presentation of towns and activity centres, particularly from the highways, major roads and pedestrian level.
- Improving the design, siting and landscaping of development.

Objective 1

To enhance the presentation of towns and their main road entrances.

Strategies

- Improve the quality of development through improved design, siting and landscaping.
- Improve the urban quality of train stations and their links to town centres.
- Build on the established and strong sense of identity and character of each town.
- Support respectful infill development that contributes to the character and identity of towns.

Objective 2

To enhance the safety of neighbourhoods.

Strategies

- Implement crime prevention through environmental design principles, encouraging activity in public places, upgrading public lighting where needed and working with the police and other stakeholders on crime prevention and perceptions of safety.
Sustainable development

Built form and urban infrastructure can contribute substantially to the demand for energy. Energy efficiency of buildings is affected by a range of factors including solar orientation, fittings and occupant behaviour. Urban form impacts on the ability of buildings to be energy efficient, particularly through solar orientation and access. Urban form also impacts on the need for people to use transport, including to access services and employment. Consolidated settlements provide for shorter travel distances, walking and cycling, and support more effective public transport.

Key issues

- Achieving more sustainable development.
- Reducing greenhouse gas emissions.

Objective 1

To minimise the production of greenhouse gas emissions.

Strategies

- Support renewable energy technologies in buildings and enterprises.
- Support low carbon modes of transport.
- Ensure new residential subdivisions, roads and allotments are orientated in accordance with energy efficiency principles.
- Support home-based businesses.

Heritage

Mitchell has a number of places of heritage significance including the Kelly family house in Beveridge, the Australian Light Horse Memorial Park in Seymour (Site 17), Aboriginal greenstone axe quarries at Mount William, the pioneer homestead at Reedy Creek, and numerous buildings in Kilmore which is Victoria’s oldest inland town.

The Mount William Stone Axe Quarry is a major archaeological place and it and other places have significant cultural and spiritual connections for the Wurundjeri people. The quarry is an example of one of the most influential complexes of stone working traditions known to have occurred in the Greenstone belts of Victoria. It is one of the best preserved examples of prehistoric quarrying and ground edge hatchet head manufacturing technologies to have survived into the 19th century in southeast Australia. Other Aboriginal cultural heritage sites are evident throughout the Shire and have state heritage protection.

The Australian Light Horse Memorial Park was an important site for the Australian Army and its Light Horse Regiment. Since the formation of the Seymour Group of the Victorian Mounted Rifles in 1887 the community has had a rich association with the Australian Army. The Australian Light Horse Memorial Park is a major heritage asset for the community and visitors. The Goulburn River has ‘Heritage River’ status and the Trawool Valley is listed as a regionally significant landscape by the National Trust.

In addition to its intrinsic value, Mitchell’s heritage is of enormous value in community, cultural and economic terms. It gives the Shire’s towns and regions distinctive amenity and character as well as a cultural identity and sense of place. It is also a basis for building tourism and business opportunities.

Heritage Studies have been prepared for a number of areas within the Mitchell Shire including the Kilmore Heritage Study 1982, Mitchell Shire Heritage Study 2006, Mitchell Shire Heritage Amendment Review of Heritage Precincts 2012, Mitchell Shire Review of Individual Places 2013 and Wandong & Heathcote Junction Heritage Gap Study 2016. Heritage Citation Reports for many heritage places within Mitchell Shire have been consolidated into the Mitchell Shire Heritage Study Amendment C56 - Heritage Citations, April 2014 and Kilmore Heritage Study 1982. The
Heritage Studies have identified post-contact places and precincts of cultural significance, provide a thematic environmental history of post-colonial European occupation and seek to provide a more comprehensive heritage analysis for the Mitchell Shire.

**Key issues**
Managing heritage places to ensure their preservation.

**Objective 1**
To recognise and protect places of heritage, cultural and social significance.

**Strategies**
- Conserve and enhance the heritage places that distinguish each town.
- Ensure that development on land adjoining heritage places located within the Heritage Overlay does not detract from or obscure the heritage significance of the adjoining heritage place.
- Conserve places that contribute to the further development of tourism.
- Support the preservation of heritage places threatened by development or neglect.
- Identify places with cultural heritage values.
- Ensure supporting information for all places is contained in HERMES.

**Objective 2**
To recognise and to protect the heritage, cultural and social significance associated with the Australian Light Horse Memorial Park.

**Strategies**
- Conserve the site’s heritage features as evidence of the area’s rich association with the Australian Army and its former role as a training facility for the Australian Light Horse.
- Retain the significant block of remnant box/stringybark on the site.
- Focus the long term development of the site on open space, conservation and recreational activities.
- Guide the use and development of the site by an overall development plan for the site.

**Objective 3**
To preserve the cultural significance and archaeological fabric of the Mt William Archaeological Area, and all associated archaeological artefacts.

**Strategies**
- Discourage development which adversely affects the significance of the site.
- Protect the site from unsympathetic development beyond its boundaries but within its visual and activity catchment.

**Policy guidelines**

**Exercise of discretion**
- Seek the views of Aboriginal Affairs Victoria and the Wurundjeri people when deciding on an application on land abutting or encroaching on the Mt William Quarry.
HOUSING

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

Specific references to individual towns are also included in Clause 21.11 (Local Areas).

Residential development

Residential development in Mitchell has been dominated by detached housing at conventional, low and rural living densities. There has been limited medium density development and a few specialist and aged housing projects. There will be increasing pressure and need to diversify housing choice and type, particularly in the south of the Shire. This will include housing and accommodation that meets the needs of the ageing community. This will result in higher densities in the centres of these towns. The Wallan Structure Plan and Kilmore Structure Plan identifies preferred precincts to accommodate higher densities near town centres.

Key issues

- Providing residential diversity and choice.
- Responding to the housing needs of the community.

Objective 1

To provide variety and choice in housing styles and densities.

Strategies

- Identify preferred areas for increased residential densities in Structure Plans.
- Support housing and accommodation for the ageing population.

Rural living development

Rural living is a legitimate and popular residential option that is provided through the Rural Living and Low Density Residential Zones. However, unplanned rural living development in the Farming Zone and the Rural Conservation Zone can have a range of negative effects, including:

- Distorted land values against agricultural value.
- Conflicts over farming practices.
- Demand for urban services and infrastructure.
- The construction of dwellings in agricultural areas that are not connected to farming can also cause adverse impacts.

Key issues

- Protecting the operational viability of farms.

Objective 1

To ensure that farming operations in the Farming Zone are not adversely constrained by the inappropriate construction or siting of dwellings in nearby areas.

Strategies

- Ensure that houses on existing lots in the Farming Zone are only constructed in conjunction with the agricultural use of the site.
- Ensure that dwellings are sited so that adequate setbacks are maintained from boundaries.
- Ensure that rural dwellings are located so as to minimise the impacts on surrounding agricultural land.
• Discourage the construction of dwellings in locations that require the upgrading of adjacent road access or other infrastructure.

• Discourage the construction of dwellings which may lead to a concentration of developed lots in the midst of rural areas.

• Ensure that the construction of a dwelling will not adversely affect the capacity of the surrounding land to be used for farming purposes.

Policy guidelines

Application requirements

• An application for a dwelling in the Farming Zone must demonstrate that the construction of the dwelling will not adversely affect the capacity of the surrounding land to be used for farming purposes.

Exercise of discretion

• Council may require construction, at the applicant’s cost, of unformed road reserves associated with a new dwelling on an allotment which has no formed road frontage.
ECONOMIC DEVELOPMENT

This clause provides local content to support Clause 17 (Economic Development) of the State Planning Policy Framework. Specific references to individual towns are also included in Clause 21.11 (Local Areas).

Economic growth

Mitchell’s future economic performance is likely to be influenced by a number of key economic drivers which are associated with its location, current economic profile and population growth prospects. These include population and household growth, liveability, land availability, infrastructure and service provision, business support and facilitation, and leadership and communication. A wide variety of external factors will also be important, including climate change and other environmental issues.

Key issues

- Ensuring sufficient land is available to attract investment and generate additional jobs.
- Ensuring the timely and efficient delivery of infrastructure and services.
- Improving the attractiveness of townships.
- Removing constraints to development to increase inward investment and visitation and to improve liveability.
- Providing a high level of support to the business community to nurture existing businesses and attract new operators to the Shire.

Objective 1

To facilitate new development and employment opportunities in business, industry and tourism.

Strategies

- Support potential growth industries including the equine industry, health and education sectors, transport, logistics, warehousing, value-added agriculture, viticulture, organic farming and new technologies.
- Encourage interim employment uses within the land identified in the Wallan Structure Plan designated for the Beveridge Interstate Freight Terminal (BIFT) as well as longer term uses on adjacent land that will have synergies with the BIFT.
- Encourage high quality residential and commercial development.
- Deliver infrastructure in a timely manner.
- Ensure adequate land availability.
- Protect and improve the attractiveness of towns, particularly their main streets.
- Enhance traffic circulation and car parking within towns.

Industry

Industrial expansion within the various towns is vital to the economic wellbeing of the municipality. The overall appearance of industrial areas is important in attracting ongoing and new investment. Council’s Economic Development and Tourism Strategy, 2010 recommends targeting potential growth industries where the Shire has a competitive advantage, particularly in the equine industry, health and education sectors, transport, logistics and warehousing, value-adding agriculture, viticulture, organic farming and new technologies.
There is some interest in locating both offensive industries and poultry farms in the Shire and other regional areas partly as a consequence of continued pressure on these industries from urban expansion in Melbourne. Care needs to be taken in considering the approval of these industries.

The Beveridge Interstate Freight Terminal (BIFT) may provide long-term opportunities for freight and logistics uses around Wallan and Beveridge. Interim employment uses on and adjacent to the land in the Wallan Structure Plan designated for the BIFT should be encouraged. Potential future uses on this land are subject to appropriate flooding studies and mitigation measures, which must take account of the significant volume of flood storage in this area.

Forestry is also an important employment sector in the Shire, with the timber and related industries employing in excess of 300 persons. The sustainable expansion of this industry is supported.

**Key issues**

- Providing sufficient land for industrial growth and expansion.

**Objective 1**

To encourage well planned and located industrial development.

**Strategies**

- Support the development of appropriate land in the southernmost part of the Shire as a major centre for freight and logistics.
- Support industrial and manufacturing development within Seymour, Kilmore and Broadford based on their proximity to available resources, availability and suitability of land, the existing labour force, provision of infrastructure and services, and the location of these centres along the Hume Freeway corridor.
- Discourage the location of industry in rural areas with exceptions only for those rural based industries that must by their nature be located within or close to the source of primary production.
- Protect existing industrial zones from encroachment by incompatible uses.

**Policy guidelines**

**Application requirements**

An application for industrial development must be accompanied by a site analysis explaining how the proposed development responds to the site and its context.

**Criteria or performance measures**

An application for development in an Industrial zone should meet the following criteria or performance measures:

**Buildings**

- Buildings should not occupy more than 50% of the site. Applications for buildings that occupy more than 50% of the site must show how matters such as car parking can be satisfactorily addressed.
- Buildings should be constructed in materials that are visually attractive such as brick, masonry or colorbond metal.

**Setbacks**

- Setbacks may vary depending on the nature of the site, existing development and the need to ensure safe traffic circulation.
- Buildings should have a front setback of a minimum of 10 metres from any existing or proposed road alignment. This area may be used for car parking in conjunction with landscaping.
Buildings in new areas should be setback a minimum of 5 metres from at least one side boundary and a minimum of 5 metres from a rear boundary.

**Access**
- Common parking areas should be considered as part of any integrated development.
- Bicycle and pedestrian access should be considered as part of any integrated development.

**Advertising**
- Advertising signs should identify the name of the business occupying the premises and the service offered.
- Above roof signs are discouraged.
- Integrated projects involving a number of lots and buildings should include a directory sign indicating business names and services offered.

**Landscaping**
- Landscaping on each site should:
  - Retain existing vegetation where practical.
  - Use locally native vegetation.
  - Screen areas where visibility for safety is not essential.
  - Define areas of pedestrian and vehicular movement.
  - Use landscaping instead of fencing in areas such as the frontage of the site.

**Industrial Development In Rural Areas**
- Development sites in rural areas may be supported where they can:
  - Minimise impact on agricultural land and land management practices.
  - Have access to sealed roads.
  - Dispose of effluent properly.
  - Maintain the visual qualities of the rural landscape.
  - Minimise impact on residential amenity.

**Tourism**
ABS data collected for the year ended June 2009 indicates that 4.8% (850) of the Mitchell and Strathbogie workforce was employed in the tourism industry. While this is not significant in itself, many other businesses such as retail and transport businesses benefit greatly from tourism spending. Tourism assets that attract visitors to the region include:
- Natural attractions (Goulburn River, Tallarook State Forest, Goulburn River High Country Rail Trail etc).
- Historic attractions (historic buildings in Kilmore and Seymour).
- Sport, recreation and other activities (State Motorcycle Sports Centre, Hume International Raceway, Golf courses and Country race courses).
- Art (Old Post Office Seymour, Old Courthouse Gallery etc).
- Equine tours, and food and wine.
Tourism generates employment through visitor spending and supports the local economy. In addition to the Shire’s heritage assets, potential exists to promote and market the natural beauty of the Shire for recreational and leisure activities, scenic routes, events and festivals. The Shire has a number of unused railway lines that have the potential to be transformed into recreational ‘rail-trails’. A long term strategy is to link these lines as part of an overall recreational network and to promote and protect the historical, architectural and landscape features throughout the Shire as a valuable tourist resource. The Goulburn River is one of Victoria’s most important and scenic rivers. There is potential for the development of various parks and other areas of public land along the river as a further tourist resource.

**Key issues**

- Maximising the benefits derived from tourism.

**Objective 1**

To facilitate Mitchell becoming a recognised tourist destination.

**Strategies**

- Support and develop the tourism industry.
- Encourage new uses that promote or assist local tourist attractions and visitation.
- Support visitation and tourism based on Mitchell’s heritage character.
TRANSPORT

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

Specific references to individual towns are also included in Clause 21.11 (Local Areas).

Road network

The planning of freeways and highways, and the planning and control of land use and development in the areas through which they pass should be coordinated and integrated. Planning measures to control land use and development can materially assist the efficient performance of freeways and can protect the appearance of areas through which they pass. The Goulburn Valley Highway and Hume Freeway are the principal roads linking State capital cities, and use and development should take full account of these National Highways when development occurs in their vicinity.

In addition, the local and main road networks are vital to the ongoing development of the Shire and require that careful consideration be given to access and construction standards.

Key issues

- Enhancing the performance of the road network.
- Protecting and maintaining existing road infrastructure, particularly in light of increased traffic loads.

Objective 1

To ensure that the improvement and upgrading of transport infrastructure is commensurate with the expected impacts of use and development.

Strategies

- Ensure that proposed use and development does not restrict existing road access.
- Ensure that all new use and development are provided with safe and efficient two way vehicular access.
- Address capacity, safety and conflict issues particularly on the Northern Highway through Wallan and Kilmore.
- Support enhancements to the primary arterial road network.
- Ensure that all roads that service residential development are fully constructed.
- Encourage off-road infrastructure in the form of footpaths and shared paths to improve links to transport, activity centres, schools etc.

Objective 2

To ensure that the use and development of land does not prejudice the levels of service, safety and amenity of the Hume Freeway and Goulburn Valley Highway.

Strategies

- Minimise any adverse noise effects from traffic using the Hume Freeway and Goulburn Valley Highway.

Policy guidelines

Decision guidelines

When deciding on an application for use and development, the following matters relating to road construction and access will be considered, as appropriate:

- The need for all-weather road access and egress to the site.
- Road alignment and safety of road users.
- The condition of all infrastructure, including road surface and the likely impacts that the use and development of land will have on such infrastructure.
- The impacts that may occur due to the proposed use and development of land.
- The design and alignment of the road, its surface and the likely affects that new use and development may have on the future surface and condition of the road.
**INFRASCTURE**

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

Specific references to individual towns are also included in Clause 21.11 (Local Areas).

**Community facilities**

The provision of community facilities to serve existing and emerging residential communities is a basic task of government, including local government. The services provided by such facilities are crucial to the balanced and healthy development of a local community.

**Key issues**

- Improving the health and well being of the community.

**Objective 1**

To provide appropriate community infrastructure.

**Strategies**

Support hubs of integrated community services in the regional centres and larger towns.

- Support expansion of the range and depth of educational facilities and services in response to growth and the needs of the community at all stages in its lifecycle.
- Develop and maintain community facilities that are multifunctional and accessible to the community in terms of cost, location, administration and design.
- Support appropriate entertainment, recreation and community facilities that are compatible with the needs, character and socio-economic profile of the local area.

**Objective 2**

To improve access to community infrastructure.

**Strategies**

- Ensure walking and cycling infrastructure is incorporated into the design and development of new neighbourhoods linking to activity centres and other commercial, community, transport and education facilities.
- Support convenient access across the network of settlements to a greater range of health, educational, social and recreational facilities and services.
- Support the competitive advantage of the rail connections throughout the Shire.
- Ensure that open space provisions meets community needs for active and passive recreation.
- Support the provision of a high quality wireless and/or fibre network into emerging new communities.

**Development infrastructure**

Development without adequate physical infrastructure can cause adverse impacts on the environment. Council seeks to ensure that the impacts of effluent disposal are managed by appropriate performance standards and requirements for new developments and that water quality is monitored.
The largely rural nature of Mitchell makes the need to maintain water quality and flow patterns more important than may be required in more urbanised areas as the natural waterways are likely to be more susceptible to changes in flow characteristics. Limiting the areas of developed land that discharge to a waterway without passing through a WSUD asset can assist greatly in protecting the form of existing waterways and the quality of water.

Waste management will be marketed and practiced in a manner that demonstrates best practice in achieving the aims of zero waste. As far as practicable the Shire will be a leader in the reuse of wastewater especially in the growth area.

**Key issues**

- Ensuring adequate physical infrastructure to address past shortcomings and to plan for future development needs.

**Objective 1**

To ensure adequate physical infrastructure for future development needs.

**Strategies**

- Ensure the equitable provision of physical and community infrastructure.

- Ensure the timely delivery of infrastructure and services through effective town structure planning.

- Ensure that all forms of residential development, including rural residential development, are connected to reticulated water, sewerage, power and stormwater facilities.
LOCAL AREAS

This clause focuses on Local Area implementation of the objectives and strategies set out earlier in the Mitchell Planning Scheme. Each section relates to a particular precinct, settlement or town, and should be read in conjunction with the rest of the Municipal Strategic Statement. The sections are organised under the following Local Area headings.

- Beveridge
- Broadford
- Kilmore
- Pyalong
- Puckapunyal
- Seymour
- Tallarook
- Tooborac
- Wallan
- Wandong-Heathcote Junction
- Waterford Park

Beveridge

Beveridge has an estimated population of 500 persons. The town is located at the southern end of the Shire, in an area set to see a rapid increase in residential growth in coming years.

Settlement

- Provide for a level of population that will achieve a ‘self contained township’ with a full range of urban and community facilities.

- Support further residential development only where it can be demonstrated that effluent and stormwater can be wholly contained and disposed of within the site.

- Support the development of a new major activity centre at Beveridge, south of the Mandalay residential development.

Infrastructure

- Ensure that development is in accordance with an approved development plan that establishes the urban growth boundary of the township, location of community facilities according to population needs, provision of infrastructure and the staged release of new residential areas.

- Ensure that development of this area is adequately serviced and integrated with the existing Beveridge township.

Broadford

Broadford has an estimated population of 4280 persons and is home to the State Motorcycle Sports Complex and the Nestlé factory. It also hosts key civic and community facilities. Broadford’s strengths include its heritage features and natural surroundings, including Mt Piper.

Broadford is a family friendly rural town with a significant level of local commercial, employment and civic services. The town should be encouraged to further develop its active rural community with boutique living opportunities to expand within an area constrained by surrounding escarpments, freeway and creek. Broadford links to Kilmore’s educational facilities and excellent transport and access links will provide ongoing potential for development.
Local area implementation

- Ensure that any proposed use or development within Broadford is generally consistent with the Broadford Structure Plan included in this clause.

Settlement

- Incorporate conservation and beautification components as part of the overall development of future residential subdivisions.
- Promote the development and creation of various lot sizes within the urban area.
- Encourage infill development in advance of urban expansion.

Environmental and landscape values

- Encourage the protection of the surrounding natural features by limiting the intrusion of urban development.
- Maintain and encourage the expansion of the existing nature walks through the development of a trail strategy and acquiring land as development occurs.
- Protect and conserve the existing flora reserves within Broadford, namely Mt. Piper Educational Reserve, Fleming Drive Reserve and Horwood Road Reserve, Reedy Creek Homestead, Tyaak Cemetery (Chinese area), the former Bush Nursing Hospital, cemeteries and former Prisoner of War Camp.
- Ensure that development within the surrounds of the Broadford Water Treatment Plant, which is an important artificial wetland, are designed to complement the natural and environmental qualities associated with the area.

Environmental risks

- Ensure that those areas mapped by the Department of Environment and Primary Industries as being either a salinity recharge or discharge area are not developed and regeneration of vegetation is encouraged.
- Ensure all contaminated sites are identified.

Built environment and heritage

- Ensure that tourist development maintains and reinforces the rural/urban character of the town.
- Enhance the main street character.
- Improve the surrounds of the railway station.
- Enhance the highway entrances of the town.
- Support capital works (island car parking and bridge improvements) as part of the urban design and streetscape improvement programs.
- Support capital initiatives for the construction of footpaths to improve pedestrian movement to activity centres, transport, schools etc.

Economic development

- Support new industrial development where it can utilise space, infrastructure capacity and is compatible with the maintenance of residential amenity.

Transport

- Improve the integration of the railway station with the community.
Kilmore

Kilmore has a population in excess of 8,400 persons and is situated on the Northern Highway, approximately 75km from Melbourne’s CBD and 10km from Melbourne’s Urban Growth Boundary at Wallan. Kilmore is a growing township with significant heritage values that provides a gateway to Metropolitan Melbourne and regional Victoria.

Kilmore has regular thoroughbred and harness race meetings at the Kilmore Racing Complex and its main economic drivers are agriculture, equine industry, education and health services. Kilmore has significant public reserves, including Hudson Park, Monument Hill and Kilmore Creek.

Kilmore has been identified as a peri-urban township with growth potential by Plan Melbourne 2017-2050, March 2017 and the Hume Regional Growth Plan, May 2014 due to its proximity to Melbourne, availability of developable land and existing infrastructure.

Future growth of Kilmore will be delivered in a planned, coordinated and careful sequence of development. Growth will be directed to designated infill and growth (greenfield) precincts that will unlock opportunities to improve Kilmore’s infrastructure, open space network and community facilities that will benefit both existing and new residents, over time.

The growth of Kilmore will strengthen its role as a regional hub for high quality education and health facilities, supported by a variety of local employment opportunities and diverse housing options.

Development of Kilmore will be informed by its strong heritage and natural landscape ties reflected by its historical buildings, predominately gridded road network and scenic vistas.

Coordinated growth and development

- Ensure that any proposed use or development within Kilmore is generally consistent with the Kilmore Structure Plan, August 2016 and the Kilmore Infrastructure Framework, August 2017 which guides preferred growth and development outcomes and prioritises delivery of infrastructure for the town.

- Facilitate planning and delivery of Kilmore’s infill precinct and growth precincts that will provide balanced and diverse housing opportunities to cater for the needs of current and future residents in locations as shown on the Kilmore Framework Plan.

- Support well designed growth precincts that represent ‘complete neighbourhoods’ and are connected to the established areas of Kilmore including the Sydney Street town centre and existing facilities via establishment of an integrated open space and movement network.

- Encourage diverse housing opportunities and densities, particularly within walkable proximity to the Sydney Street town centre.

- Support infill development that improves connectivity and gaps in infrastructure such as pedestrian/shared paths, roads and drainage.

- Protect the Kilmore and Kilmore East settlement boundary by avoiding residential development beyond the boundary.

- Support preparation and implementation of a Master Plan for Assumption College.

Rural and low density living

- Ensure development of existing and vacant parcels maintains, protects and enhances existing natural character, features and elements such as vegetation and key vistas.

Built environment

- Ensure development has regard to prevailing built form elements such as setbacks and site coverage, and enhances the surrounding neighbourhood character.

- Encourage contemporary style buildings that embrace high quality façade treatments and sustainable building elements such as eaves.
Natural environment and open space strategies

- Facilitate establishment of a linear open space network along key waterways, drainage lines and other reserves forming part of Kilmore’s shared path network.
- Encourage development opportunities which embrace Kilmore Creek as a recreation area.
- Encourage development which contributes to and enhances Kilmore’s natural environment and green outlook through tree plantings and vegetation and protection of remnant vegetation in the private and public realm.

Road and pedestrian network

- Advocate for the planning, construction and delivery of the Kilmore-Wallan bypass.
- Facilitate road connections between infill and growth precincts by emphasising and prioritising strategic road and open space links between neighbourhoods, the Sydney Street town centre and other destination points.
- Facilitate creation of a series of linear open space links which facilitate walking and cycle connections between neighbourhoods, community nodes and the Sydney Street town centre.
- Encourage cross-section design and development setbacks to the bypass which will remove or mitigate the need for construction of noise attenuation walls.
- Encourage subdivision design of Kilmore’s growth precincts that supports connectivity to the higher order road network and avoids courtbowlz and disconnected streets.

Sydney Street Town Centre

- Protect and reinforce the Sydney Street town centre as the primary destination and focus of Kilmore.
- Support consolidation of Sydney Street town centre by prioritising all retail and other activity-generating uses within the town centre as per the Kilmore Structure Plan, August 2016.
- Facilitate establishment of accommodation uses within Sydney Street town centre and other diverse activity generating uses compatible with the town centre environment.
- Support land uses which will provide activation of Sydney Street and increase night time trade and activity.
- Facilitate the secondary role of Melbourne and Patrick Streets within the town centre by creating safe pedestrian connections from Sydney Street via public or private thoroughfares.
- Encourage amalgamation of individual sites within Sydney Street to encourage larger tenancies within the established town centre boundaries.
- Support streetscape activation along Sydney Street through outdoor dining and other proposals which will promote pedestrian-orientated activity.
- Support development which seeks to renew and refurbish existing heritage buildings.
- Support establishment of office uses on the first floor.
- Support an additional full line supermarket within the Sydney Street Town Centre.
- Support other large anchor retail tenants immediately adjacent the Sydney Street Town Centre provided the following can be demonstrated;
  - There are no suitable sites available for the desired retail development within the town centre.
  - There is demonstrated additional demand for additional retail floor space.
  - The proposal does not detrimentally affect the vitality of Sydney Street and attract other retail uses that are better suited within the established town centre.
- The proposal can integrate within the town centre and is accessible.
- The proposal provides net community benefit including upgrades to existing or additional infrastructure.

**Economic development**

- Ensure high quality urban design, built form and landscaping outcomes are achieved in new commercial and industrial developments.
- Support co-location of education and health-related uses in proximity to Kilmore’s Education and Health Precincts, activity nodes and the Sydney Street town centre.
- Support Kilmore’s role as an education hub for the broader region.
- Support Kilmore’s equine industry and equine related industry.
- Support co-location of land uses within the equine precinct which will contribute to strengthening the horse racing industry in Kilmore.
- Support intensification of employment uses within Kilmore’s existing employment precinct.

**Kilmore East**

Kilmore East is a semi-rural settlement serviced by the Kilmore East Railway Station. Development will be reflective of large lifestyle lots that are characterised by vegetation (both native and exotic) and prominent views to surrounding hills and valleys.

- Ensure land uses are sympathetic and have regard to existing rural residential development.
- Ensure development maintains, protects, and enhances existing natural character and features.
- Ensure future development is sensitively sited and designed to reflect the natural site conditions and has regard to storm water constraints and septic tank requirements.
- Maintain the settlement boundary as shown on the Kilmore Framework Plan.
Kilmore Framework Plan Drawing Key

**DRAWING KEY**

- Kilmore Settlement Boundary
- Growth Area Boundary
- General Residential Area
- Sensitive Design General Residential Area
- Low Density Residential Area
- Rural Residential Living Area
- Long Term Development to be Investigated
- Existing Employment Land
- Sensitive Interface Required
- Activity Areas
- Potential Hubs
- Key Gateway Site
- Community Facilities (Schools, Kindergartens etc)
- Special Uses (As Labelled)
- Open Space Network (Encumbered)
- Potential Constrained Open Space Links
- Passive Open Space & Active Open Space
- Potential Bypass Open Space Buffer
- Bypass Buffer Investigation Area
- Potential Open Space Node (Park, Playground or Recreation Facility)
- Existing Open Space Node (Park, Playground or Recreation Facility)
- Key Streetscape Links
- Feature Boulevard Street
- Northern Hwy
- Arterial & Sub-Arterial Roads
- Connector Roads
- Interim Connector Roads
- Key Local Roads
- Logical Road Links
- Edge/Loop Road Frontage
- Rural Access Roads
- Existing Local Road
- Unsealed Road For Local Access
- Shared Path Network

- Existing Signalised Intersection
- Future Signalised Intersection
- Future Key Intersection - Design TBC
- Future Key Intersection - Roundabout
- Future Key Intersection - Fully Directional
- Future Key Intersection - Full T-Intersection
- Future Key Intersection - Staggered-T
- Secondary Gateway Locations
- Primary Gateway Locations
- Ridgelines
- Steep Terrain
- Hill Tops
- Significant Landscape
- Watercourse
- Significant Drainage Lines/Channels
- Indicative Retarding Basin
- Significant Road Side Vegetation
- GWV Treatment Plant Buffer
- High Pressure Gas Pipeline
Puckapunyal

The Puckapunyal Army Base is a major contributor to the local economy. Its continued operation as a training facility is an essential and vital activity within Mitchell. The base covers an area in excess of 44,000 hectares and operates as a training facility for the Australian Army. Given the role of the facility and the noise and vibrations produced from on-site weaponry, the development of surrounding land needs to recognise the base and the likely noise emissions.

Settlement

- Support the continued operation of the Puckapunyal Army Base.
- Ensure the use and development of land within the immediate area of the Puckapunyal Army Base is compatible with the activities undertaken on the base.
- Seek to minimise the impacts of the Puckapunyal Army Base on the surrounding area.
- Seek the views of the Australian Army in relation to applications for the use and development on land abutting or surrounding the Puckapunyal Army Base.

Pyalong

Pyalong has an estimated population of 700 persons. It is a small town north-west of Broadford on the Northern Highway. There are approximately 84 homes in the town as well as a hotel, general store, school and golf clubrooms. Council believes that there is limited growth potential in Pyalong in the future. The township is surrounded by agricultural land used predominantly for sheep and cattle grazing. The land is gently undulating and drains to a tributary of Sunday Creek. Pyalong’s features include an historic trestle rail bridge and rocky outcrops surrounding the township.

Local area implementation

- Ensure that any proposed use or development within Pyalong is generally consistent with the Pyalong Township Structure Plan included in this clause.

Settlement

- Encourage infill development on vacant parcels of land within the urban boundaries of the town.
- Control rural residential development in order to create a more defined town boundary.

Environmental and landscape values

- Maintain visual links with the surrounding natural environment by restricting further development along any ridgeline or hilltop.

Natural resource management

- Protect agricultural land use around the town from residential development.
- Support an environmental management plan for the local watercourses in order to encourage revegetation of the stream sides and banks.

Economic development

- Encourage local commercial development.

Infrastructure

- Focus social and recreational facilities in a centralised and accessible location for all residents.
Seymour

Seymour (and Puckapunyal) have an estimated population of 7500 persons. Seymour is surrounded on three sides by the Goulburn River but this is an under-utilised and under-promoted resource. Seymour is also known for its railway and military history. There is a heritage railway centre, the army base at Puckapunyal and the historic Australian Light Horse Memorial Park an historic Light Horse Park on the Goulburn Valley Highway. A number of small wineries and vineyards are located in and around Seymour.

Seymour is Mitchell’s regional growth centre and will benefit from a significant intergovernmental refocus for development and investment in community services, jobs, military tourism and decentralized government services. A dedicated campaign to turn around stagnant population growth has balanced the need for sensitive local urban redevelopment and maintaining an affordable and mixed housing stock while facilitating service sector jobs in medical, education, community, social or correctional sectors as a catalyst for local investment.

Seymour is significantly constrained by flooding from the Goulburn River and Whiteheads Creek. Substantial areas of Urban Floodway Zone and Floodway Overlay have been applied to the area and underscores that a levee bank is a key priority for the town. In the short term and in the absence of enhanced levee works, land in the lower lying, business areas of the town is subject to the risks of flooding.

Local area implementation

- Ensure that any proposed use or development within Seymour is generally consistent with the Seymour Township Structure Plan included in this clause.

Settlement

- Encourage the growth of Seymour as a dynamic economic centre for the region.
- Consolidate the urban centre to achieve a ‘Town Centre’.
- Consider the rezoning of Future Investigation Areas identified on the town structure plan from rural to residential or low density residential when existing residential zoned land will provide for less than 15 years projected demand.
- Facilitate opportunities for new residential land release in Seymour following construction of a levee bank.
- Secure funding to build a levee bank in Seymour in order to facilitate future residential and commercial growth and investment in the township.

Natural resource management

- Protect and conserve the significant natural and built features within and around Seymour, including the Mangalore Flora Reserve and Bushland Park, Seymour Golf Course grass trees, the Hughes Creek, the Trawool Valley, the Seymour billabongs, geodetic cones and numerous foothills, ranges and forested areas.
- Develop links between the natural environment and tourism opportunities particularly corridors.
- Discourage inappropriate development on the floodplain, allowing better drainage of existing table drains in outer areas of the town and adequately disposing of drainage created by urbanisation to avoid impacting downstream flooding.

Built environment and heritage

- Preserve the built heritage throughout Seymour including the social and cultural heritage associated with the Australian Army, in particular, Site 17 and New Crossing Place.
- Create a heritage theme for the important historical relationship with the railway and its service, and provide a central focus for the community as a social and cultural development initiative.
- Ensure that the subdivision of rural land takes into account the conservation values of adjacent roadsides and remnant vegetation.
- Establish programs to better market and promote local attractions and activities, including the availability of services.
- Encourage high standards of urban design and architecture in the development of new buildings.

**Economic development**
- Promote and strengthen Seymour as a regional centre.
- Develop and encourage the existing horse and dog racing activities.
- Encourage existing industries within the area such as timber processing, concrete product manufacture and the abattoirs.
- Encourage the development of tourist related industry (services such as motels, gift shops, local craft stores) to further support the existing and potential tourist attractions.
- Support and encourage initiatives that enhance the range of attractions based on the rail heritage, wineries, the natural attractions such as the Tallarook Ranges and bushland parks, the variety of heritage buildings and sites, Puckapunyal and the Goulburn River and its surrounds.
- Support home based occupations as an alternative employment sector, particularly in the low density and rural residential areas.
- Support businesses that complement the existing industrial and manufacturing base.
- Encourage and promote future industrial and manufacturing business to locate in Seymour.
- Strengthen Seymour’s position as a preferred location for industrial enterprises based on the availability of infrastructure, work forces and transportation.
- Prepare strategies and funding programs for the long term planning of the Seymour urban area, addressing issues such as town centre re-development, infrastructure, traffic management, urban design, flooding, railway crossing and residential area redevelopment strategies.

**Transport**
- Improve the connectivity of the railway station with the community.
**Tallarook**

Tallarook has an estimated population of about 300 persons and is located at the base of the Tallarook State Forest. It has a monthly Farmers Market which attracts people to the town and an active arts community based at the historic Mechanics Institute hall. Tallarook is the starting point for the Goulburn River High Country Rail Trail.

**Settlement**

- Ensure infill residential development on vacant land only occurs where it can be serviced by efficient disposal methods which can contain all sullage within the site.

**Environmental and landscape values**

- Protect the strong environmental and landscape setting of the town.

**Built environment and heritage**

- Protect the historical character and cultural setting of the town.

**Infrastructure**


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**Tooborac**

Tooborac has an estimated population of about 270 persons and is a small town located on the Northern Highway. The town’s main attractions are its rocky outcrops, the Shelmerdine Winery, Tooborac Hotel and Brewery.

Tooborac is located in the north west corner of the municipality and comprises 144 homes, a hotel, general store, school and football clubrooms. There were no applications for installation of new septic systems in the five years 2007-11 and the Shire believes that there is limited potential for growth in the future. The town is surrounded by agricultural land used predominantly for sheep and cattle grazing.

**Settlement**

- Ensure infill residential development on vacant land only occurs where it can be serviced by efficient disposal methods which can contain all sullage within the site.

- Protect the strong environmental and landscape setting of the town.

**Built environment and heritage**

- Protect the historical character and cultural setting.

**Infrastructure**


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**Wallan**

Wallan is located within the Urban Growth Boundary and has an estimated population of about 10,000 persons. State government projections anticipate that the population will increase to 50,000 persons over the coming decades.

Wallan is located to the south as a gateway to the Mitchell Shire where the Northern Highway meets the Hume Freeway and is a potential gateway to the region encapsulated by the new Goulburn River Valley Tourism (Shepparton, Strathbogie, Murrindindi and Mitchell) initiative.
Wallan has developed into a fully serviced activity centre and continues to grow year-on-year. Greatly inspired by its rural hinterland and heritage, Wallan is a prosperous community, recreation, business and economic centre. Wallan is a well-connected place where commuter services and integrated “rural-meets-city” landscaping styles connect Wallan equally to the CBD and Mitchell’s rural settlements.

**Reinforce Wallan’s Country Town Character**

- Reinforce visual and physical connections to Wallan’s surrounding landscape setting.
- Embrace the existing topography, heritage and natural elements of the site, and integrate these features into the development of Wallan to create a sense of place that is authentic and distinct.
- Provide a strong sense of arrival into Wallan along key entry roads.
- Ensure that if future duplication of the Northern highway is required that it enhances the entry into Wallan.
- Enhance the view of Wallan from the Hume Freeway.
- Conserve and celebrate existing heritage places within Wallan.
- Support the precinct structure planning process in assessing Aboriginal heritage in future greenfield housing areas.

**Provide sustainable growth and housing for all**

- Provide a diversity of lot sizes throughout Wallan to create a range of housing, lifestyle and affordability choices.
- Ensure new residential communities are designed to respond to the natural environment and landscape setting.
- Support residential development in close proximity to shops, services, open space and public transport.
- Encourage infill development within established residential areas.
- Support residential development that provides a variety of lot sizes.
- Support the conversion of inadequately serviced low density residential areas to residential development densities where urban services are provided and the development is linked to the formation of the town centre.
- Consider the rezoning of Future Investigation Areas identified on the town structure plan from rural to residential or low density residential when existing residential zoned land will provide for less than 15 years projected demand.
- Build the community into the physical form and function of a town rather than as a scattered residential area.
- Limit the extent of rural residential development with the introduction of defined rural residential development boundaries.
- Provide for a wide range of community facilities and services, education services and health services to meet the varying needs of local residents.
- Include co-located services and facilities at the ‘heart’ of the town centre, to complement retail, commercial and public transport activities.
- Ensure social and community infrastructure is easily accessed from walking and cycling paths, as well as public and private transport.
- Provide for the coordinated provision of services and drainage infrastructure across Wallan.
- Provide for an integrated water management system that provides for the treatment and conservation of water and enhances the environmental and recreational qualities of Wallan.
- Minimise the visual and amenity impacts of service infrastructure.

**Create opportunities for local employment**
- Provide significant and diverse employment opportunities that meet the needs of the local and regional communities.
- Strengthen the local and regional economy by creating opportunities for new businesses to locate in Wallan.
- Enhance the existing industrial area in Wallan to develop it as an attractive destination for businesses and workers.
- Plan for the Beveridge Interstate Freight Terminal (BIFT) as a longer term freight terminal.
- Support and promote logistics based industry east of the rail line.
- Manage the land use interface at the BIFT to avoid land use conflict due to incompatible or sensitive land uses.
- Ensure good accessibility to and within the BIFT for freight vehicles and by public transport, cycling and walking.
- Ensure the BIFT is designed to respond to the environmental and recreational qualities of the Merri Creek corridor.
- Ensure flooding is adequately mitigated and stormwater is treated.

**Create thriving, active and complementary local centres**
- Increase the mix and intensity of land uses in the Wallan town centre to support future populations and service surrounding regional towns.
- Develop strategically located local centres that are highly accessible and provide a mix of uses to support the daily needs of residents.
- Create new local centres which respond to the natural features of the site.
- Ensure local centres provide a high level of street based retail activity.
- Allow restricted retail uses to be developed to enhance the southern entry into Wallan.

**Ensure people can move easily and safely throughout Wallan**
- Promote pedestrian and cyclist priority across Wallan.
- Create a network of footpaths and off road trails that connects homes to existing and future neighbourhood centres, community hubs and public open spaces.
- Improve the existing footpath network across Wallan with a focus on key streets that provide access into the town centre.
- Encourage shading along shared trails, pedestrian links and streetscapes through tree planting or other means.
- Provide for improved aged and disability access.
- Improve public transport frequency, integrating comfort and amenity in order to promote public transport as a desirable transport alternative.
- Ensure that 95% of all households within Wallan are located within 400 metres of a future bus stop.
- Improve linkages between residential area and the station.
- Create a street network that provides for safe and efficient access between residential neighbourhoods, the town centre and other key destinations in Wallan.
- Focus major traffic movements onto arterial roads and reduce through traffic on local streets.
- Ensure the Northern Highway responds to its town centre context and provides for a high level of pedestrian and cyclists priority.
- Encourage active and sustainable transport modes i.e. walking, cycling across Wallan to reduce the use of private vehicles on existing and future streets.

**Enhance Wallan's open space and environmental networks**
- Develop an integrated open space system that enhances Wallan’s landscape and environmental qualities and defines its urban structure.
- Protect and enhance areas of significant biodiversity and landscape values.
- Enhance creeks, wetlands and waterways as recreational and environmental corridors across Wallan.
- Create a network of reserves and linear parks to enable people to enjoy and experience the natural, environmental qualities of Wallan whilst being within easy reach of all residents.
- Enhance Hadfield Park, Green Hill (volcanic cone) and Green Hill Reserve as iconic open space destinations in Wallan.
- Ensure future parks are connected with trails and integrated with community hubs and retail centres.
- Provide leisure facilities and sports reserves to meet the future needs of the Wallan community, and encourage active and healthy lifestyles.
- Ensure that leisure facilities and sports reserves are integrated with the open space network and easily accessed by residents and visitors.
- Investigate the possibility of incorporating Hernes Swap as part of a regional park.

**Encourage a healthy mix of land uses that foster prosperity and activity**
- Provide a stronger diversity of land uses that activate the streets through day and night.
- Encourage additional housing and offices within the town centre.
- Support public realm improvements across the town centre in order to attract public and private investment.
- Provide for a highly walkable primary retail area within the town centre on the west side of the Northern Highway.
- Provide for a greater intensity of land use and built form in the town centre periphery areas.
- Ensure sufficient retail and commercial land is provided within the town centre to cater for a population of up to 50,000 people.

**Make the Northern Highway a great ‘country town’ main street**
- Enhance the Northern Highway as an iconic ‘country town’ main street that provides clear priority for people whilst maintaining an important traffic function.
- Ensure future duplication, if required, enhances the function of businesses, open space and schools.
- Improve east-west pedestrian connections across the Northern Highway and north-south pedestrian connections across intersecting side streets.
- Retain and protect the Avenue of Honour in future duplication plans.

**Transform Wallan’s shopping strip into a vibrant and engaging public space**
- Create a highly active and people focused main shopping precinct along the Northern Highway and Queen Street.
- Promote pedestrian and cyclist priority across the town centre.
- Provide for efficient, safe and logical vehicle access and car parking arrangements.

**Encourage a town structure that supports potential change and redevelopment**
- Develop a secondary vehicle circulation network around the town centre that reduces local vehicle movements on the Northern Highway.
- Provide convenient and safe access to car park areas from secondary streets.
- Ensure car parks and vehicle access ways contribute positively to the character of the town centre.
- Support the redevelopment of underutilised sites across the town centre for more intensive uses.

**Develop a great modern Victorian ‘country town’**
- Promote excellence in architectural quality and design across the town centre, defining a contemporary and existing identity for Wallan.
- Create a stronger presence of built form and activity to streets in the town centre.
- Ensure buildings are designed to enhance the adjoining public realm and the experience of people.

**Promote civic pride in the town centre**
- Provide public spaces, community facilities and events that promote civic pride in the town centre.

**Make Hadfield Park an iconic open space**
- Strengthens Hadfield Park’s role as Wallan’s premier civic park with improved ease of access, better connections within the park, and enhanced landscaping and facilities.
- Enhance Wallan Creek to provide a greater landscape and environmental function.
- Ensure buildings provide a stronger contribution to the park.
- Minimise the impact of car parking and vehicle access across the park.
- Enhance Hadfield Park as a location for events.
Wandong-Heathcote Junction

Wandong-Heathcote Junction has an estimated population in excess of 3,800 persons and is approximately 70km from Melbourne’s CBD. Wandong-Heathcote Junction is a unique settlement that enjoys a low-density and rural living lifestyle within a high quality landscape setting.

Wandong-Heathcote Junction has modest growth capacity due to the significant topography, agricultural lands and surrounding bushland which define the northern, eastern and southern edges of the townships and the Hume Freeway to the west. Future development of Wandong-Heathcote Junction will preserve the high environmental, heritage and landscape qualities of the area and reinforce Wandong-Heathcote Junction’s character and identity as a rural lifestyle township.

Settlement

- Ensure that any proposed use or development within Wandong-Heathcote Junction is generally consistent with the Wandong-Heathcote Junction Structure Plan, August 2016.
- Recognise that Wandong-Heathcote Junction has modest growth opportunities due to environmental constraints, the Hume Freeway and the desire to protect and enhance the preferred neighbourhood character, environmental heritage and landscape qualities.
- Avoid further rezoning of land that would enable residential subdivision and development outside of the Wandong-Heathcote Junction township boundary.
- Limit new development and subdivision in areas subject to high risk of bushfire.
- Minimise the impact of development on existing landscape values by protecting existing ridgelines and hilltops.
- Avoid new development and subdivision in areas subject to high risk of bushfire.

Built environment

- Support development that demonstrates a high quality architectural and landscape presence to the street, that integrates with surrounding development and is respectful to existing heritage and character.
- Ensure development has regard to the prevailing built form elements such as setbacks and site coverage with the surrounding neighbourhood character.
- Encourage new buildings to be contemporary in design and have a high degree of facade articulation and sustainable building elements such as eaves.
- Ensure new development sensitively responds to, protects and enhances heritage sites, buildings and built form elements, such as streetscapes and has regard to the Wandong-Heathcote Junction Neighbourhood Character Assessment, July 2017.
- Ensure new development incorporates and protects natural features such as topography, viewlines, remnant vegetation, roadside vegetation and watercourses.
- Support the retention and enhancement of natural waterways for drainage and environmental value and balance with the role of waterways for their important recreational and open space function for residents.

Natural environment and open space strategies

- Support development of surrounding open space that contributes to the activation and amenity of existing open space reserves, including linear spaces.
- Support open space connections along the former Heathcote Junction – Bendigo railway line and along the gas pipeline as part of a continuous green open space connecting neighbourhoods, LB Daven Reserve and other activity nodes.
- Support opportunities to allow for public pedestrian access along sections of Merri Creek, Dry Creek and other tributaries that are in private ownership and provide opportunities to link with the broader trail network through the towns.

**Road and pedestrian network**

- Ensure new development provides a connected network of streets and roads that provides linkages to adjoining neighbourhoods where possible.
- Strengthen connections to and from neighbourhoods to railway stations.
- Ensure that new subdivision design has a compact street and block pattern and has more than one point of access-egress, particularly for bushfire safety.
- Support creation of a network of footpaths and shared off road trails between the neighbourhoods, the town centre, community hubs such as the school, recreation facilities and public open spaces identified in the Structure Plan.

**Town Centre**

- Support the development of an integrated, connected and diverse town centre focused around Epping-Kilmore Road and the Wandong Railway Station, comprising a range of commercial, employment and community uses.
- Encourage development of a mix of commercial, small scale retail, community and shop top dwellings.
- Encourage tourism services within the town centre.
- Facilitate development of commercial sites on the periphery of the town centre in a manner complimentary to the core function of the town centre. This may include consideration of alternative zoning of vacant sites.
- Support development in the town centre that presents a strong built form interface to Epping-Kilmore Road.
- Avoid carpark dominant frontages in new development along Epping-Kilmore Road.
Waterford Park

Settlement

- No further residential development is to be permitted without an effective effluent disposal system.
- Encourage restructuring of lots which cannot contain effluent disposal on site.

Environmental and landscape values

- Retain the strong environmental and landscape setting of the settlement.

Infrastructure

- Discourage further residential subdivision unless the development demonstrates an efficient whole of settlement effluent disposal system which contains all sullage to meet the strategies and management recommendations outlined in the Mitchell Shire Domestic Wastewater Management Plan Final Report, RMCG, November 2006.
- Discourage additional residential development unless effluent disposal systems are provided to meet the strategies and management recommendations outlined in the Mitchell Shire Domestic Wastewater Management Plan Final Report, RMCG, November 2006.
IMPLEMENTATION

Application of zones, overlays and local planning policy

Zones
The objectives, strategies and policy guidelines in the Planning Scheme are implemented through the application of the following zones.

- A range of zones has been applied in the major towns of Seymour, Kilmore, Broadford, Wandong-Heathcote Junction and Wallan including the General Residential Zone, Neighbourhood Residential Zone, Low Density Residential Zone, Rural Living Zone, Mixed Use Zone, Industrial 1 and 3 Zones and Commercial 1 and 2 Zones.

- The Township Zone has been applied to the smaller townships.

- The Farming Zone has been applied with a minimum lot size linked to the land capability of areas – generally 80ha minimum lot size in the former Seymour Shire area, 20 ha in the Davidson Street area of Broadford and 40ha in all remaining areas.

- The Special Use Zone has been applied to operating extractive industries.

- The Comprehensive Development Zone has been applied to the residential development area west of Beveridge and over the Hidden Valley residential area north of Wallan.

Overlays
The objectives, strategies and policy guidelines in the Planning Scheme are implemented through the application of the following overlays.

- The Environmental Significance Overlay has been applied to:
  - Declared catchment of Lake Eppalock.
  - Major watercourses.
  - The Sunday Creek declared catchment.
  - Mt Piper and surrounds.

- The Vegetation Protection Overlay has been applied to:
  - Major roadside vegetation corridors.
  - Major freeway vegetation corridors.

- The Significant Landscape Overlay has been applied to:
  - Monument Hill.
  - Tallarook Ranges.
  - Mt Disappointment.

- The Development Plan Overlay has been applied to Kilmore’s residential growth areas and key infill development sites across the municipality.

- The Design Development Overlay has been applied to Kilmore’s town centre and gateway precincts, Wandong Village and equine lifestyle areas within Kilmore and Seymour.

- The Heritage Overlay has been applied to heritage places including a number of heritage precincts.

- The Erosion Management Overlay has been applied to extensive areas based on the Centre for Land Protection Research (CLPR) land capability mapping.
The Salinity Management Overlay has been applied to extensive areas based on the CLPR land capability mapping.

The Flooding Overlay has been applied to areas identified as subject to flooding.

**Local Planning Policy**

The objectives, strategies and policy guidelines in the Planning Scheme will be implemented through the application of the following local planning policy.

- Clause 22.01 (Gaming) seeks to protect the community from the adverse effects of gaming machines by ensuring they are located only where there will be a net community benefit.

**Further work**

Council will undertake or participate in the following further work to implement the objectives, strategies and policy guidelines in the Planning Scheme.

**Strategic Planning Projects**

Undertake the following strategic planning projects:

- Prepare a Rural Areas Strategy.
- Prepare a new Seymour Structure Plan.
- Prepare a new Broadford Structure Plan.
- Prepare a Small Town/Settlement Strategy (Pyalong, Tallarook, Tooborac, Reedy Creek, Clonbinane, and Sunday Creek).
- Investigate potential open space and land use strategies for the Beveridge West hills having regard to the outcomes of the Precinct Structure Planning process for Beveridge.
- Undertake the Priority Projects listed in the Wallan Structure Plan 2015.
- Review the open space structure of Kilmore.
- Prepare a heritage gap study for Kilmore.

**Zones**

Undertake the following zoning actions:

- Investigate the application of Public Park and Recreation Zone to publicly owned open space areas including the network of rail trails in the Shire.

**Overlays**

Undertake the following overlay actions:

- Modify the Environmental Significance Overlay 2 maps to extend to all of the Lake Eppalock Special Water Supply Catchment Areas.
- Modify the Environmental Significance Overlay 3 maps to extend to 50m for all waterways (100m in Special Water Supply Catchment Areas).
- Modify Environmental Significance Overlay Schedules 2 and 3 to:
  - Emphasise the protection of waterways;
  - Include decision guidelines; and
  - Exempt out unnecessary referrals and exemptions.
• Investigate and apply a Vegetation Protection Overlay (or Environmental Significance Overlay) to environmentally sensitive areas identified.

• Investigate and apply a Significant Landscape Overlay to prominent hilltop, ridgeline and other visually sensitive areas.

• Apply the Heritage Overlay to sites and areas of identified heritage significance.

• Review the need for Development Plan Overlay Schedule 1 given that parts of this area has been extensively developed.

• Identify potential sites for the application of the Environmental Audit Overlay in consultation with EPA.

• Review the application of the existing Restructure Overlay and remove it from areas that do not have a Restructure Plan.

• Consider the application of the Restructure Overlay (with Plan) to encourage the consolidation of groupings of small lots in rural areas including those with reticulated sewerage.

• Review all Bushfire Management Overlay mapping in consultation with the CFA every three years.

• Investigate biodiversity and vegetation values on the western slopes of Wallan and apply appropriate overlays for its protection, if appropriate.

**Referral of Permit Applications**

Undertake the following actions in relation to the referral of permit applications:

• Review the agreement between Council and Department of Environment, Land, Water and Planning relating to the referral of applications under the Salinity Management Overlay, Significant Landscape Overlay and Erosion Management Overlay and consider whether to extend it to other relevant agencies.

• Investigate the use of agreements to either exempt permits or referrals in overlay schedules.

**Other actions**

**Settlement**

• Participate in the preparation of the Growth Area Framework Plan and the suite of Precinct Structure Plans for that part of the northern growth corridor.

• Develop and implement marketing strategies, structure plans and urban design frameworks for Mitchell’s activity centres and industry hubs.

• Implement or support the Key Directions and Strategies recommended in the *Wallan Structure Plan, December 2015*.

• Manage and plan for the growth of Wallan in accordance with the Indicative Staging Plan (Figure 5) within Part D of the *Wallan Structure Plan, December 2015*.

• Implement or support the Key Objectives and Strategies recommended in the *Kilmore Structure Plan, August 2016*.

• Manage and plan for the growth of Kilmore in accordance with Section 4 of the *Kilmore Structure Plan, August 2016*.

**Environmental risks**

• Identify and document remnant vegetation, biodiversity assets and wildlife corridors.

• Investigate measures for the protection of Hernes Swamp and environs.

• Seek opportunities to secure alternate renewable sources of energy that enhance sustainability and reduce carbon emissions.
Natural resource management
- Raise awareness of the need to, and methods of, minimising water use.
- Achieve the concept of ‘zero’ waste to landfill by 2015, in accordance with the Mitchell Shire Waste Management Plan.
- Review land ownership and zoning along waterways to monitor opportunities to consolidate open space corridors.
- Maintain and improve Council’s drainage infrastructure to improve the quality of water discharged into Mitchell’s creeks and rivers.

Built environment and heritage
- Develop a Design Awards scheme to promote high quality architectural design.

Economic development
- Advocate for the identification and development of major, strategically located commercial and industry hubs in the Municipality to increase access to local employment.
- Encourage the growth of tertiary education opportunities in the major centres of the Shire.
- Investigate ways of ensuring that a greater supply of affordable office accommodation is provided across the Shire through attracting decentralised government offices to establish in key centres such as Wallan and Seymour.
- Support regional initiatives to develop the equine industry (horse racing, training, events etc) including support for the installation of a synthetic track at Kilmore.
- Work with the State Motorcycle Centre and local industry to assist in facilitating the development of an automotive testing/research cluster at this location.
- Assist business operators looking to expand existing facilities, or those looking to relocate to the Shire.
- Plan and coordinate existing retail and commercial areas of the towns in the Shire to reduce escape expenditure and generate greater self sufficiency.

Transport
- Develop a Transport Plan for the Shire identifying transport corridors and traffic issues.
- In conjunction with State Government, transport providers and other agencies, examine ways in which public transport links between townships might be enhanced.

Infrastructure
- Provide an effective voice for the Shire in discussions with State and Federal Governments, agencies, private sector and other stakeholders so as to ensure appropriate funding, infrastructure and services are delivered for Mitchell residents and businesses.

Reference documents

Settlement
- Mitchell 2020 Community Plan
- Ten Major Challenges and Vision, 2011
- Council Plan 2009-2013 (Update)
- Hadfield Park Development Plan, 2010
- Mitchell Shire Municipal Health Plan
- Health and Wellbeing Plan 2009-2013
- King and Queen Streets (Wallan) Structure Plan, 2014
- Mitchell Shire Open Space Strategy, 2013-2023
- Wallan Structure Plan, December 2015
- Wandong-Heathcote Junction Structure Plan, August 2016
- Wandong-Heathcote Junction Neighbourhood Character Assessment, July 2017
- Kilmore Structure Plan, August 2016
- Kilmore East Planning Controls Review, June 2017
- Kilmore Town Centre Revitalisation, August 2016

Environmental risks
- Planning Conditions and Guidelines for Subdivisions, Country Fire Authority, 1991
- Code of Practice for Fire Management on Public Land, Department of Conservation and Natural Resources, 1995
- Design and Siting Guidelines: Bushfire Protection for Rural Houses, Country Fire Authority and Ministry for Planning and Environment, 1990
- Building in Bushfire-Prone Areas, CSIRO and Standards Australia (SAA HB36-1993), May 1993
- Merri Creek and Environs Strategy 2009
- Taylors Creek Strategic Plan 2010
- Municipal Fire Prevention Plan, Mitchell Shire Council

Natural resource management

Built environment and heritage
- Heritage Assessment of Victorian Railway Institute Building, Seymour, 2001, Lorraine Huddle, Heritage Advisor, Mitchell Shire Council
- Kilmore Heritage Study, 1982, Planning Collaborative
- Planting guidelines for new estates in the Mitchell Shire, Mitchell Shire Council
- Heritage Citation Report – HO110 Kilmore Railway Station Complex
- Mitchell Shire Stage Two Heritage Study Volumes 1-5, Lorraine Huddle Pty Ltd, 2006
- Mitchell Shire Stage 2 Heritage Study Review, Context Pty Ltd, 12 March 2013
- Mitchell Shire Review of Individual Places 2013, Context Pty Ltd
- The Heritage Overlay: Guidelines for Assessing Planning Permit Applications (Public Draft February 2007)
Economic development

- Mitchell Shire Economic Development Planning and Tourism Strategy, Essential Economics, 2010,
- Mitchell Shire Tourism Strategy 2010-2015

Infrastructure

- Kilmore Infrastructure Framework, August 2017
- Mitchell Shire Domestic Wastewater Management Plan Final Report, RMCG 2006
GAMING

This policy applies to all planning permit applications to install or use a gaming machine, or use land for the purpose of gaming.

Policy basis

This policy implements the objectives of Clause 21.05-2 of the Municipal Strategic Statement by setting out how and where gaming venues should be located.

Clause 52.28 of this planning scheme requires a permit to install or use a gaming machine. This policy will guide decision making by implementing the findings of the Mitchell Shire Gaming Policy Framework, October 2007.

It is important to ensure that gaming machines are located in areas that are accessible but not convenient taking into account local characteristics which make a community more vulnerable to the negative effects of gaming.

Objectives

To discourage new gaming machines in disadvantaged areas as defined by the SEIFA (Social-Economics Indexes for Areas) index of relative disadvantage.

To ensure the location of gaming machines and design and operation of facilities containing gaming machines minimise opportunities for convenience gaming and the incidence of problem gambling.

To ensure that gaming machines are located where the community, has a choice of non-gaming entertainment and recreational activities within the venue and in the local area.

To protect the amenity of areas surrounding gaming venues.

Policy

It is policy that proposals for gaming machines are assessed against the following criteria:

Appropriate Areas

Gaming machines should not be located in areas defined by the SEIFA index of relative disadvantage as indicated in the reference document Mitchell Shire Gaming Framework, October 2007.

Gaming machines should not be located:

- In towns of relative socio-economic disadvantage in comparison to the Victorian average, as defined by the SEIFA index of relative disadvantage and shown on Map 1 of this policy.
- In a town where there are no alternative hotels or clubs without gaming in the town.
- In small settlements which predominantly service a local population catchment and have limited growth potential.

Gaming machines should be located:

- In towns which function as a major urban settlement servicing a large population catchment within the hierarchy of towns in the Mitchell Shire and are not relatively disadvantaged, as shown on the map attached to this policy.
- Where they will contribute to the redistribution of gaming machines away from areas of low relative socio-economic population in comparison to the Victorian average, as defined by the SEIFA index of relative disadvantage.
- In towns which can accommodate additional gaming due to:
choice of alternative non-gaming entertainment and recreation facilities being available in that town including hotels, clubs, cinemas, restaurants, bars and indoor recreation facilities operating at the same time and;

- there being limited existing gaming opportunities for residents, as evidenced by a total density of gaming machines in that township which is less than the regional Victorian average and;

- identified future residential growth capacity as set out in the map attached to this policy.

- Proximate to town centres, or in areas suitable for non-residential uses which are accessible by a variety of transport modes.

- At a sports or recreation club with a land holding of more than 2 hectares.

- Ensure that gaming machines are established in venues which:
  - Have a range of entertainment and leisure options;
  - Offer social and recreational opportunities other than gaming as the primary purpose of the venue;
  - Do not allow for the operation of gaming machines when alternative entertainment is not available;
  - Do not allow for gaming machines to operate for more than 14 hours a day.

**Appropriate sites**

Gaming machines should be located on sites:

- Towards the periphery of a town centre.

- Where the location could reasonably be perceived as a destination in its own right. This would be achieved by a separation from shopping centres, railway stations and community facilities involving a high concentration of people undertaking daily activities.

- Where a gaming venue and associated uses will be compatible with the predominant surrounding land uses by ensuring that the proposed design, location and operating hours do not detrimentally affect the amenity of the surrounding area.

**Appropriate venues**

Gaming machines should not be located in venues:

- Where they are convenient to shopping centres, railway stations or major community facilities.

- In the core of town centres.

- That have 24 hour a day operation, or have a gaming floor area of more than 25 per cent of the total floor area of the venue.

- Where the gaming or any associated use will detrimentally affect the amenity of the surrounding area by way of design, location or operating hours.

**Application requirements**

All applications must include the following information:

- Details about the existing distribution and any proposed reallocation of gaming machines in the municipality and the proposal’s expected impact on patronage.
- A Social and Economic Assessment prepared by a suitably qualified person that provides an assessment of the social, environmental and economic benefits and dis-benefits of the proposed gaming machines and associated facilities, including details of forecast gaming expenditure at the venue, what community benefits are expected from the proposal and how those benefits will be distributed to the community.

- Details of the relative socio-economic disadvantage of the local town and the broader catchment of the venue in comparison to the regional Victorian average as defined in the SEIFA index of relative disadvantage.

- A venue management plan identifying strategies to manage patron behaviour and minimise problem gambling in relation to the design and management of the venue, including the applicant’s responsible gaming practices.

- Details of the design and layout of the premises including all current and proposed signage and evidence of compliance with the relevant gaming regulations for premises layout and design.

- Details of what gaming and non-gaming entertainment and recreation venues exist within 5km of the venue.

- Details of the distance to shopping complexes and strip shopping centres, community facilities and public transport, and pedestrian counts outside the proposed venue.

Decision guidelines

Before deciding on an application the responsible authority must consider, as appropriate:

- Whether there is a net community benefit to be derived from the application.

- Whether the net economic and social impact of approval is likely to increase the social disadvantage of an area of the Shire of Mitchell.

- Whether the location of the gaming machines or gaming premises will facilitate or discourage convenience gaming.

- Whether the venue, if located in an urban centre, is accessible by a variety of transport modes.

- Whether residents will have a choice of gaming and non-gaming entertainment and recreation venues in the local area.

- The impact of the proposal on the amenity of the area.

Reference

Mitchell Shire Gaming Policy Framework 2007, Coomes Consulting Group
HERITAGE POLICY

This policy applies to all applications within the Heritage Overlay.

Policy basis

This policy applies the State Planning Policy Framework provisions at Clause 15 (Built Environment and Heritage) to local circumstances and builds on the local objectives and strategies identified at Clause 21.06-3 (Heritage). The Municipal Strategic Statement identifies the protection of places of cultural heritage significance and supports the conservation of those places threatened by development or neglect as a key objective. The Municipal Strategic Statement also identifies the need for the Shire’s cultural heritage assets to be conserved and enhanced.

A number of heritage studies have assessed individual sites and precincts across the municipality. For most heritage places a Statement of Significance has been prepared which describes importance of the place.

Policy Objectives

- To conserve and enhance buildings, features and precincts that help to convey how the Shire of Mitchell originated and developed over time.
- To ensure development, including alterations and additions to existing buildings, maintains the significance of the heritage place and integrates with the surrounding heritage buildings and streetscape.
- To ensure that the significance of heritage places is not diminished by the loss of any fabric, which contributes to the significance of the heritage place or precinct or by inappropriate new development.
- To ensure that new development is not a visually intrusive or dominant element and is readily distinguishable from the original fabric.
- To maintain views to heritage places from the public realm.

Policy

When considering applications under the Heritage Overlay, it is policy that:

Statements of Significance

Applications will be considered in accordance with the Statements of Significance for the Heritage Places listed in the Mitchell Shire Heritage Study 2006, Mitchell Shire Heritage Study Amendment C56 - Heritage Citations April 2014, Kilmore Heritage Study 1982 and Wandong & Heathcote Junction Heritage Gap Study 2016.

Demolition

- Discourage the demolition of a significant or contributory heritage building unless the building is structurally unsound.
- Ensure that demolition of non-contributory elements takes account of nearby contributory or significant heritage places.
- Discourage the demolition of original chimneys, verandahs, shopfronts, fences and other elements that contribute to the significance of the heritage place.
- Ensure all applications for the total demolition of a heritage place are accompanied by an application for new development.
- Prior to the commencement of permitted demolition of a significant building/feature, a Heritage Archival Report is to be provided to Mitchell Shire Council and any relevant local historical interest group.
Alterations and Additions

- Encourage alterations and additions to respect the external form, bulk, scale, massing, setbacks, finishes and materials of the heritage place or nearby heritage buildings.
- Discourage alterations and additions that copy historical styles or detailing of the heritage building.
- Encourage ancillary services and equipment (such as satellite dishes, aerials, shade canopies, solar panels, rainwater tanks or similar structures) to be concealed from view from the public realm or be sensitively integrated into the design of any alteration or additions.
- Discourage additions that would be visible from the public realm unless it can be demonstrated that it does not negatively impact upon any heritage place.
- Ensure that alterations and additions to existing buildings do not obscure views of the principal façade(s) of surrounding heritage buildings.
- Ensure upper level additions to significant or contributory buildings are located to the rear of the building and retain the building’s original roof form and maintain the visual dominance of the original building.
- Discourage new front fences that would obstruct views to a heritage place from the public realm.
- Encourage alterations to existing contributory or significant verandahs and shopfronts to be consistent with the character of the heritage place.

New Buildings

- Encourage new development to be visually recessive and compatible in terms of its scale, siting, design, form and materials with the historic character and significance of the heritage place.
- Support the replacement of non-contributory buildings with new development that responds to the historic context provided by any nearby heritage place.
- Encourage new buildings to be of high quality design that is complementary in form, siting, spacing, roof form, scale/height, proportions and materials to the heritage place.
- Discourage new buildings that copy historical styles or detailing.
- Encourage any new buildings within residential heritage precincts to:
  - Not exceed the building height of an adjoining individually significant or contributory heritage place.
  - Have the same front and side setbacks as an adjoining individually significant or contributory heritage place facing the same street.

Subdivision

- Encourage any subdivision to maintain the significant or contributory elements associated with a heritage place on a single lot.
- Ensure that the subdivision layout maintains the setting of the heritage place, including the retention of any original garden areas and other features where these contribute to the significance of the heritage place.

Advertising signs

- Encourage advertising signs to adopt traditional locations on heritage buildings.
- Discourage above verandah, sky, animated, reflective and electronic advertising sign.
Vehicle accommodation

- Ensure car parking facilities are located to the side or rear of properties and do not dominate heritage places.
- Ensure carports and garages are setback at least 500mm behind the principal façade of a building.
- Discourage parking facilities being constructed in front of heritage buildings.

Application requirements

An application should be accompanied by the following information, as appropriate. This information may not be required for minor applications as determined by the responsible authority:

- A written assessment detailing the proposal and how it addresses this policy.
- A report prepared by a suitably qualified heritage consultant which assesses the impact of the proposal on the heritage values of the place.
- All applications for the total demolition of a significant or contributory heritage place are to be accompanied by a report from a suitably qualified and experienced structural engineer that outlines the structural condition of the building.

Decision Guidelines

Before deciding on an application the responsible authority must consider, as appropriate:

- The Statement of Significance for those heritage places as contained in the Mitchell Shire Heritage Study Amendment C56 - Heritage Citations, April 2014 and the Kilmore Heritage Study 1982.
- Whether the application has responded to the relevant design suggestions in The Heritage Overlay: Guidelines for Assessing Planning Permit Applications.

In deciding any application, the responsible authority will disregard non-contributory buildings and works when determining the appropriate siting, massing and scale of new buildings or extensions to existing buildings in a Heritage Overlay.

Policy Definitions

The terms used in this policy are consistent with those defined by the Burra Charter. For the purposes of this policy, the following heritage place definitions apply:

- **Heritage Place**: A building (e.g., house, shop, factory etc.), precinct (group of buildings or sites), structure (e.g., memorial, bridge or tram poles), features (e.g., mine shafts and mullock heaps, street gutters and paving), private garden or public park, single tree or group of trees such as an avenue, landscape, geological formation, fossil site, or habitat or other place of natural or cultural heritage significance and its associated land.

- **Significant place**: A place (e.g., a building, structures, tree etc.) that has cultural heritage significance independent of its context. Significant places may also make a contribution to the significance of an area or precinct.

- **Contributory place**: A place or feature (e.g., buildings, structures, trees etc.) that contributes to the significance of an area or precinct.

- **Non-contributory place**: A place or feature (e.g., buildings, structures, trees etc.) that do not make a contribution to the significance of a Heritage Place. In some instances, a Significant place may be considered Non-contributory within a precinct. For example, an important Modernist house within a Victorian era precinct.

Policy References

Kilmore Heritage Study, 1982 Planning Collaborative
Mitchell Shire Heritage Study Volumes 1-5, Lorraine Huddle Pty Ltd, 2006

Mitchell Shire Heritage Amendment Review of Heritage Precincts, Context Pty Ltd, 13 December 2012

Mitchell Shire Review of Individual Places 2013, Context Pty Ltd

The Heritage Overlay: Guidelines for Assessing Planning Permit Applications (Public Draft February 2007)

Wandong & Heathcote Junction Heritage Gap Study 2016, David Helms Heritage Planning
RELATIONSHIP TO THE PLANNING POLICY FRAMEWORK

Clauses 21 and 22 of this planning scheme (the Local Planning Policy Framework) form part of the Planning Policy Framework. Where a provision of this planning scheme requires consideration of the Planning Policy Framework, that consideration must include Clauses 21 and 22.

A reference in this planning scheme, including any incorporated document, to the:

- State Planning Policy Framework or the Local Planning Policy Framework is to be taken to be a reference to the Planning Policy Framework.
- Planning Policy Framework is to be taken to include the Local Planning Policy Framework.
OPERATION OF THE MUNICIPAL STRATEGIC STATEMENT

The Municipal Strategic Statement (MSS) is a concise statement of the key strategic planning, land use and development objectives for the municipality and the strategies and actions for achieving the objectives. It furthers the objectives of planning in Victoria to the extent that the State Planning Policy Framework is applicable to the municipality and local issues. It provides the strategic basis for the application of the zones, overlays and particular provisions in the planning scheme and decision making by the responsible authority.

The MSS provides an opportunity for an integrated approach to planning across all areas of council and should clearly express links to the corporate plan. The MSS is dynamic and enables community involvement in its ongoing review. The MSS will be built upon as responsible authorities develop and refine their strategic directions in response to the changing needs of the community.

When preparing amendments to this planning scheme and before making decisions about permit applications, planning and responsible authorities must take the MSS into account.
OPERATION OF THE LOCAL PLANNING POLICIES

Local Planning Policies are tools used to implement the objectives and strategies of the Municipal Strategic Statement.

A Local Planning Policy is a policy statement of intent or expectation. It states what the responsible authority will do in specified circumstances or the responsible authority’s expectation of what should happen. A Local Planning Policy gives the responsible authority an opportunity to state its view of a planning issue and its intentions for an area. A Local Planning Policy provides guidance to decision making on a day to day basis. It can help the community to understand how the responsible authority will consider a proposal. The consistent application of policy over time should achieve a desired outcome.

When preparing amendments to this planning scheme and before making decisions about permit applications, planning and responsible authorities must take any relevant Local Planning Policy into account.
ZONES

This section sets out the zones which apply in this scheme.
LOW DENSITY RESIDENTIAL ZONE

Shown on the planning scheme map as LDRZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for low-density residential development on lots which, in the absence of reticulated sewerage, can treat and retain all wastewater.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal keeping (other than Animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>Must be the only dependent person's unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person's unit and Dwelling)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal keeping, Animal production and Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Animal boarding</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Animal keeping (other than Animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</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>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>Dwellings (other than Bed and breakfast) – if the Section 1 condition is not met</td>
<td>Must result in no more than two dwellings on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 32.03-2.</td>
</tr>
<tr>
<td>Food and drink premises (other than Convenience restaurant)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Circus and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>• Adjoin a commercial zone or industrial zone.</td>
</tr>
<tr>
<td></td>
<td>• Adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The site must not exceed either:</td>
</tr>
<tr>
<td></td>
<td>• 3000 square metres.</td>
</tr>
<tr>
<td></td>
<td>• 3600 square metres if it adjoins on two boundaries a road in a Road Zone.</td>
</tr>
<tr>
<td>Store</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>
Section 3 – Prohibited

Use

Amusement parlour
Animal production (other than Grazing animal production)
Brothel
Cinema based entertainment facility
Industry (other than Car wash)
Motor racing track
Nightclub
Office (other than Medical centre)
Retail premises (other than Convenience shop, Food and drink premises, Market and Plant nursery)
Saleyard
Stone extraction
Transport terminal
Warehouse (other than Store)

Use for one or two dwellings or a dependent person’s unit

A lot may be used for one or two dwellings provided the following requirements are met:

- Each dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

- Each dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity, to the satisfaction of the responsible authority.

- Each dwelling must be connected to a reticulated electricity supply or have an alternative energy supply to the satisfaction of the responsible authority.

These requirements also apply to a dependent person’s unit.

Subdivision

Permit requirement

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. Any area specified must be at least:

- 0.4 hectare for each lot where reticulated sewerage is not connected. If no area is specified each lot must be at least 0.4 hectare.

- 0.2 hectare for each lot with connected reticulated sewerage. If no area is specified each lot must be at least 0.2 hectare.

A permit may be granted to create lots smaller than 0.4 hectare if the subdivision:

- Excises land which is required for a road or a utility installation.

- Provides for the re-subdivision of existing lots and the number of lots is not increased.
VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>• The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>• The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>

Buildings and works

A permit is required to construct or carry out any of the following:

• A building or works associated with a use in Section 2 of Clause 32.03-1.

• An outbuilding which has dimensions greater than those specified in a schedule to this zone.

This does not apply to structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>• The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>• The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>• A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>• A11 Walls on boundaries.</td>
<td></td>
</tr>
<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.
Application requirements

Subdivision

An application must be accompanied by a site analysis, documenting the site in terms of land form, vegetation coverage and the relationship with surrounding land, and a report explaining how the proposed subdivision has responded to the site analysis. The report must:

- In the absence of reticulated sewerage, include a land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

- Show for each lot:
  - A building envelope and driveway to the envelope.
  - Existing vegetation.
  - In the absence of reticulated sewerage, an effluent disposal area.

- Show how the proposed subdivision relates to the existing or likely use and development of adjoining and nearby land.

- If a staged subdivision, show how the balance of the land may be subdivided.

Decision guidelines

General

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:


Subdivision

- The protection and enhancement of the natural environment and character of the area including the retention of vegetation and faunal habitat and the need to plant vegetation along waterways, gullies, ridgelines and property boundaries.

- The availability and provision of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.

- In the absence of reticulated sewerage:
  - The capability of the lot to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
  - The benefits of restricting the size of lots to the minimum required to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria).
  - The benefits of restricting the size of lots to generally no more than 2 hectares to enable lots to be efficiently maintained without the need for agricultural techniques and equipment.

- The relevant standards of Clauses 56.07-1 to 56.07-4.

Signs

Sign requirements are at Clause 52.05. This zone is in Category 3.
SCHEDULE TO CLAUSE 32.03 LOW DENSITY RESIDENTIAL ZONE

Shown on the planning scheme map as LDRZ.

1.0 Subdivision requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area (hectares)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land described as Lot 1 on TP122484 and Lots 1 and 2 on TP122469, Harrington Drive, Kilmore</td>
</tr>
</tbody>
</table>

2.0 Outbuilding permit requirements

**Dimensions above which a permit is required to construct an outbuilding (square metres)**

100 square metres, provided that the length or width of the outbuilding does not exceed 15 metres and the height of the outbuilding does not exceed 4 metres.
SCHEDULE 2 TO CLAUSE 32.03 LOW DENSITY RESIDENTIAL ZONE

Shown on the planning scheme map as LDRZ2.

1.0 Subdivision requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area ( hectares)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area</td>
<td>None specified</td>
</tr>
<tr>
<td>( hectares)</td>
<td>0.4 hectares</td>
</tr>
</tbody>
</table>

2.0 Outbuilding permit requirements

<table>
<thead>
<tr>
<th>Dimensions above which a permit is required to construct an outbuilding ( square metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
</tr>
</tbody>
</table>
MIXED USE ZONE

Shown on the planning scheme map as MUZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.
To provide for housing at higher densities.
To encourage development that responds to the existing or preferred neighbourhood character of the area.
To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

Objectives

A schedule to this zone may contain objectives to be achieved for the area.

Table of uses

Section 1 – Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal keeping (other than Animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Art gallery</td>
<td></td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td></td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>The leasable floor area must not exceed 150 square metres.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Museum</td>
<td></td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
<td>The leasable floor area must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
</tbody>
</table>
### Condition Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop)</td>
<td>The leasable floor area must not exceed 150 square metres.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

#### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation,</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit, Dwelling, Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal keeping, Animal production and</td>
<td></td>
</tr>
<tr>
<td>Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Animal boarding</td>
<td></td>
</tr>
<tr>
<td>Animal keeping (other than Animal boarding) – if the Section 1</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>condition is not met</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Art gallery, Carnival, Circus, Museum</td>
<td></td>
</tr>
<tr>
<td>and Place of worship</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Food and drink premises and Shop)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

#### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td></td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td></td>
</tr>
</tbody>
</table>
**Use**

Transfer station

Stone extraction

---

**Use for industry, service station and warehouse**

**Amenity of the neighbourhood**

The use of land for an industry, service station or warehouse must not adversely affect the amenity of the neighbourhood, including through:

- The transport of materials or goods to or from the land.
- The appearance of any stored materials or goods.
- Traffic generated by the use.
- Emissions from the land.

---

**Subdivision**

**Permit requirement**

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</tbody>
</table>
Subdivide land into lots each containing an existing building or car parking space where:

- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.
- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

Subdivide land into 2 lots if:

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

### Construction and extension of one dwelling on a lot

#### Permit requirement

A permit is required to construct or extend one dwelling on a lot of less than 300 square metres. A development must meet the requirements of Clause 54.

#### No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

#### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Construct an outbuilding or extend a dwelling if the development:

- Does not exceed a building height of 5 metres.
- Is not visible from the street (other than a lane) or a public park.
Class of application

<table>
<thead>
<tr>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Meets the requirements in the following standards of Clause 54:</td>
</tr>
<tr>
<td>• A10 Side and rear setbacks.</td>
</tr>
<tr>
<td>• A11 Walls on boundaries.</td>
</tr>
<tr>
<td>• A12 Daylight to existing windows.</td>
</tr>
<tr>
<td>• A13 North-facing windows.</td>
</tr>
<tr>
<td>• A14 Overshadowing open space.</td>
</tr>
<tr>
<td>• A15 Overlooking.</td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

**Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings**

**Permit requirement**

A permit is required to:

• Construct a dwelling if there is at least one dwelling existing on the lot.

• Construct two or more dwellings on a lot.

• Extend a dwelling if there are two or more dwellings on the lot.

• Construct or extend a dwelling if it is on common property.

• Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

• The fence is associated with 2 or more dwellings on a lot or a residential building, and

• The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person’s unit on a lot.

**Transitional provisions**

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

• An application for a planning permit lodged before that date.

• An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:
- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**Residential aged care facility**

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

**Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.04-2.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
</tbody>
</table>
### Class of application

- A11 Walls on boundaries.
- A12 Daylight to existing windows.
- A13 North-facing windows.
- A14 Overshadowing open space.
- A15 Overlooking.

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

### Buildings on lots that abut another residential zone

Any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone, or Township Zone must meet the requirements of Clauses 55.03-5, 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

This does not apply to a building or works for a residential aged care facility.

### Maximum building height requirement

A building must not be constructed that exceeds the maximum building height specified in a schedule to this zone.

A building may exceed the maximum building height specified in a schedule to this zone if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height of the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height of the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.
- It is a residential aged care facility and the maximum building height in the schedule to the zone is less than 16 metres.

An extension to an existing building may exceed the maximum building height specified in a schedule to this zone if it does not exceed the building height of the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The maximum building height requirement in this zone or a schedule to this zone applies whether or not a planning permit is required for the construction of a building.
Building height if land is subject to inundation

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation, the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

Application requirements

General

Any application requirements specified in a schedule to this zone.

Use for industry and warehouse

Unless the circumstances do not require, an application to use land for an industry or warehouse must be accompanied by the following information:

- The purpose of the use and the types of activities to be carried out.
- The type and quantity of materials and goods to be stored, processed or produced.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- How land not required for immediate use is to be maintained.
- The likely effects, if any, on the neighbourhood, including noise levels, traffic, air-borne emissions, emissions to land and water, light spill, glare, solar access and hours of operation (including the hours of delivery and dispatch of materials and goods).

Buildings and works associated with a Section 2 use

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A site analysis and descriptive statement explaining how the proposal responds to the site and its context.
- Plans drawn to scale and dimensioned which show:
  - The layout of proposed buildings and works.
  - An elevation of the building design and height.
  - Setbacks to property boundaries.
  - All proposed access and pedestrian areas.
  - All proposed driveway, car parking and loading areas.
  - Existing vegetation and proposed landscape areas.
  - The location of easements and services.

Exemption from notice and review

Subdivision

An application for subdivision is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.
Other applications

A schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

32.04-14
26/10/2018
VC152

Decision guidelines

General
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a Mixed Use Zone or Residential Growth Zone.

Use for industry, service station and warehouse

- The effect that existing uses on adjoining or nearby land may have on the proposed use.
- The design of buildings, including provision for solar access.
- The availability and provision of utility services.
- The effect of traffic to be generated by the use.
- The interim use of those parts of the land not required for the proposed use.
- Whether the use is compatible with adjoining and nearby land uses.
- For non-residential uses, the proposed hours of operation, noise and any other likely off-site amenity impacts.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Construction and extension of one dwelling on a lot

- The objectives, standards and decision guidelines of Clause 54.

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

- For two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.
- For an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

32.04-15
26/10/2018
VC152

Signs
Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.
SCHEDULE TO CLAUSE 32.04 MIXED USE ZONE

Shown on the planning scheme map as MUZ.

MITCHELL MIXED USE AREAS

Objectives

None specified.

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>

Maximum building height requirement

None specified.

Exemption from notice and review

None specified.

Application requirements

None specified.

Decision guidelines

None specified.

Signs

None specified.
TOWNSHIP ZONE
Shown on the planning scheme map as TZ with a number (if shown).

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for residential development and a range of commercial, industrial and other uses in small towns.
To encourage development that respects the neighbourhood character of the area.
To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Neighbourhood character objectives
A schedule to this zone may contain the neighbourhood character objectives to be achieved for the area.

Table of uses
Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal keeping (other than Animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 32.05-3.</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>Railway</td>
<td></td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>
## Section 2 – Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person's unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal keeping, Animal production and Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Animal boarding</td>
<td></td>
</tr>
<tr>
<td>Animal keeping (other than Animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</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>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Transfer station and Refuse disposal)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Circus and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Adult sex product shop)</td>
<td></td>
</tr>
<tr>
<td>Transfer station</td>
<td>Must meet the threshold distance requirements in the Table to Clause 53.10.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
</tbody>
</table>

Any other use not in Section 1 or 3

## Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>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>
<tr>
<td>Refuse disposal</td>
</tr>
<tr>
<td>Saleyard</td>
</tr>
<tr>
<td>Stone extraction</td>
</tr>
</tbody>
</table>
Use for a dwelling or a dependent person’s unit

A lot may be used for a dwelling provided the following requirements are met:

- Each dwelling must be connected to reticulated sewerage, if available. If reticulated sewerage is not available, all wastewater from each dwelling must be treated and retained within the lot in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

- Each dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply, with appropriate storage capacity, to the satisfaction of the responsible authority.

- Each dwelling must be connected to a reticulated electricity supply or have an alternative energy supply to the satisfaction of the responsible authority.

These requirements also apply to a dependent person’s unit.

Use for industry and warehouse

Amenity of the neighbourhood

The use of land for an industry or warehouse must not adversely affect the amenity of the neighbourhood, including through:

- The transport of materials or goods to or from the land.
- The appearance of any stored materials or goods.
- Traffic generated by the use.
- Emissions from the land.

Subdivision

Permit requirement

A permit is required to subdivide land.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>16 or more lots</td>
<td>Clauses 56.02-1, 56.03-5, 56.04-2 to 56.04-5, 56.05-1, 56.05-2, 56.06-2, 56.06-4, 56.06-5, 56.06-7, 56.06-8 and 56.07-1 to 56.09-4.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>Clauses 56.03-5, 56.04-2 to 56.04-5, 56.05-1, 56.05-2, 56.06-4, 56.06-5, 56.06-7 and 56.06-8 to 56.09-4.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5 and 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

Each lot must be provided with reticulated sewerage, if available. If reticulated sewerage is not available, the application must be accompanied by:
A land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.

A plan which shows a building envelope and effluent disposal area for each lot.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

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<tr>
<th>Class of application</th>
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<tr>
<td><strong>Subdivide land to realign the common boundary between 2 lots where:</strong></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><strong>Subdivide land into lots each containing an existing building or car parking space where:</strong></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><strong>Subdivide land into 2 lots if:</strong></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 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.

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<tr>
<th>Class of application</th>
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</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>
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</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
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<tr>
<td>- A12 Daylight to existing windows.</td>
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</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 32.05-2.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

Maximum building height requirement for a dwelling or residential building

A building must not be constructed for use as a dwelling or a residential building that exceeds the maximum building height specified in a schedule to this zone.

If no maximum building height is specified in a schedule to this zone, the 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:

- 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.

MITCHELL TOWNSHIPS

1.0

Neighbourhood character objectives
None specified.

2.0

Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?</td>
<td>No</td>
</tr>
<tr>
<td>Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?</td>
<td>No</td>
</tr>
</tbody>
</table>

3.0

Clause 54 and Clause 55 requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

4.0

Maximum building height requirement for a dwelling or residential building
None specified.

5.0

Application requirements
None specified.

6.0

Decision guidelines
None specified.
SCHEDULE 2 TO CLAUSE 32.05 TOWNSHIP ZONE

Shown on the planning scheme map as TZ2.

KILMORE EAST

1.0 Neighbourhood character objectives

- To encourage landscaped front and rear gardens, including the retention of existing native and exotic vegetation.
- To encourage development that integrates with the topography and informal bush setting of the area.
- To encourage appropriate development and land uses within a predominately rural residential area.

2.0 Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

<table>
<thead>
<tr>
<th>Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
</tr>
</tbody>
</table>

3.0 Clause 54 and Clause 55 requirements

<table>
<thead>
<tr>
<th></th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
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</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>
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</tr>
<tr>
<td>Walls on boundaries</td>
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<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

4.0 Maximum building height requirement for a dwelling or residential building

None specified.

5.0 Application requirements

None specified.
Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 32.05, in addition to those specified in Clause 32.05 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Land uses, subdivision and development must consider the amenity of the surrounding predominately rural residential character of the area.
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>Animal keeping (other than Animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>Must not require a permit under Clause 52.06-3.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>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>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

**Section 2 - Permit required**

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person’s unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal keeping, Animal production, Animal training, Apiculture and Horse stables)</td>
<td></td>
</tr>
<tr>
<td>Animal keeping (other than Animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</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>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, 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>
<tr>
<td></td>
<td>3000 square metres.</td>
</tr>
<tr>
<td></td>
<td>3600 square metres if it adjoins on two boundaries a road in a Road Zone.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Store</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Take away food premises</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 – Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Animal boarding</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>Horse stables</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; or
- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.08-4 on the approval date of Amendment VC110.

Construction and extension of one dwelling on a lot

Permit requirement

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of between 300 square metres and 500 square metres if specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
  - A lot of less than 300 square metres, or
  - A lot of between 300 and 500 square metres if specified in a schedule to this zone, and
- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

No permit required

No permit is required to:

- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.
VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development:</td>
<td>Clause 59.14</td>
</tr>
<tr>
<td>Meets the minimum garden area requirement of Clause 32.08-4.</td>
<td></td>
</tr>
<tr>
<td>• Does not exceed a building height of 5 metres.</td>
<td></td>
</tr>
<tr>
<td>• Is not visible from the street (other than a lane) or a public park.</td>
<td></td>
</tr>
<tr>
<td>• Meets the requirements in the following standards of Clause 54:</td>
<td></td>
</tr>
<tr>
<td>– A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>– A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>– A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>– A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>– A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>– A15 Overlooking.</td>
<td></td>
</tr>
<tr>
<td>For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.</td>
<td></td>
</tr>
<tr>
<td>If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.</td>
<td></td>
</tr>
</tbody>
</table>

Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling. Clause 59.03

Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings

Permit requirement

A permit is required to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.
- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55. This does not apply to a development of five or more storeys, excluding a basement.
An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.

A permit is not required to construct one dependent person’s unit on a lot.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

**Transitional provisions**

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**32.08-7**

27/03/2017

VC110

**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.

**32.08-9**

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 32.08-2.
**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- The building or works is not associated with a dwelling.</td>
<td></td>
</tr>
<tr>
<td>- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

---

**Maximum building height requirement for a dwelling or residential building**

A building must not be constructed for use as a dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 11 metres; and
- the building must contain no more than 3 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.

- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.

A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

**Building height if land is subject to inundation**

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

**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.

MITCHELL RESIDENTIAL AREAS

1.0

Neighbourhood character objectives

None specified.

2.0

Construction or extension of a dwelling or residential building - minimum garden area requirement

Is the construction or extension of a dwelling or residential building exempt from the minimum garden area requirement?

No

3.0

Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

Is a permit required to construct or extend one dwelling on a lot of between 300 and 500 square metres?

No

Is a permit required to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot of between 300 and 500 square metres?

No

4.0

Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Standard</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum street setback</td>
<td>A3 and B6</td>
<td>None specified</td>
</tr>
<tr>
<td>Site coverage</td>
<td>A5 and B8</td>
<td>None specified</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>None specified</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>None specified</td>
</tr>
</tbody>
</table>

5.0

Maximum building height requirement for a dwelling or residential building

None specified.

6.0

Application requirements

None specified.
7.0 Decision guidelines

None specified.
NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as NRZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise areas of predominantly single and double storey residential development.
To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics.
To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Neighbourhood character objectives

A schedule to this zone must contain the neighbourhood, heritage, environment or landscape character objectives to be achieved for the area.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal keeping (other than Animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>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>Dwelling (other than Bed and breakfast)</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Place of worship</td>
<td>The gross floor area of all buildings must not exceed 250 square metres.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td></td>
</tr>
<tr>
<td>Rooming house</td>
<td>Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Section 2 - Permit required</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>Accommodation (other than Community care accommodation, Dependent person's unit, Dwelling, Residential aged care facility and Rooming house)</td>
<td></td>
</tr>
<tr>
<td>Agriculture (other than Animal keeping, Animal production, Animal training, Apiculture and Horse stables)</td>
<td></td>
</tr>
<tr>
<td>Animal keeping (other than Animal boarding) – if the Section 1 condition is not met</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Car wash</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td>The leasable floor area must not exceed 80 square metres.</td>
</tr>
<tr>
<td>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, 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>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Store</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Take away food premises</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
<tr>
<td>Section 3 – Prohibited</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td></td>
</tr>
<tr>
<td>Amusement parlour</td>
<td></td>
</tr>
<tr>
<td>Animal boarding</td>
<td></td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
<td></td>
</tr>
<tr>
<td>Animal training</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Horse stables</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Car wash)</td>
<td></td>
</tr>
<tr>
<td>Motor racing track</td>
<td></td>
</tr>
<tr>
<td>Nightclub</td>
<td></td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than, Convenience shop, Food and drink premises, Market and Plant nursery)</td>
<td></td>
</tr>
<tr>
<td>Saleyard</td>
<td></td>
</tr>
<tr>
<td>Stone extraction</td>
<td></td>
</tr>
<tr>
<td>Transport terminal</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Store)</td>
<td></td>
</tr>
</tbody>
</table>

**Subdivision**

**Permit requirement**

A permit is required to subdivide land.

An application to subdivide land that would create a vacant lot less than 400 square metres capable of development for a dwelling or residential building, must ensure that each vacant lot created less than 400 square metres contains at least 25 percent as garden area. This does not apply to a lot created by an application to subdivide land where that lot is created in accordance with:
- An approved precinct structure plan or an equivalent strategic plan;
- An incorporated plan or approved development plan; or
- A permit for development.

A schedule to this zone may specify a minimum lot size to subdivide land. Each lot must be at least the area specified for the land, except where an application to subdivide land is made to create lots each containing an existing dwelling or car parking space, where an application for the existing dwelling or car parking space was made or approved before the approval date of the planning scheme amendment that introduced this clause 32.09 into the planning scheme.

An application to subdivide land, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

- Must meet all of the objectives included in the clauses specified in the following table.
- Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
<tr>
<td>2 lots</td>
<td>Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.</td>
</tr>
</tbody>
</table>

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td></td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td>Clause 59.01</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 the 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>Clause 59.02</td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td></td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td>Clause 59.02</td>
</tr>
</tbody>
</table>
Class of application

<table>
<thead>
<tr>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
</tr>
<tr>
<td>- Has started lawfully.</td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
</tr>
</tbody>
</table>

### 32.09-4

**Construction or extension of a dwelling or residential building**

**Minimum garden area requirement**

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area as set out in the following table:

<table>
<thead>
<tr>
<th>Lot size</th>
<th>Minimum percentage of a lot set aside as garden area</th>
</tr>
</thead>
<tbody>
<tr>
<td>400 - 500 sqm</td>
<td>25%</td>
</tr>
<tr>
<td>Above 500 - 650 sqm</td>
<td>30%</td>
</tr>
<tr>
<td>Above 650 sqm</td>
<td>35%</td>
</tr>
</tbody>
</table>

This does not apply to:

- An application to construct or extend a dwelling or residential building on a lot if:
  - The lot is designated as a medium density housing site in an approved precinct structure plan or an approved equivalent strategic plan;
  - The lot is designated as a medium density housing site in an incorporated plan or approved development plan; or

- An application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.09-4 on the approval date of Amendment VC110.

### 32.09-5

**Construction and extension of one dwelling on a lot**

**Permit requirement**

A permit is required to construct or extend one dwelling on:

- A lot of less than 300 square metres.
- A lot of less than the lot size specified in a schedule to this zone.

A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with one dwelling on:
  - A lot of less than 300 square metres, or
  - A lot of less than the lot size specified in a schedule to this zone, and

- The fence exceeds the maximum height specified in Clause 54.06-2.

A development must meet the requirements of Clause 54.

**No permit required**

No permit is required to:
• Construct or carry out works normal to a dwelling.

• Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.

• Make structural changes to a dwelling provided the size of the dwelling is not increased or the number of dwellings is not increased.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct an outbuilding or extend a dwelling if the development:</td>
<td>Clause 59.14</td>
</tr>
<tr>
<td>- Meets the minimum garden area requirement of Clause 32.09-4.</td>
<td></td>
</tr>
<tr>
<td>- Does not exceed a building height of 5 metres.</td>
<td></td>
</tr>
<tr>
<td>- Is not visible from the street (other than a lane) or a public park.</td>
<td></td>
</tr>
<tr>
<td>- Meets the requirements in the following standards of Clause 54:</td>
<td></td>
</tr>
<tr>
<td>- A10 Side and rear setbacks.</td>
<td></td>
</tr>
<tr>
<td>- A11 Walls on boundaries.</td>
<td></td>
</tr>
<tr>
<td>- A12 Daylight to existing windows.</td>
<td></td>
</tr>
<tr>
<td>- A13 North-facing windows.</td>
<td></td>
</tr>
<tr>
<td>- A14 Overshadowing open space.</td>
<td></td>
</tr>
<tr>
<td>- A15 Overlooking.</td>
<td></td>
</tr>
</tbody>
</table>

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

| Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling. | Clause 59.03 |

**32.09-6**

31/07/2018
VC148

**Construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings**

**Permit requirement**

A permit is required to:

• Construct a dwelling if there is at least one dwelling existing on the lot.

• Construct two or more dwellings on a lot.

• Extend a dwelling if there are two or more dwellings on the lot.

• Construct or extend a dwelling if it is on common property.

• Construct or extend a residential building.
A permit is required to construct or extend a front fence within 3 metres of a street if:

- The fence is associated with 2 or more dwellings on a lot or a residential building, and
- The fence exceeds the maximum height specified in Clause 55.06-2.

A development must meet the requirements of Clause 55.

A permit is not required to construct one dependent person’s unit on a lot.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or extend a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building.</td>
<td>Clause 59.03</td>
</tr>
</tbody>
</table>

**Transitional provisions**

Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

**Requirements of Clause 54 and Clause 55**

A schedule to this zone may specify the requirements of:

- Standards A3, A5, A6, A10, A11, A17 and A20 of Clause 54 of this scheme.
- Standards B6, B8, B9, B13, B17, B18, B28 and B32 of Clause 55 of this scheme.

If a requirement is not specified in a schedule to this zone, the requirement set out in the relevant standard of Clause 54 or Clause 55 applies.

**Residential aged care facility**

**Permit requirements**

A permit is required to construct a building or construct or carry out works for a residential aged care facility.

A development must meet the requirements of Clause 53.17 - Residential aged care facility.

**Buildings and works associated with a Section 2 use**

A permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.09-2.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.
Construct a building or construct or carry out works with an estimated cost of up to $100,000 where:

- The building or works is not associated with a dwelling.
- The requirements in the following standards of Clause 54 are met, where the land adjoins land in a residential zone used for residential purposes:
  - A10 Side and rear setbacks.
  - A11 Walls on boundaries.
  - A12 Daylight to existing windows.
  - A13 North-facing windows.
  - A14 Overshadowing open space.
  - A15 Overlooking.

For the purposes of this class of VicSmart application, the Clause 54 standards specified above are mandatory.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard, the requirement in the schedule to the zone applies and must be met.

---

**Maximum building height requirement for a dwelling or residential building**

A building must not be constructed for use as a dwelling or a residential building that:

- exceeds the maximum building height specified in a schedule to this zone; or
- contains more than the maximum number of storeys specified in a schedule to this zone.

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- the building height must not exceed 9 metres; and
- the building must contain no more than 2 storeys at any point.

A building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if:

- It replaces an immediately pre-existing building and the new building does not exceed the building height or contain a greater number of storeys than the pre-existing building.
- There are existing buildings on both abutting allotments that face the same street and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is on a corner lot abutted by lots with existing buildings and the new building does not exceed the building height or contain a greater number of storeys than the lower of the existing buildings on the abutting allotments.
- It is constructed pursuant to a valid building permit that was in effect prior to the introduction of this provision.

An extension to an existing building may exceed the applicable maximum building height or contain more than the applicable maximum number of storeys if it does not exceed the building height of the existing building or contain a greater number of storeys than the existing building.
A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

The maximum building height and maximum number of storeys requirements in this zone or a schedule to this zone apply whether or not a planning permit is required for the construction of a building.

**Building height if land is subject to inundation**

If the land is in a Special Building Overlay, Land Subject to Inundation Overlay or is land liable to inundation the maximum building height specified in the zone or schedule to the zone is the vertical distance from the minimum floor level determined by the relevant drainage authority or floodplain management authority to the roof or parapet at any point.

---

### Application requirements

An application must be accompanied by the following information, as appropriate:

- For a residential development, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.
- For an application for subdivision, a site and context description and design response as required in Clause 56.
- Plans drawn to scale and dimensioned which show:
  - Site shape, size, dimensions and orientation.
  - The siting and use of existing and proposed buildings.
  - Adjacent buildings and uses, including siting and dimensioned setbacks.
  - The building form and scale.
  - Setbacks to property boundaries.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.
- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

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### 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.

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### Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

**General**

- The purpose of this zone.
- The objectives set out in the schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

**Subdivision**
- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

**Dwellings and residential buildings**
- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.

**Non-residential use and development**
In the local neighbourhood context:
- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency and amenity effects of traffic to be generated by the proposal.

**Signs**
Sign requirements are at Clause 52.05. This zone is in Category 3.

**Transitional provisions**
The minimum garden area requirements of Clause 32.09-4 and the maximum building height and number of storeys requirements of Clause 32.09-9 introduced by Amendment VC110 do not apply to:
- A planning permit application for the construction or extension of a dwelling or residential building lodged before the approval date of Amendment VC110.
- Where a planning permit is not required for the construction or extension of a dwelling or residential building:
  - A building permit issued for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110.
- A building surveyor has been appointed to issue a building permit for the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

- A building surveyor is satisfied, and certifies in writing, that substantial progress was made on the design of the construction or extension of a dwelling or residential building before the approval date of Amendment VC110. A building permit must be issued within 12 months of the approval date of Amendment VC110.

The minimum garden area requirement of Clause 32.09-3 introduced by Amendment VC110 does not apply to a planning permit application to subdivide land for a dwelling or a residential building lodged before the approval date of Amendment VC110.
SCHEDULE TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as NRZ1.

WANDONG VILLAGE

1.0

Neighbourhood character objectives

To encourage a consistent pattern of detached dwellings that maintains the area’s single storey scale.

2.0

Minimum subdivision area

None specified.

3.0

Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

<table>
<thead>
<tr>
<th>Permit requirement</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permit requirement for the construction or extension of one dwelling on a lot</td>
<td>None specified</td>
</tr>
<tr>
<td>Permit requirement to construct or extend a front fence within 3 metres of a street associated with a dwelling on a lot</td>
<td>None specified</td>
</tr>
</tbody>
</table>

4.0

Requirements of Clause 54 and Clause 55

<table>
<thead>
<tr>
<th>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>40%</td>
</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
<td>40%</td>
</tr>
<tr>
<td>Landscaping</td>
<td>B13</td>
<td>None specified</td>
</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
<td>None specified</td>
</tr>
<tr>
<td>Walls on boundaries</td>
<td>A11 and B18</td>
<td>None specified</td>
</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
<td>None specified</td>
</tr>
<tr>
<td></td>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
<td>Maximum 1.5 metres</td>
</tr>
</tbody>
</table>

5.0

Maximum building height requirement for a dwelling or residential building

A building used as a dwelling or a residential building must not exceed a height of 9 metres and 2 storeys.

6.0

Application requirements

None specified.

7.0

Decision guidelines

None specified.
SCHEDULE TO CLAUSE 32.09 NEIGHBOURHOOD RESIDENTIAL ZONE

Shown on the planning scheme map as NRZ1.

WANDONG VILLAGE

1.0

Neighbourhood character objectives

To encourage a consistent pattern of detached dwellings that maintains the area’s single storey scale.

2.0

Minimum subdivision area

None specified.

3.0

Permit requirement for the construction or extension of one dwelling or a fence associated with a dwelling on a lot

<table>
<thead>
<tr>
<th>Requirement</th>
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Requirements of Clause 54 and Clause 55

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<thead>
<tr>
<th>Standard</th>
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</tr>
<tr>
<td>Permeability</td>
<td>A6 and B9</td>
</tr>
<tr>
<td>Landscaping</td>
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</tr>
<tr>
<td>Side and rear setbacks</td>
<td>A10 and B17</td>
</tr>
<tr>
<td>Walls on boundaries</td>
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</tr>
<tr>
<td>Private open space</td>
<td>A17</td>
</tr>
<tr>
<td>B28</td>
<td>None specified</td>
</tr>
<tr>
<td>Front fence height</td>
<td>A20 and B32</td>
</tr>
</tbody>
</table>

5.0

Maximum building height requirement for a dwelling or residential building

A building used as a dwelling or a residential building must not exceed a height of 9 metres and 2 storeys.
6.0 Application requirements

None specified.

7.0 Decision guidelines

None specified.
INDUSTRIAL 1 ZONE

Shown on the planning scheme map as IN1Z.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convenience Shop</td>
<td></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>Industry (other than Materials recycling and Transfer station)</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>Industry (other than Materials recycling and Transfer station)</td>
<td>- The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>- 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>- Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>- Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Service station</td>
<td>Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td>Service station</td>
<td>- Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td>Service station</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>100 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Shipping containers must be setback at least 9 metres from a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>The height of shipping container stacks must not exceed 6 containers or 16 metres, whichever is the lesser.</td>
</tr>
<tr>
<td></td>
<td>Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td></td>
<td>Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td></td>
<td>Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td></td>
<td>Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</td>
</tr>
<tr>
<td><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>30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>Must not adversely affect the amenity of the neighbourhood, including through the:</td>
</tr>
<tr>
<td></td>
<td>Transport of materials, goods or commodities to or from the land.</td>
</tr>
<tr>
<td></td>
<td>Appearance of any stored goods or materials.</td>
</tr>
<tr>
<td></td>
<td>Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.</td>
</tr>
<tr>
<td><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 and Circus)</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Shop and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Transfer Station</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td>Any gas holder, or sewerage or refuse treatment or disposal works, must be at least 30 metres from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

## Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Caretaker's house)</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
</tbody>
</table>
Use

Hospital
Intensive animal production
Pig farm
Poultry farm
Shop (other than Adult sex product shop, Convenience shop and Restricted retail premises)

33.01-2
31/07/2018
VC148

Use of land

Application requirements
An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
Subdivision

Permit requirement

A permit is required to subdivide land.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

### Buildings and works

#### Permit requirement

A permit is required to construct a building or construct or carry out works.

This does not apply to:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising or informal outdoor recreation.
- A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
  - The rainwater tank is not located within the building’s setback from a street (other than a lane).
  - The rainwater tank is no higher than the existing building on the site.
  - The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.
- A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is not:</td>
<td></td>
</tr>
</tbody>
</table>
  - Within 30 metres of land (not a road) which is in a residential zone. |
  - Used for a purpose listed in the table to Clause 53.10. |
  - Used for a Brothel or Adult sex product shop. |

#### Application requirements

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - Relevant ground levels.
- The layout of existing and proposed buildings and works.
- Driveways and vehicle parking and loading areas.
- Proposed landscape areas.
- External storage and waste treatment areas.

- Elevation drawings to scale which show the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways and vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, a site works specification and the method of preparing, draining, watering and maintaining the landscape area.

**Exemption from notice and review**

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to an application for a building or works within 30 metres of land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Built form.
- Landscape treatment.
- Interface with non-industrial areas.
- Parking and site access.
- Loading and service areas.
- Outdoor storage.
- Lighting.
- Stormwater discharge.

**Maintenance**

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 2.
SCHEDULE TO CLAUSE 33.01 INDUSTRIAL 1 ZONE

Maximum leasable floor area requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area for Office (square metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>
INDUSTRIAL 3 ZONE

Shown on the planning scheme map as IN3Z.

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for industries and associated uses in specific areas where special consideration of the nature and impacts of industrial uses is required or to avoid inter-industry conflict.
To provide a buffer between the Industrial 1 Zone or Industrial 2 Zone and local communities, which allows for industries and associated uses compatible with the nearby community.
To allow limited retail opportunities including convenience shops, small scale supermarkets and associated shops in appropriate locations.
To ensure that uses do not affect the safety and amenity of adjacent, more sensitive land uses.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convenience shop</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Crop raising</td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></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>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>- 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><strong>The site must adjoin, or be within 30 metres of, a road in a Road Zone.</strong> Must be on land within an urban growth boundary and in metropolitan Melbourne.</td>
<td></td>
</tr>
<tr>
<td><strong>Take away food premises</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Tramway</strong></td>
<td></td>
</tr>
</tbody>
</table>
| **Warehouse (other than Fuel depot, Mail centre or Shipping container storage)** | Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10. The land must be at least the following distances from land (not a road) which is in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:  
  1. The threshold distance, for a purpose listed in the table to Clause 53.10.  
  2. 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:  
  1. Transport of materials, goods or commodities to or from the land.  
  2. Appearance of any stored goods or materials.  
  3. 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**                                    |                                                                                                                                                                                                            |
| **Use**                                                            | **Condition**                                                                                                                                                                                                |
| Adult sex product shop                                             | Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school. |
| Agriculture (other than Apiculture, Crop raising, Grazing animal production, Intensive animal production, Pig farm and Poultry farm) |                                                                                                                                                                                                            |
| Caretaker’s house                                                  |                                                                                                                                                                                                            |
| Education centre                                                   | Must not be a primary or secondary school.                                                                                                                                                                 |
| Industry (other than Service industry)                             |                                                                                                                                                                                                            |
| Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility, and Motor racing track) |                                                                                                                                                                                                            |
### Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>The leasable floor area must not exceed the amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Place of Assembly (other than Carnival and Circus)</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Shop and Take away food premises)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Caretaker’s house)</td>
<td></td>
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<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Hospital</td>
<td></td>
</tr>
<tr>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td>Motor racing track</td>
<td></td>
</tr>
<tr>
<td>Pig farm</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td></td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Convenience shop, Restricted retail premises and Supermarket) – if the Section 1 conditions are not met</td>
<td></td>
</tr>
<tr>
<td>Supermarket – if the section 1 conditions are not met</td>
<td></td>
</tr>
</tbody>
</table>

### Use of land

#### Amenity of the neighbourhood

A use must not adversely affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any stored goods or materials.
- Emission of noise, artificial light, vibration, odour, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

#### Application requirements

An application to use land for an industry or warehouse must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of processes to be utilised.
- The type and quantity of goods to be stored, processed or produced.
- How land not required for immediate use is to be maintained.
- Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
- Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1985 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
- The likely effects, if any, on the neighbourhood, including:
  - Noise levels.
  - Air-borne emissions.
  - Emissions to land or water.
  - Traffic, including the hours of delivery and despatch.
  - Light spill or glare.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.
- The effect that nearby industries may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- The effect on nearby industries.

**Subdivision**

**Permit requirement**

A permit is required to subdivide land.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

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<tr>
<th>Class of application</th>
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<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
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<td>- The area of either lot is reduced by less than 15 percent.</td>
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</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
</tbody>
</table>
Class of application

- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.
- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

Subdivide land into 2 lots if: Clause 59.02

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

Exemption from notice and review

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres from land (not a road) which is in a residential zone or land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.
- Interface with non-industrial areas.

Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works.

This does not apply to:

- A building or works which rearrange, alter or renew plant if the area or height of the plant is not increased.
- A building or works which are used for crop raising or informal outdoor recreation.
- A rainwater tank with a capacity of more than 10,000 litres if the following requirements are met:
  - The rainwater tank is not located within the building’s setback from a street (other than a lane).
- The rainwater tank is no higher than the existing building on the site.
- The rainwater tank is not located in an area that is provided for car parking, loading, unloading or accessway.
- A building or works which are used for grazing animal production, except for permanent or fixed feeding infrastructure for seasonal or supplementary feeding constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential or urban growth zone.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

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<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>
</tbody>
</table>
  - Within 30 metres of land (not a road) which is in a residential zone. |
  - Used for a purpose listed in the table to Clause 53.10. |
  - Used for a Brothel or Adult sex product shop. |

**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.

33.03-5

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 2.
### SCHEDULE TO CLAUSE 33.03 INDUSTRIAL 3 ZONE

#### Maximum leasable floor area requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area for Office (square metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>
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</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>Retail premises (other than Shop)</td>
<td></td>
</tr>
</tbody>
</table>
### Condition

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rooming house</td>
<td>Any frontage at ground floor level must not exceed 2 metres.&lt;br&gt;Must meet the requirements of Clause 52.23-2.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop)</td>
<td>The leasable floor area for all shops must not exceed any amount specified in the schedule to this zone.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

#### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td>Agriculture (other than Animal production and Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Leisure and recreation facility (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Cinema, Circus, Exhibition centre and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

#### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Corrective institution</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
</tbody>
</table>
Use of land
A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

Subdivision
A permit is required to subdivide land.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>- The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Buildings and works
A permit is required to construct a building or construct or carry out works.
This does not apply to:

- The installation of an automatic teller machine.
- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
- At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.

- An awning that projects over a road if it is authorised by the relevant public land manager. An apartment development must meet the requirements of Clause 58.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provisions specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
<tr>
<td>- Used for a Brothel or Adult sex product shop.</td>
<td></td>
</tr>
</tbody>
</table>

**Transitional provisions**

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

**Maintenance**

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

**Neighbourhood and site description and design response**

An application for any of the following must be accompanied by a neighbourhood and site description and a design response as described in Clause 54.01 or 55.01, as appropriate:

- Construction or extension of one dwelling on a lot of less than 300 square metres.
- Construction of a dwelling if there is at least one dwelling existing on the lot.
- Construction of two or more dwellings on a lot.
- Extension of a dwelling if there are two or more dwellings on the lot.
- Construction or extension of a dwelling on common property.
- Construction or extension of a residential building.

Clause 34.01-5 does not apply to an apartment development.

**Satisfactory neighbourhood and site description before notice and decision**

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 54.01 or 55.01 and is satisfactory.
This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

**Application requirements**

**Use**

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods and materials, hours of operation and light spill, solar access and glare.
- The means of maintaining land not required for immediate use.
- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced.
  - Whether a Works Approval or Waste Discharge Licence is required from the Environment Protection Authority.
  - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the *Dangerous Goods Act 1985* is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
  - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

**Buildings and works**

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.
Exemption from notice and review

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General
- The interface with adjoining zones, especially the relationship with residential areas.

Use
- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.

Subdivision
- Provision for vehicles providing for supplies, waste removal and emergency services and public transport.
- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.

Building and works
- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.
- The impact of overshadowing on existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.
- The availability of and connection to services.
- The design of buildings to provide for solar access.
- The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to an apartment development.
- For an apartment development, the objectives, standards and decision guidelines of Clause 58.

**Transitional provisions**

The objectives, standards and decision guidelines of Clause 55 of this scheme, as in force immediately before the approval date of Amendment VC136, continues to apply to:

- An application for a planning permit lodged before that date.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 1.
## SCHEDULE TO CLAUSE 34.01 COMMERCIAL 1 ZONE

### Maximum leasable floor area requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Maximum leasable floor area for Office (square metres)</th>
<th>Maximum leasable floor area for Shop (other than Restricted retail premises) (square metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>
COMMERCIAL 2 ZONE

Shown on the planning scheme map as B3Z, B4Z or C2Z.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.

To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art and craft centre</td>
<td></td>
</tr>
<tr>
<td>Art gallery</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</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>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>The leasable floor area must not exceed 100 square metres.</td>
</tr>
<tr>
<td>Industry (other than Materials recycling and Transfer station)</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Commercial 1 Zone, Capital City Zone, Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>• The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>• 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td>Museum</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Postal agency</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td>Must adjoin, or be on the same land as, a supermarket when the use commences.</td>
</tr>
<tr>
<td>Shop (other than Adult sex product shop, Restricted retail premises and Supermarket)</td>
<td>The combined leasable floor area for all shops adjoining or on the same land as the supermarket must not exceed 500 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Supermarket</td>
<td>The leasable floor area must not exceed 1800 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td></td>
<td>Must be on land within the City of Greater Geelong or within an urban growth boundary in metropolitan Melbourne.</td>
</tr>
<tr>
<td>Trade supplies</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Mail centre)</td>
<td>Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>The land must be at least the following distances from land (not a road) which is in a residential zone, Commercial 1 Zone, Capital City Zone, Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre:</td>
</tr>
<tr>
<td></td>
<td>• The threshold distance, for a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td></td>
<td>• 30 metres, for a purpose not listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Section 2 - Permit required</td>
<td></td>
</tr>
<tr>
<td>Adult sex product shop</td>
<td>Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.</td>
</tr>
<tr>
<td>Agriculture (other than Animal production and Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Caretaker's house</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Major sports and recreation facility and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td></td>
</tr>
<tr>
<td>Motel</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Art gallery, Carnival, Cinema and Circus and Museum)</td>
<td></td>
</tr>
<tr>
<td>Residential hotel</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Retail premises (other than Food and drink premises, Postal agency, Restricted retail premises, Supermarket and Trade supplies)</td>
<td>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>Supermarket – if the section 1 conditions are not met</td>
<td>The site must adjoin, or have access to, a road in a Road Zone.</td>
</tr>
<tr>
<td>Transfer station</td>
<td>The land must be at least 30 metres from land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></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, Motel and Residential hotel)</td>
</tr>
<tr>
<td>Animal production (other than Grazing animal production)</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Major sports and recreation facility</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
</tbody>
</table>

#### Use of land

A use must not detrimentally affect the amenity of the neighbourhood, including through the:

- Transport of materials, goods or commodities to or from the land.
- Appearance of any building, works or materials.
- Emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil.

#### Subdivision

A permit is required to subdivide land.

#### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.
Clause 59.01 Subdivide land to realign the common boundary between 2 lots where:

- The area of either lot is reduced by less than 15 percent.
- The general direction of the common boundary does not change.

Clause 59.02 Subdivide land into lots each containing an existing building or car parking space where:

- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.
- An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.

Clause 59.02 Subdivide land into 2 lots if:

- The construction of a building or the construction or carrying out of works on the land:
  - Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
  - Has started lawfully.
- The subdivision does not create a vacant lot.

**Buildings and works**

A permit is required to construct a building or construct or carry out works. This does not apply to:

- The installation of an automatic teller machine.

- An alteration to an existing building façade provided:
  - The alteration does not include the installation of an external roller shutter.
  - At least 80 per cent of the building facade at ground floor level is maintained as an entry or window with clear glazing.

- An awning that projects over a road if it is authorised by the relevant public land manager.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

Clause 59.04 Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is not:

- Within 30 metres of land (not a road) which is in a residential zone.
Class of application

- Used for a purpose listed in the table to Clause 53.10.
- Used for a Brothel or Adult sex product shop.

**Maintenance**

All buildings and works must be maintained in good order and appearance to the satisfaction of the responsible authority.

**Application requirements**

**Use**

An application to use land must be accompanied by the following information, as appropriate:

- The purpose of the use and the types of activities which will be carried out.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of goods or materials, hours of operation and light spill, solar access and glare.
- The means of maintaining areas not required for immediate use.
- If an industry or warehouse:
  - The type and quantity of goods to be stored, processed or produced.
  - Whether a Works Approval, or Waste Discharge Licence is required from the Environment Protection Authority.
  - Whether a notification under the Occupational Health and Safety Regulations 2017 is required, a licence under the Dangerous Goods Act 1995 is required, or a fire protection quantity under the Dangerous Goods (Storage and Handling) Regulations 2012 is exceeded.
  - The likely effects on adjoining land, including air-borne emissions and emissions to land and water.

**Building and works**

An application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate:

- A plan drawn to scale which shows:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and purpose of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All driveway, car parking and loading areas.
  - Proposed landscape areas.
  - All external storage and waste treatment areas.
  - Areas not required for immediate use.
- Elevation drawings to scale showing the colour and materials of all buildings and works.
- Construction details of all drainage works, driveways, vehicle parking and loading areas.
A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

**Exemption from notice and review**

An application to subdivide land or construct a building or construct or carry out works is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. This exemption does not apply to land within 30 metres of land (not a road) which is in a residential zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

**Decision guidelines**

**General**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The interface with adjoining zones, especially the relationship with residential areas.

**Use**

- The effect that existing uses may have on the proposed use.
- The drainage of the land.
- The availability of and connection to services.
- The effect of traffic to be generated on roads.
- The interim use of those parts of the land not required for the proposed use.
- If an industry or warehouse, the effect that the use may have on nearby existing or proposed residential areas or other uses which are sensitive to industrial off-site effects, having regard to any comments or directions of the referral authorities.

**Subdivision**

- The effect the subdivision will have on the potential of the area to accommodate the uses which will maintain or enhance its competitive strengths.
- Any natural or cultural values on or near the land.
- Streetscape character.
- Landscape treatment.

**Building and works**

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and landscaping of land adjoining a road.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- The availability of and connection to services.
- Any natural or cultural values on or nearby the land.
- Outdoor storage, lighting, and stormwater discharge.
- The design of buildings to provide for solar access.

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>Animal keeping (other than Animal</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>boarding)</td>
<td></td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Community care accommodation</td>
<td>Must meet the requirements of Clause 52.22-2.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.03-2.</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>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</strong> (other than Community care accommodation, Dependent person’s unit and Dwelling)</td>
<td></td>
</tr>
<tr>
<td><strong>Agriculture</strong> (other than Animal keeping, Apiculture, Broiler farm, Intensive animal production, Racing dog training and Timber production)</td>
<td></td>
</tr>
<tr>
<td>Animal boarding</td>
<td></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>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Convenience shop</td>
<td>The leasable floor area must not exceed 80 square metres.</td>
</tr>
<tr>
<td></td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td>Dependent person’s unit - if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 35.03-2.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast) - if the Section 1 condition is not met</td>
<td></td>
</tr>
<tr>
<td>Freeway service centre</td>
<td>Must meet the requirements of Clause 53.05.</td>
</tr>
<tr>
<td>Hotel</td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Medical centre</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival, Circus and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Postal agency</td>
<td></td>
</tr>
<tr>
<td>Primary produce sales</td>
<td></td>
</tr>
<tr>
<td>Racing dog keeping – if the Section 1 condition to Animal keeping is not met</td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td>Racing dog training</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td>Rural industry (other than Abattoir and Sawmill)</td>
<td></td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>--------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Store</td>
<td>Must be in a building, not a dwelling, and used to store equipment, goods, or motor vehicles used in conjunction with the occupation of a resident of a dwelling on the lot.</td>
</tr>
<tr>
<td>Tavern</td>
<td>The site must not have direct access to a rural freeway.</td>
</tr>
<tr>
<td>Timber production</td>
<td>Must meet the requirements of Clause 53.11.</td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
<tr>
<td><strong>Section 3 - Prohibited</strong></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
<td></td>
</tr>
<tr>
<td>Amusement parlour</td>
<td></td>
</tr>
<tr>
<td>Brothel</td>
<td></td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Rural Industry)</td>
<td></td>
</tr>
<tr>
<td>Intensive animal production</td>
<td></td>
</tr>
<tr>
<td>Motor racing track</td>
<td></td>
</tr>
<tr>
<td>Nightclub</td>
<td></td>
</tr>
<tr>
<td>Office (other than Medical centre)</td>
<td></td>
</tr>
<tr>
<td>Retail premises (other than Convenience shop, Hotel, Market, Plant nursery, Postal agency, Primary produce sales, Restaurant and Tavern)</td>
<td></td>
</tr>
<tr>
<td>Saleyard</td>
<td></td>
</tr>
<tr>
<td>Sawmill</td>
<td></td>
</tr>
<tr>
<td>Transport terminal</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Store)</td>
<td></td>
</tr>
</tbody>
</table>
Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

Subdivision

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 2 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The number of lots is no more than the number the land could be subdivided into in accordance with a schedule to this zone.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>Each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td></td>
</tr>
<tr>
<td>The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots where each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td>Clause 59.12</td>
</tr>
</tbody>
</table>

Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 35.03-1. This does not apply to:
- An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

- An out-building associated with an existing dwelling provided the floor area of the out-building is not more than the area specified in a schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres.

- An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is not more than the area specified in the schedule to this zone or, if no area is specified, 100 square metres. Any area specified must be more than 100 square metres. The building must not be used to keep, board, breed or train animals.

- A rainwater tank.

- Earthworks specified in a schedule to this zone, if on land specified in a schedule.

- A building which is within any of the following setbacks:
  - The setback from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1 specified in the schedule to this zone or, if no setback is specified, 30 metres.
  - The setback from any other road or boundary specified in the schedule to this zone.
  - The distance from a dwelling not in the same ownership specified in the schedule to this zone.
  - 100 metres from a waterway, wetlands or designated flood plain.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $250,000 where the land is not:</td>
<td>Clause 59.13</td>
</tr>
<tr>
<td>Used for Animal keeping, Pig farm, Poultry farm, Poultry hatchery 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.

Signs
Sign requirements are at Clause 52.05. This zone is in Category 3.
SCHEDULE TO CLAUSE 35.03 RURAL LIVING ZONE

Shown on the planning scheme map as **RLZ**.

## Subdivision and other requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land except as specified below</td>
</tr>
<tr>
<td>Land south of Broadford bounded by Dry Creek Road, Smiths Lane, Broadford-Wallan Road</td>
<td>All land</td>
</tr>
<tr>
<td>Land south of Broadford bounded by Hume Freeway and Broadford-Wallan Road</td>
<td>All land</td>
</tr>
<tr>
<td>Land at the northern end of Trainers Drive, Kilmore and described as Lot 8 on LP114428.</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>Minimum area for which no permit is required to alter or extend an existing dwelling (square metres).</td>
<td>All land</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with 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>All land</td>
</tr>
<tr>
<td>Minimum setback from a boundary (metres).</td>
<td>All land</td>
</tr>
<tr>
<td>Minimum setback from a dwelling not in the same ownership (metres).</td>
<td>All land</td>
</tr>
</tbody>
</table>

### Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
</tr>
</tbody>
</table>
**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>Animal keeping (other than Animal boarding)</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence. At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Must be no more than 100 poultry (not including emus or ostriches).</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>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>Animal boarding</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Agriculture (other than Animal keeping, Apiculture, Broiler farm,</td>
<td>Must be no more than 10,000 chickens.</td>
</tr>
<tr>
<td>Intensive animal production, Racing dog training, Rice growing and</td>
<td></td>
</tr>
<tr>
<td>Timber production)</td>
<td></td>
</tr>
<tr>
<td>Broiler farm - if the Section 1 condition to Poultry farm is not</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>met</td>
<td></td>
</tr>
<tr>
<td>Car park</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.06-2.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot. This does not apply to the replacement of an existing dwelling if the existing dwelling is removed or altered (so it can no longer be used as a dwelling) within one month of the occupation of the replacement dwelling.</td>
</tr>
<tr>
<td></td>
<td>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 keeping – if the Section 1 condition to Animal keeping is not met</td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td>Racing dog training</td>
<td></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>Utility installation (other than Minor utility installation and</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>------------------------------------------</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>Any other use not in Section 1 or 3</td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

#### Use

- Abattoir
- Accommodation (other than Bed and breakfast, Dependent person’s unit, Dwelling, Group accommodation, Host farm and Residential hotel)
- Amusement parlour
- Brothel
- Child care centre
- Cinema based entertainment facility
- Education centre (other than Primary school and Secondary school)
- Industry (other than Rural industry)
- Intensive animal production
- Office
- Leisure and recreation (other than Informal outdoor recreation)
- Place of assembly (other than Carnival and Circus)
- Retail premises (other than Landscape gardening supplies, Market, Primary produce sales and Restaurant)
- Rice growing
- Sawmill
- Transport terminal
- Warehouse (other than Freezing and cool storage and Rural store)

### Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.

- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.

- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.

- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.
Subdivision

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is the re-subdivision of existing lots, the number of lots is not increased, and the number of dwellings that the land could be used for does not increase.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
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<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td></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></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.

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<tr>
<td>$250,000 where the land is not:</td>
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</tr>
<tr>
<td>* Used for Animal keeping, Pig farm, Poultry farm, Poultry hatchery 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>
</tbody>
</table>

Any works must not be earthworks specified in the schedule to the zone.

Decision guidelines

Before deciding on an application to use or subdivide land, lease or license a portion of a lot for a period of more than 10 years if the portion is to be leased or licensed for the purpose of Accommodation, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General issues


- Any Regional Catchment Strategy and associated plan applying to the land.

- The capability of the land to accommodate the proposed use or development.

- How the use or development conserves the values identified for the land in a schedule.
• Whether use or development protects and enhances the environmental, agricultural and landscape qualities of the site and its surrounds.

• Whether the site is suitable for the use or development and the compatibility of the proposal with adjoining land uses.

**Rural issues**

• The environmental capacity of the site to sustain the rural enterprise.

• The need to prepare an integrated land management plan.

• The impact on the existing and proposed infrastructure.

• Whether the use or development will have an adverse impact on surrounding land uses.

**Environmental issues**

• An assessment of the likely environmental impact on the biodiversity and in particular the flora and fauna of the area.

• The protection and enhancement of the natural environment of the area, including the retention of vegetation and faunal habitats and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.

• How the use and development relates to sustainable land management and the need to prepare an integrated land management plan which addresses the protection and enhancement of native vegetation and waterways, stabilisation of soil and pest plant and animal control.

• The location of on site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.

**Dwelling issues**

• Whether the dwelling will result in the loss or fragmentation of productive agricultural land.

• Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, noise, odour, use of chemicals and farm machinery, traffic and hours of operation.

• Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.

**Design and siting issues**

• The need to minimise any adverse impacts of siting, design, height, bulk, and colours and materials to be used, on landscape features, major roads and vistas.

• The location and design of existing and proposed infrastructure services which minimises the visual impact on the landscape.

• The need to minimise adverse impacts on the character and appearance of the area or features of archaeological, historic or scientific significance or of natural scenic beauty or importance.

• The location and design of roads and existing and proposed infrastructure services to minimise the visual impact on the landscape.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 4.
SCHEDULE TO CLAUSE 35.06 RURAL CONSERVATION ZONE

Shown on the planning scheme map as **RCZ**.

CONSERVATION VALUES

The Rural Conservation Zone has been applied over two areas within the Shire located close to Mt Tallarook and Mt Disappointment. These areas are characterised by steep slopes and dense vegetation cover. The zone has been applied to ensure erosion and land degradation is avoided and existing vegetation cover is maintained wherever possible.

**Subdivision and other requirements**

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares).</td>
<td>All land</td>
</tr>
<tr>
<td>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**

<table>
<thead>
<tr>
<th>Land</th>
<th>Permit requirement for earthworks</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land</td>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
</tr>
<tr>
<td>All land</td>
<td>Earthworks which increase the discharge of saline groundwater.</td>
</tr>
</tbody>
</table>
FARMING ZONE

Shown on the planning scheme map as FZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To provide for the use of land for agriculture.

To encourage the retention of productive agricultural land.

To ensure that non-agricultural uses, including dwellings, do not adversely affect the use of land for agriculture.

To encourage the retention of employment and population to support rural communities.

To encourage use and development of land based on comprehensive and sustainable land management practices and infrastructure provision.

To provide for the use and development of land for the specific purposes identified in a schedule to this zone.

Table of uses

Section 1 – Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal keeping, Animal production, Apiculture, Racing dog training, Rice growing and Timber production)</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Animal keeping (other than Animal boarding)</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>No more than 10 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td></td>
<td>At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Cattle feedlot</td>
<td>Must meet the requirements of Clause 53.08.</td>
</tr>
<tr>
<td></td>
<td>The total number of cattle to be housed in the cattle feedlot must be 1000 or less.</td>
</tr>
<tr>
<td></td>
<td>The site must be located outside a special water supply catchment under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td></td>
<td>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.</td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td>Must be the only dependent person’s unit on the lot.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be the only dwelling on the lot.</td>
</tr>
<tr>
<td></td>
<td>The lot must be at least the area specified in a schedule to this zone. If no area is specified, the lot must be at least 40 hectares.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Grazing animal production</td>
<td>Must be no more than 100 poultry (not including emus or ostriches). Must be no more than 10 emus and ostriches.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Poultry farm</td>
<td>Must not be within 100 metres of a dwelling in separate ownership. The area used for the display and sale of primary produce must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td></td>
</tr>
<tr>
<td>Racing dog training</td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
</tbody>
</table>
| Rural industry (other than Abattoir and Sawmill) | Must not have a gross floor area more than 200 square metres. Must not be within 100 metres of a dwelling in separate ownership. Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10. The land must be at least the following distances from land (not a road) which is in a residential zone or Rural Living Zone:  
  - The threshold distance, for a purpose listed in the table to Clause 53.10.  
  - 30 metres, for a purpose not listed in the table to Clause 53.10. |
| Rural store                              | Must be used in conjunction with Agriculture. Must be in a building, not a dwelling and have a gross floor area of less than 100 square metres. Must be the only Rural store on the lot.                                     |
| Timber production                        | Must meet the requirements of Clause 53.11. The plantation area must not exceed any area specified in a schedule to this zone. Any area specified must be at least 40 hectares. The total plantation area (existing and proposed) on contiguous land which was in the same ownership on or after 28 October 1993 must not exceed any scheduled area. The plantation must not be within 100 metres of:  
  - Any dwelling in separate ownership.  
  - Any land zoned for residential, commercial or industrial use.  
  - Any site specified on a permit which is in force which permits a dwelling to be constructed. The plantation must not be within 20 metres of a powerline whether on private or public land, except with the consent of the relevant electricity supply or distribution authority. |
<p>| Tramway                                  |                                                                                                                                                                                                          |</p>
<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Any use listed in Clause 62.01</strong></td>
<td>Must meet requirements of Clause 62.01.</td>
</tr>
<tr>
<td><strong>Section 2 – Permit required</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Abattoir</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Animal boarding</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Animal production (other than Broiler farm, Cattle feedlot and Grazing animal production)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Broiler farm - if the Section 1 condition to Poultry farm is not met</strong></td>
<td>Must meet the requirements of Clause 53.09.</td>
</tr>
<tr>
<td><strong>Camping and caravan park</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Car park</strong></td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td><strong>Cattle feedlot – if the Section 1 condition is not met</strong></td>
<td>Must meet the requirements of Clause 53.08.</td>
</tr>
<tr>
<td></td>
<td>The site must be located outside a catchment area listed in Appendix 2 of the Victorian Code for Cattle Feedlots – August 1995.</td>
</tr>
<tr>
<td><strong>Cemetery</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Crematorium</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Dependent person’s unit – if the Section 1 condition is not met</strong></td>
<td>Must meet the requirements of Clause 35.07-2.</td>
</tr>
<tr>
<td><strong>Dwelling (other than Bed and breakfast) – if the Section 1 condition is not met</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Emergency services facility</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Freeway service centre</strong></td>
<td>Must meet the requirements of Clause 53.05.</td>
</tr>
<tr>
<td><strong>Group accommodation</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Host farm</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Industry (other than Rural industry)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Landscape gardening supplies</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Leisure and recreation (other than Informal outdoor recreation)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Manufacturing sales</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Market</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Place of assembly (other than Amusement parlour, Night club, Carnival and Circus)</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Primary school</strong></td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>---------------------------------------------------------------------</td>
<td>-----------------------------------------------------</td>
</tr>
<tr>
<td>Racing dog keeping – if the Section 1 condition to Animal keeping is not met</td>
<td>Must meet the requirements of Clause 53.12.</td>
</tr>
<tr>
<td>Racing dog training – if the Section 1 condition is not met</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>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>
<tr>
<td>Section 3 – Prohibited</td>
<td></td>
</tr>
</tbody>
</table>

### Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:
Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.

The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.

The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.

The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

### Subdivision

A permit is required to subdivide land.

Each lot must be at least the area specified for the land in a schedule to this zone. If no area is specified, each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

### VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- Each new lot is at least the area specified for the land in the zone or the schedule to the zone.</td>
<td></td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
</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. Any works must not be earthworks specified in the schedule to the zone.</td>
<td>Clause 59.13</td>
</tr>
</tbody>
</table>

Construct a building or construct or carry out works associated with a Section 2 use in the Table of uses of the zone with an estimated cost of up to $500,000 where the land is not:

- Used for Animal keeping, Intensive animal production, Pig farm, Poultry farm, Poultry hatchery 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 CLAUSE 35.07 FARMING ZONE

Shown on the planning scheme map as **FZ**.

## Subdivision and other requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Area/Dimensions/Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum subdivision area (hectares)</td>
<td>Land south of Davidson Street, Broadford bounded by the railway, Broadford-Wallan Road and the Rural Living zone to the south. 20 hectares</td>
</tr>
<tr>
<td></td>
<td>All other land, except as shown on Map 1 40 hectares, unless otherwise noted on Map 1</td>
</tr>
<tr>
<td>Minimum area for which no permit is required to use land for a dwelling (hectares)</td>
<td>All land 40 hectares</td>
</tr>
<tr>
<td>Maximum area for which no permit is required to use land for timber production (hectares)</td>
<td>None specified None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing dwelling (square metres)</td>
<td>None specified None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to construct an out-building associated with a dwelling (square metres)</td>
<td>None specified None specified</td>
</tr>
<tr>
<td>Maximum floor area for which no permit is required to alter or extend an existing building used for agriculture (square metres)</td>
<td>None specified None specified</td>
</tr>
<tr>
<td>Minimum setback from a road (metres).</td>
<td>A Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1 100 metres</td>
</tr>
<tr>
<td></td>
<td>A Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2 40 metres</td>
</tr>
<tr>
<td></td>
<td>Any other road 20 metres</td>
</tr>
<tr>
<td>Minimum setback from a boundary (metres).</td>
<td>Any other boundary 5 metres</td>
</tr>
<tr>
<td>Minimum setback from a dwelling not in the same ownership (metres).</td>
<td>Any dwelling not in the same ownership 100 metres</td>
</tr>
</tbody>
</table>

## Permit requirement for earthworks

<table>
<thead>
<tr>
<th>Permit requirement for earthworks</th>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earthworks which change the rate of flow or the discharge point of water across a property boundary.</td>
<td>All land</td>
</tr>
<tr>
<td>Earthworks which increase the discharge of saline groundwater.</td>
<td>All land</td>
</tr>
</tbody>
</table>
Map 1 to the Schedule to Clause 35.07
PUBLIC USE ZONE

Shown on the planning scheme map as PUZ with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise public land use for public utility and community services and facilities.
To provide for associated uses that are consistent with the intent of the public land reservation or purpose.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Railway station</td>
<td>The total leasable floor area for the selling of food, drink and other</td>
</tr>
<tr>
<td></td>
<td>convenience goods and services must not exceed 50 square metres.</td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Any other use</td>
<td>The use must be for the purpose described in the table to Clause 36.01-6 which corresponds to the notation on the planning scheme map.</td>
</tr>
<tr>
<td></td>
<td>The use must be carried out by or on behalf of the public land manager.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td></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 CLAUSE 36.01 PUBLIC USE ZONE

Permit exemptions and conditions

<table>
<thead>
<tr>
<th>Public Land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kilmore Police Station, Crown Allotment 10, Section 11, Township of Kilmore, Parish of Bylands, south west corner of Green and Powllett Streets, Kilmore</td>
<td>All use and development by Victoria Police for police purposes on this land is exempt from the requirement for a planning permit. Any use and/or development not associated with Victoria Police responsibilities requires a planning permit.</td>
<td>A plan showing the nature and location of the use and/or development is to be provided to the satisfaction of the responsible authority prior to the use and/or development commencing.</td>
</tr>
</tbody>
</table>

All land owned by the Department of Sustainability and Environment | Any use or development. | Must be in accordance with a management plan approved between Mitchell Shire Council and the Department of Sustainability and Environment |

Sign requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td>None specified</td>
</tr>
</tbody>
</table>
PUBLIC PARK AND RECREATION ZONE

Shown on the planning scheme map as PPRZ.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise areas for public recreation and open space.
To protect and conserve areas of significance where appropriate.
To provide for commercial uses where appropriate.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Informal outdoor recreation</td>
<td>Must be conducted by or on behalf of the public land manager.</td>
</tr>
<tr>
<td></td>
<td>Must not be on coastal Crown land under the Coastal Management Act 1995.</td>
</tr>
<tr>
<td></td>
<td>Must not be costeasing or bulk sampling.</td>
</tr>
<tr>
<td>Open sports ground</td>
<td>Must be conducted by or on behalf of the public land manager.</td>
</tr>
<tr>
<td></td>
<td>Must not be on coastal Crown land under the Coastal Management Act 1995.</td>
</tr>
<tr>
<td></td>
<td>Must not be costeasing or bulk sampling.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
<tr>
<td>Contractor's depot</td>
<td>Must be either of the following:</td>
</tr>
<tr>
<td>Heliport</td>
<td>A use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958, or the Crown Land (Reserves) Act 1978.</td>
</tr>
<tr>
<td>Office</td>
<td>A use specified in an Incorporated plan in a schedule to this zone.</td>
</tr>
<tr>
<td>Retail premises</td>
<td>A use specified in an Incorporated plan in a schedule to this zone.</td>
</tr>
<tr>
<td>Store</td>
<td>A use specified in an Incorporated plan in a schedule to this zone.</td>
</tr>
<tr>
<td>Any other use not in Section 3</td>
<td>A use specified in an Incorporated plan in a schedule to this zone.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractor's depot - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Heliport - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Office - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Retail premises - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
<tr>
<td>Store - if the Section 1 condition is not met</td>
<td>Must be associated with the public land use.</td>
</tr>
</tbody>
</table>
Section 3 - Prohibited

Use

Brothel
Cinema based entertainment facility
Corrective institution
Display home
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 CLAUSE 36.02 PUBLIC PARK AND RECREATION ZONE

1.0 Permit exemptions and conditions

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land owned by the Department of Sustainability and Environment.</td>
<td>Any use or development in accordance with a management plan approved between Mitchell Shire Council and the Department of Sustainability and Environment.</td>
<td>None specified</td>
</tr>
</tbody>
</table>

2.0 Sign requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Land</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0 Use and development of land specified in an Incorporated Plan

None specified.
PUBLIC CONSERVATION AND RESOURCE ZONE

Shown on the planning scheme map as PCRZ.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To protect and conserve the natural environment and natural processes for their historic, scientific, landscape, habitat or cultural values.
To provide facilities which assist in public education and interpretation of the natural environment with minimal degradation of the natural environment or natural processes.
To provide for appropriate resource based uses.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>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>• Specified in an Incorporated plan in a schedule to this zone.</td>
</tr>
<tr>
<td>Car park</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Interpretation centre</td>
<td></td>
</tr>
<tr>
<td>Jetty</td>
<td></td>
</tr>
<tr>
<td>Kiosk</td>
<td></td>
</tr>
<tr>
<td>Marine dredging</td>
<td></td>
</tr>
<tr>
<td>Mooring pole</td>
<td></td>
</tr>
<tr>
<td>Open sports ground</td>
<td></td>
</tr>
<tr>
<td>Pier</td>
<td></td>
</tr>
<tr>
<td>Pontoon</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than</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></td>
</tr>
<tr>
<td>Renewable energy facility (other than Wind energy facility)</td>
<td>Must not be located on land reserved under the <em>National Parks Act 1975</em>.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 53.13.</td>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Must not be located on land described in a schedule to the <em>National Parks Act 1975</em>. This does not apply where the Wind energy facility is principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land.</td>
</tr>
<tr>
<td></td>
<td>Must meet the requirements of Clause 52.32.</td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The use in Section 1 described as ‘Any other use not in Section 2 or 3’ – if the Section 1 condition is not met</td>
<td></td>
</tr>
</tbody>
</table>

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply to:
  - A building or works shown in an Incorporated plan which applies to the land.
  - A building or works specified in Clause 62.02-1 or 62.02-2 carried out by or on behalf of a public authority or municipal council, if the public authority or municipal council is carrying out functions, powers or duties conferred by or under the *Local Government Act 1989*, the *Reference Areas Act 1978*, the *National Parks Act 1975*, the *Fisheries Act 1995*, the *Wildlife Act 1975*, the *Forests Act 1958*, the *Water Industry Act 1994*, the *Water Act 1989*, the *Marine Act 1988*, the *Port of Melbourne Authority Act 1958* or the *Crown Land (Reserves) Act 1978*.

- Subdivide land.

Application requirements

An application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:

- To the application for permit being made.
- To the application for permit being made and to the proposed use or development.
Where there is no public land manager, an application for a permit must be accompanied by the written consent of the Secretary to the Department of Environment, Land, Water and Planning.

**36.03-4**

31/07/2018

VC148

**Exemption from notice and review**

An application to subdivide land which is consistent with an Incorporated plan is exempt from the notice requirements of section 52(1) (a), (b), and (d), the decision requirements of sections 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**36.03-5**

18/06/2010

VC62

**Referral of applications**

An application to use or develop land for the purpose of an emergency services facility must be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

**36.03-6**

31/07/2018

VC148

**Decision guidelines**

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
- Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

**36.03-7**

18/06/2010

VC62

**Incorporated plan**

An Incorporated plan is a plan which shows the way the land is to be used and developed. An Incorporated plan may include the following information:

- Recognition of existing use and how the area is to be developed.
- The building envelope of any proposed buildings.
- Details of proposed buildings or works.
- The location of pedestrian or vehicle access points or car parking areas.
- The location of any areas for specific uses and a schedule of specific uses which are allowed without permit.
- Topographic details including any proposed cut and fill.
- The location of existing and proposed features.
- The location of existing native or other vegetation and any proposed landscaping works or areas of vegetation to be added or removed.
- The identification of sites of flora or fauna significance (including, in particular, any potentially threatened species or significant habitat) or other places of cultural, heritage or scientific value.

The Incorporated plan must be consistent with the intent of the public land reservation under any Act and make reference to relevant policies and guidelines.

An Incorporated plan may be prepared in parts or stages.
**Use and development of land identified in a schedule**

Land identified in a schedule to this zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land, provided any condition in the schedule or incorporated document is complied with.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 4 unless a different requirement is specified in the schedule to this zone.
SCHEDULE TO CLAUSE 36.03 PUBLIC CONSERVATION AND RESOURCE ZONE

1.0 Permit exemptions and conditions

<table>
<thead>
<tr>
<th>Public land</th>
<th>Use or development</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land owned by the Department of Sustainability and Environment.</td>
<td>Any use or development in accordance with a management plan approved between Mitchell Shire Council and the Department of Sustainability and Environment.</td>
<td>None specified</td>
</tr>
</tbody>
</table>

2.0 Sign requirements

<table>
<thead>
<tr>
<th>Land</th>
<th>Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Land</td>
<td>None specified</td>
</tr>
</tbody>
</table>

3.0 Use and development of land specified in an Incorporated Plan

None specified.
ROAD ZONE

Shown on the planning scheme map as **RDZ1** for a Category 1 road and **RDZ2** for a Category 2 road.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify significant existing roads.

To identify land which has been acquired for a significant proposed road.

---

### Table of uses

#### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

#### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

#### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>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.
Sign requirements are at Clause 52.05. A permit is required to display a sign over the road formation or over land within 600 millimetres of the road formation. For other land in this zone, the category of advertising control which applies is the category which applies to the adjoining zone nearest to the land. If land is equidistant from two or more adjoining zones, the least restrictive category applies.

Where the Public Use Zone 4 is the nearest adjoining zone, a permit is required to display a sign.
SPECIAL USE ZONE

Shown on the planning scheme map as SUZ with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To recognise or provide for the use and development of land for specific purposes as identified in a schedule to this zone.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 1 of the schedule to this zone</td>
<td>Must comply with any condition in Section 1 of the schedule to this zone</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 2 of the schedule to this zone</td>
<td>Must comply with any condition in Section 2 of the schedule to this zone.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3 of the schedule to this zone</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 3 of the schedule to this zone</td>
<td></td>
</tr>
</tbody>
</table>

Use of land

Any requirement in the schedule to this zone must be met.

Application requirements

An application to use land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any guidelines in the schedule to this zone.
Subdivision

Permit requirement

A permit is required to subdivide land.

Any requirement in the schedule to this zone must be met.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>• The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>• The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>• The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>• An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>• The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>• Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>• Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>• The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Application requirements

An application to subdivide land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

• The Municipal Planning Strategy and the Planning Policy Framework.

• Any guidelines in the schedule to this zone.
Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.

An apartment development must meet the requirements of Clause 58.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 and the land is not:</td>
<td></td>
</tr>
<tr>
<td>Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
</tbody>
</table>

Transitional provisions

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.

An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- For an apartment development, the objectives, standards and decision guidelines of Clause 58.
- Any guidelines in the schedule to this zone.
**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.
SCHEDULE 1 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as **SUZ1**.

EARTH AND ENERGY RESOURCES INDUSTRY

Purpose
To recognise or provide for the use and development of land for earth and energy resources industry. To encourage interim use of the land compatible with the use and development of nearby land. To encourage land management practice and rehabilitation that minimises adverse impact on the use and development of nearby land.

1.0

Table of Uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extensive animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Railway</td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal keeping, Animal training, Apiculture, Extensive animal husbandry, Horse stables, and Intensive animal husbandry)</td>
<td>Must be no more than four animals.</td>
</tr>
<tr>
<td>Animal keeping (other than Animal boarding)</td>
<td>Must not be a purpose listed in the table to Clause 53.10.</td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit</td>
<td></td>
</tr>
<tr>
<td>Industry (other than Materials recycling, Refuse disposal, and Transfer station)</td>
<td></td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation)</td>
<td></td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td></td>
</tr>
<tr>
<td>Materials recycling</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Carnival and Circus and Nightclub)</td>
<td></td>
</tr>
<tr>
<td>Refuse disposal</td>
<td></td>
</tr>
<tr>
<td>Transfer station</td>
<td></td>
</tr>
</tbody>
</table>
### Use of land
None specified.

### Subdivision
None specified.

### Buildings and works
No permit is required to construct a building or construct or carry out works for the following:

- the construction of a building or the construction or carrying out of works which are a modification necessary to comply with a direction or licence under the Dangerous Goods Act 1985 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.

### Signs
None specified.
SCHEDULE 2 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ2.

STATE MOTORCYCLE SPORTS COMPLEX

Purpose
To provide land for racing, practicing, recreation or training with motorcycles, motocross, go-karts, super-carts and other vehicles powered by a motorcycle engine not exceeding 1500cc.
To ensure that the development and use takes place in an orderly and proper manner and does not cause loss of amenity to the surrounding area.
To ensure the development and use occurs in accordance with an endorsed Management Plan and Development Plan.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motor racing track</td>
<td>The use must be in that part of the zone marked SUZ2.</td>
</tr>
<tr>
<td></td>
<td>The use must comply with the conditions in Sections 2-4 inclusive of this Schedule.</td>
</tr>
<tr>
<td></td>
<td>The maximum noise emissions from any vehicles or other contraptions on the land must not exceed 95dB(A) measuring using a fast response method of a distance of 30 metres from the track being used.</td>
</tr>
<tr>
<td></td>
<td>The days and hours that the use may occur are as follows:</td>
</tr>
<tr>
<td></td>
<td>• the motorcross track designated on the development plan may be used only on 50 days in each year;</td>
</tr>
<tr>
<td></td>
<td>• the other tracks designated on the development plan may be used on any other day other than 146 days in each year which shall be noise free days except on as hereinafter provided;</td>
</tr>
<tr>
<td></td>
<td>• no motorcycles or other vehicles may be raced or operated on the land before 9.00 am or after 6.00 pm on any permitted day;</td>
</tr>
<tr>
<td></td>
<td>• at least two days each week and one weekend each month shall be kept noise free for the entire sports complex. Such noise free week days shall be Tuesday and Wednesday;</td>
</tr>
<tr>
<td></td>
<td>• the sports complex must be closed for a period of four weeks around the Christmas - New Year period. The dates during which it is intended that the sports complex be closed must be notified to the responsible authority at least two months in advance.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Major sports and recreation facility</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Mineral exploration</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Mining</th>
</tr>
</thead>
<tbody>
<tr>
<td>Must meet the requirements of Clause 52.08-2.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Search for stone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Must not be costeaming or bulk sampling</td>
</tr>
</tbody>
</table>
### MITCHELL PLANNING SCHEME

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<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</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Mineral, stone, or soil extraction (other than Mineral exploration,</td>
<td></td>
</tr>
<tr>
<td>Mining, and Search for stone)</td>
<td></td>
</tr>
<tr>
<td>Primary produce sales</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td></td>
</tr>
<tr>
<td>Take away food premises</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>Child care centre</td>
</tr>
<tr>
<td>Funeral parlour</td>
</tr>
<tr>
<td>Hospital</td>
</tr>
<tr>
<td>Industry</td>
</tr>
<tr>
<td>Medical centre</td>
</tr>
<tr>
<td>Office</td>
</tr>
<tr>
<td>Place of assembly</td>
</tr>
<tr>
<td>Retail premises (other than</td>
</tr>
<tr>
<td>Market, Primary produce sales,</td>
</tr>
<tr>
<td>Restaurant and Take away food</td>
</tr>
<tr>
<td>premises)</td>
</tr>
<tr>
<td>Service station</td>
</tr>
<tr>
<td>Transport terminal</td>
</tr>
<tr>
<td>Warehouse</td>
</tr>
</tbody>
</table>

### Use of land

This provision applies only to the land used as a State Motorcycle Sports Complex situated at Strath Creek Road, Broadford.

The use and development under this Section must not commence until Permit No. 67 and permit No. 617 issued under the former Shire of Broadford Interim Development Order to the Auto Cycle Union of Victoria are cancelled.

The land may be used only for racing, practising, recreation or training with:

- motorcycles (including sidecars);
- off-road motorcycles;
- motocross;
- go-karts and super-karts; and
any other vehicle powered by a motorcycle engine with a power rating of not more than production 1500cc

provided the following provisions are complied with. The responsible authority may grant a permit to vary any of the provisions if not in conflict with Section 1 conditions of the Table to this Schedule after consultation with affected landowners.

Prior to the commencement of the use under this section, the owner of the land must prepare a Development plan generally in accordance with plan no. 137/TP/1A by Lanigan Baldwin Pty Ltd dated December 1996 and a Management Plan to the satisfaction of the responsible authority.

The use and development of the land must generally be consistent with the Development Plan and Management Plan, both of which form part of the Planning Scheme.

The Development Plan and the Management Plan may be amended by the owner with the consent of the responsible authority after consultation with affected landowners.

The purpose of the Management Plan is:

- To express relevant operational requirements for activities which are permitted on site.
- To enable the responsible authority to monitor the performance of the approved activities.
- To provide a consistent planning framework for the use of the land.

The provisions of the Management Plan shall take precedence over the conditions of any permit on the site if there are any inconsistencies.

Conditions of use shall be:

**Noise Monitoring**

- Noise monitoring locations (“the noise monitoring location”) must be identified on the development plan, established and then maintained on the noisiest part of each track to the satisfaction of the responsible authority.
- Accurate noise level measuring equipment must be in position at each noise monitoring location when the track is in use and the equipment must be calibrated at least once every 12 months by an organisation registered or approved by the National Association of Testing Authorities.
- Adequate records of all noise monitoring must be maintained and such records must be made available to the responsible authority on request.
- Monitoring of all noise being emitted by any vehicle must occur regularly while a track is in use from the noise monitoring location for each track.
- Any vehicle which emits noise in excess of the maximum permissible noise level must be banned until it is able to comply with the maximum noise emission.

**Public Address System**

- If a public address system is used, its design, installation and operation must comply with the Environment Protection Authority standards and must be to the satisfaction of the responsible authority.

**Illumination**

- Lighting to any track and any part of the land available to the public must be suitably baffled and located so that no direct light is emitted outside the site to the satisfaction of the responsible authority.

**Landscaping**

- The area shown on the development plan as being set aside for landscaping must be landscaped and then maintained to the satisfaction of the responsible authority.
The land must be totally enclosed on its outer perimeter by a chain mesh fence with gates where appropriate at least 1.8 metres high and the fencing and gates must be maintained to the satisfaction of the responsible authority.

**Protection against fire**

- Fire control measures must be taken in accordance with and in consultation with the Country Fire Authority to the satisfaction of the responsible authority.
- At least 1,136,500 litres (250,000 gallons) of water must be stored on the land at all times in a dam or some other suitable means of storage to the satisfaction of the responsible authority.

**Garbage**

- No litter or garbage may be left in the open at any time. A sufficient number of rubbish bins must be provided at all times and the litter and garbage must be removed from the land after the conclusion of any meeting held at the sports complex as soon as practicable and placed in a secured receptacle to the satisfaction of the responsible authority.

**Camping**

- No camping or other temporary accommodation may occur on the land without the consent of the responsible authority.
- At all times when the land is used as permitted, adequate and responsible supervision must be provide to ensure compliance with these conditions.
- The use of the land must not cause injury to, or prejudicially affect, the amenity of the locality by reason of the activities on the land, the processes carried on, the transportation of materials, goods, and commodities to and from the premises, by reason of the appearance of any buildings, works or materials or, except as permitted, by reason of the appearance of the emission of noise, vibration, smell, fumes, smoke, vapour steam, soot, ash, dust, waste water, waste products, grit, oil or the presence of vermin or otherwise.

**Toilets and Waste**

- Sufficient toilets and public conveniences must be provided to the satisfaction of the responsible authority.
- All Toilets and wastewater from any source (but not storm water) must be connected to an adequate system for the disposal or treatment of such waste to the satisfaction of the responsible authority.

These conditions are not intended to be exhaustive.

3.0  
27/05/2019
C141smith

**Subdivision**

None specified.

4.0  
23/10/2008
C40

**Buildings and Works**

A permit is required to construct a building or to construct or carry out works on the land referred to in this Schedule.

5.0  
27/05/2019
C141smith

**Signs**

None specified.
Map 1 to the Schedule to Clause 37.01

LEGEND

OVERLAY CONTROL

SP1  OVERLAY CONTROL CATEGORY SP1

SP2  OVERLAY CONTROL CATEGORY SP2

NOT TO SCALE
SCHEDULE 3 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ3.

KILMORE RACETRACK

Purpose

To recognise Kilmore Racetrack as a major recreational and entertainment resource of local significance.

To provide for the use and development of the Kilmore Racetrack for non-racing activities including entertainment, cultural and recreational activities.

To ensure that the use and development of the Kilmore Racetrack does not adversely impact the amenity of surrounding areas.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal husbandry)</td>
<td></td>
</tr>
<tr>
<td>Betting agency</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s house</td>
<td>Must be in Area B.</td>
</tr>
<tr>
<td>Cinema</td>
<td>Must be outdoors.</td>
</tr>
<tr>
<td></td>
<td>The use must operate between the hours of 11am – 11pm.</td>
</tr>
<tr>
<td>Education centre (other than Primary school, Secondary school and Tertiary institution)</td>
<td>Must be in Area A.</td>
</tr>
<tr>
<td></td>
<td>The use must operate between the hours of 5am – 11pm.</td>
</tr>
<tr>
<td>Equestrian supplies</td>
<td>Must be in Area B.</td>
</tr>
<tr>
<td>Function centre</td>
<td>Must be in Area A.</td>
</tr>
<tr>
<td></td>
<td>The use must operate between the hours of 7am -1am.</td>
</tr>
<tr>
<td>Horse stables</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Motor racing track)</td>
<td>Must be in Area B.</td>
</tr>
<tr>
<td></td>
<td>The use must operate between the hours of 5am – 11pm.</td>
</tr>
<tr>
<td>Market</td>
<td>Must be in Area B.</td>
</tr>
<tr>
<td></td>
<td>The use must operate between the hours of 7am – 11pm.</td>
</tr>
<tr>
<td>Place of assembly (other than Amusement parlour, Cinema, Function centre and Nightclub)</td>
<td>Must be less than 2,500 persons or a horse racing event.</td>
</tr>
<tr>
<td></td>
<td>The use must operate between the hours of 7am – 11pm.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01</td>
</tr>
</tbody>
</table>
Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation</td>
</tr>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Industry</td>
</tr>
<tr>
<td>Motor racing track</td>
</tr>
<tr>
<td>nightclub</td>
</tr>
<tr>
<td>Retail premises (other than Betting agency, Equestrian supplies, Food and drink premises, Gambling premises, Market and Primary produce sales)</td>
</tr>
<tr>
<td>Service station</td>
</tr>
<tr>
<td>Warehouse</td>
</tr>
</tbody>
</table>

Use of land

Land must not be used for a place of assembly for more than 2,500 people unless an Event Management Plan has been approved by the responsible authority and no more than 30 outdoor events may be held each year. This does not apply to the use of the land as a racecourse.

The requirements of an Event Management Plan must be to the satisfaction of the responsible authority and include plans that address:

- Traffic management and parking
- Emergency management
- Security
- Communications
- Waste management

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, stream, soot, ash, dust, waste water, waste products, grit or oil

The following decision guidelines apply to an application for a permit under Clause 37.01, in addition to those specified in Clause 37.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The purpose of this schedule
- The provision of car parking, including access and the layout of the car parking areas
- The impact of traffic generated by the use
- The movement of pedestrians and cyclists and vehicles providing for supplies waste removal, emergency services and public transport
- The impact of the noise generated by the use
- The frequency and hours of operation of any proposed use
- The impact on the use of the land as a racecourse

### Subdivision
None specified.

### Buildings and works
None specified.

### Signs
Sign requirements are at Clause 52.05. All land located within Kilmore Racetrack is in Category 2.
Map 1 to Schedule 3 to Clause 37.01
SCHEDULE 4 TO CLAUSE 37.01 SPECIAL USE ZONE

Shown on the planning scheme map as SUZ4.

PRIVATE EDUCATIONAL OR RELIGIOUS INSTITUTIONS

Purpose
- To provide for areas to be used by private educational and religious institutions.
- To ensure that development of these facilities takes place in an orderly and proper manner and does not cause loss of amenity to the surrounding area or neighbourhood.

1.0 Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture</td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Mineral exploration</td>
<td></td>
</tr>
<tr>
<td>Mining</td>
<td>Must meet the requirements of Clause 52.08-2.</td>
</tr>
<tr>
<td>Place of worship</td>
<td></td>
</tr>
<tr>
<td>Search for stone</td>
<td>Must not be costeasing or bulk sampling</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
</tr>
<tr>
<td>Place of assembly (other than Carnival, Circus and Place of worship)</td>
<td></td>
</tr>
<tr>
<td>Primary produce sales</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td></td>
</tr>
<tr>
<td>Take away food premises</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mineral, stone, or soil extraction (other than Mineral exploration, Mining, and Search for stone)</td>
</tr>
<tr>
<td>Retail premises (other than Market, Primary produce sales, Restaurant and Take away food premises)</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 2</td>
</tr>
</tbody>
</table>

2.0 Use of land

None specified.
3.0
27/05/2019
C141mith

**Subdivision**
None specified.

4.0
27/05/2019
C141mith

**Buildings and works**
None specified.

5.0
27/05/2019
C141mith

**Signs**
None specified.
COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as CDZ with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To provide for a range of uses and the development of land in accordance with a comprehensive development plan incorporated in this scheme.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 1 of the schedule to this zone</td>
<td>Must comply with any condition in Section 1 of the schedule to this zone.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 2 of the schedule to this zone</td>
<td>Must comply with any condition in Section 2 of the schedule to this zone.</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3 of the schedule to this zone</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 3 of the schedule to this zone</td>
</tr>
</tbody>
</table>

Use of land

Any requirement in the schedule to this zone must be met.

Application requirements

An application to use land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any guidelines in the schedule to this zone.
Subdivision

Permit requirement

A permit is required to subdivide land.
Any requirement in the schedule to this zone must be met.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>● The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>● The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>● The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
<tr>
<td>● An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into 2 lots if:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>● The construction of a building or the construction or carrying out of works on the land:</td>
<td></td>
</tr>
<tr>
<td>- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
<tr>
<td>- Has started lawfully.</td>
<td></td>
</tr>
<tr>
<td>● The subdivision does not create a vacant lot.</td>
<td></td>
</tr>
</tbody>
</table>

Application requirements

An application to subdivide land for residential development, other than an application to subdivide land into lots each containing an existing dwelling or car parking space, must meet the requirements of Clause 56 and:

  ● Must meet all of the objectives included in the clauses specified in the following table.
  ● Should meet all of the standards included in the clauses specified in the following table.

<table>
<thead>
<tr>
<th>Class of subdivision</th>
<th>Objectives and standards to be met</th>
</tr>
</thead>
<tbody>
<tr>
<td>60 or more lots</td>
<td>All except Clause 56.03-5.</td>
</tr>
<tr>
<td>16 – 59 lots</td>
<td>All except Clauses 56.03-1 to 56.03-3, 56.03-5, 56.06-1 and 56.06-3.</td>
</tr>
<tr>
<td>3 – 15 lots</td>
<td>All except Clauses 56.02-1, 56.03-1 to 56.03-4, 56.05-2, 56.06-1, 56.06-3 and 56.06-6.</td>
</tr>
</tbody>
</table>
Objectives and standards to be met

Class of subdivision | Objectives and standards to be met
--- | ---
2 lots | Clauses 56.03-5, 56.04-2, 56.04-3, 56.04-5, 56.06-8 to 56.09-2.

An application to subdivide land must be accompanied by any information specified in the schedule to this zone.

Exemption from notice and review

The schedule to this zone may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The objectives and standards of Clause 56.
- Any guidelines in the schedule to this zone.

Buildings and works

Permit requirement

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

Any requirement in the schedule to this zone must be met.

An apartment development must meet the requirements of Clause 58.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 and the land is not:</td>
<td>Clause 59.04</td>
</tr>
<tr>
<td>- Within 30 metres of land (not a road) which is in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>- Used for a purpose listed in the table to Clause 53.10.</td>
<td></td>
</tr>
</tbody>
</table>

Transitional provisions

Clause 58 does not apply to:

- An application for a planning permit lodged before the approval date of Amendment VC136.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC136.

Application requirements

An application to construct a building or construct or carry out works must be accompanied by any information specified in the schedule to this zone.
An application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, must be accompanied by an urban context report and design response as required in Clause 58.01.

**Exemption from notice and review**

An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if it is generally consistent with the comprehensive development plan.

The schedule to this zone may specify that other applications are also exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- For an apartment development, the objectives, standards and decision guidelines of Clause 58.
- Any guidelines in the schedule to this zone.

**Signs**

Sign requirements are at Clause 52.05. This zone is in Category 3 unless a schedule to this zone specifies a different category.
SCHEDULE 1 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as CDZ1.

HIDDEN VALLEY COMPREHENSIVE DEVELOPMENT PLAN

Land
670 Northern Highway, Wallan.

Purpose
To provide for the integrated subdivision and development of the land in accordance with the
Hidden Valley Comprehensive Development Plan, December 1999 (Revision 01, March 2002).
To provide for recreational rural and equestrian facilities and activities in conjunction with
residential and resort development on a range of lot sizes.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwelling</td>
<td>Must be generally in accordance with the Hidden Valley Comprehensive Development Plan, December 1999 (Revision 01, March 2002) or any subsequent staged plan approved by the Responsible Authority.</td>
</tr>
<tr>
<td>Home based business</td>
<td></td>
</tr>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Mineral exploration</td>
<td></td>
</tr>
<tr>
<td>Mining</td>
<td>Must meet the requirements of Clause 52.08-2.</td>
</tr>
<tr>
<td>Rural industry</td>
<td>Must be in association with a vineyard and be generally in accordance with the Hidden Valley Comprehensive Development Plan, December 1999 (Revision 01, March 2002).</td>
</tr>
<tr>
<td>Search for stone</td>
<td>Must not be costeasting or bulk sampling</td>
</tr>
<tr>
<td>Any other use not in Section 3</td>
<td>Must be generally in accordance with the Hidden Valley Comprehensive Development Plan, December 1999 (Revision 01, March 2002) or any subsequent staged plan approved by the Responsible Authority.</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>Mineral, stone, or soil extraction (other than Extractive industry, Mineral exploration and Mining)</td>
<td>Any use in Section 1 if the condition is not met</td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>
Section 3 - Prohibited

Use

- Adult sex book shop
- Animal boarding
- Brothel
- Corrective institution
- Industry (other than Rural industry)
- Intensive animal husbandry
- Motor racing track
- Saleyard

Use of land

An application for the use of land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if it is generally consistent with the Hidden Valley Comprehensive Development Plan, December 1999 (Revision 01, March 2002).

Subdivision

An application for subdivision must meet the following requirements:

- Each lot smaller than 2 hectares must be provided with a reticulated supply of water.
- Each lot must be capable of effectively disposing effluent on site if reticulated sewerage is not provided.
- Each lot must be provided with a reticulated supply of electricity located underground unless special and unusual circumstances exist.
- Each lot must have access to a road constructed to the satisfaction of the responsible authority in accordance with its engineering guidelines.
- Each lot smaller than 1 hectare must be connected to a reticulated sewerage disposal network.

The owner of the land to be subdivided may, and must if the responsible authority so requires, enter into an agreement under Section 173 of the Act to provide for:

- design guidelines in relation to the use and development of the land; and
- a community infrastructure levy in accordance with Part 3B of the Act.

An application for the subdivision of land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act if it is generally consistent with the Hidden Valley Comprehensive Development Plan, December 1999 (Revision 01, March 2002).

Buildings and works

No permit is required to construct a building or construct or carry out works for the following:

- Dwelling
- Outbuilding if required to support the use of the land for agricultural purposes provided that it is less than 120m² in floor area (and where the total floor area of all outbuildings does not exceed 200m²).
Application requirements

The following application requirements apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A plan 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 uses.
- All driveway, car parking and loading areas.
- Proposed landscape areas.
- All external storage and waste treatment areas.
- Areas not required for immediate use.
- Scaled elevation drawings to identify 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, its source, the surfaces to be constructed, site works specification and method of preparing, draining, watering, maintaining and monitoring the landscape area.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- the contents and intent of the Hidden Valley Comprehensive Development Plan, December 1999 (Revision 01, March 2002).
- any design guidelines which may apply to the land;
- the purpose statements of this schedule.

An application for buildings and works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2), and (3), and the appeal rights of Section 82(1) of the Act if it is generally consistent with the Hidden Valley Comprehensive Development Plan, December 1999 (Revision 01, March 2002).

Signs

Sign requirements are at Clause 52.05. All land located within the Hillside, Lakeside, Homestead and Estate Lots Precinct and the Eastern Precinct is in Category 3. All other land is in Category 1.
About this Comprehensive Development Plan

This Comprehensive Development Plan (CDP) is an incorporated document of the Mitchell Planning Scheme.

The Mitchell Shire Council is the responsible authority for the Mitchell Planning Scheme. Under Clause 37.02, Schedule 1 of the Scheme, Council must take this Comprehensive Development Plan into account when assessing planning applications for the use, development and subdivision of land at Hidden Valley.

Any application for use, development or subdivision within the Comprehensive Development Plan area must have regard to this Comprehensive Development Plan.
Introduction

Hidden Valley comprises approximately 1,000 hectares. It has been comprehensively planned for residential, rural and recreational development.

Of the 950 residential lots which comprise the development, it is intended that there be a range of lot types including “Hillside” and “Lakeside” lots which are small lots clustered around common property, “Golf Links Lots” which have golf course frontage, “Homestead Lots” which range up to 2ha and “Estate Lots” which are larger than 2ha.

Recreational and resort activities are planned on key sites such as those adjacent to the lake areas and proposed golf courses. These elements will create a complementary resort focus to the overall development.

This Comprehensive Development Plan (CDP) includes a concept plan for the development of the area and a description of the elements which will achieve the concept.

Components of the Comprehensive Development Plan

Each of the key elements of the plan, are explained in more detail below and are illustrated in the concept plan at Figure 1. Decisions about use and development including subdivision within the area should have regard to the following statements.

(N.B. Statements in this plan as to whether a permit is required relate to the zone provisions. Other planning controls, eg. overlays, may apply.)

Subdivision

General:

- Subdivision plans should generally accord with Figure 1.
- Roads and lots should be placed with regard to the natural contours of the land.
- Building envelopes for residential lots should be defined on each subdivision plan approved.

Hillside, Lakeside, Homestead and Estate Lots Precinct:

- A range of lot sizes is appropriate in this precinct from the “Hillside”, “Lakeside” and “Homestead” lots which are 400m2 - 2ha, to “Estate” lots which are larger than 2ha.

Golf Course Precinct:

- Subdivision can include a more intensive, resort-based mix of housing.

Eastern Precinct:

- Lots in this precinct should be larger than 1ha.

Use and Development

General:

- Dwellings must be located within the building envelope designated on staged subdivision plans.
- The design and siting of all dwellings will be guided by the Hidden Valley Design Guidelines, prepared by Hidden Valley Australia Pty Ltd.

Hillside, Lakeside, Homestead and Estate Lots Precinct:

- On all lots in this precinct, use of land for a Dwelling does not require a permit.
- On lots in this precinct larger than 1ha, the following uses do not require a permit:
  - Agriculture (except Animal boarding, Dog breeding, Racing dog keeping, Intensive animal husbandry, Rice growing and Timber production).
**Eastern Precinct:**
- On the lots in this precinct, the following uses do not require a permit:
  - Agriculture (except Animal boarding, Dog breeding, Racing dog keeping, Intensive animal husbandry, Rice growing and Timber production); and,
  - Dwelling.
- Building envelopes for dwellings must be at least 100 metres from the Hume Freeway.

**Golf Course Precinct Lots:**
- In this precinct the following uses do not require a permit:
  - Accommodation (except Boarding house, Camping & caravan park, Corrective institution, Dependent person’s unit, Hostel, Nurses home and Nursing home).

**Golf Course and Associated Country Club Precinct:**
- In this precinct the following uses do not require a permit:
  - Accommodation (except Boarding house, Camping & caravan park, Corrective institution, Dependent person’s unit, Hostel, Nurses home and Nursing home);
  - Food and drink premises; and,
  - Leisure and recreation (except Motor racing track, Paintball games facility and Race course).
- A permit may be issued for the overall staged development of the golf course, enabling progressive works to be undertaken without additional planning permits, provided they accord with an approved master plan detailed in the planning permit.
- Conditions placed on planning permits may include conditions regarding maximum floor areas of individual components of the development.

**Hillside, Lakeside, Homestead & Estate Lots and/or Golf Course and Golf Course Precinct Lots Precinct:**
This precinct will be used for residential purposes and may include golf course uses.

A range of residential development is appropriate from “Golf Course Precinct Lots” adjoining a golf course (if a golf course is provided in the precinct) to “Hillside, Lakeside, Homestead and Estate Lots” (which can be located either adjoining the golf course or elsewhere in the precinct).

Use and development must accord with the provisions provided above for the “Hillside, Lakeside, Homestead and Estate Lots Precinct” or, on land adjoining the golf course, Hidden Valley Australia Pty Ltd may utilise the provisions for the “Golf Course Precinct Lots” precinct. The provisions of the “Golf Course Precinct Lots” precinct may not be used on land which does not adjoin an existing or proposed golf course.

In areas to be used or developed for a golf course in this precinct, the following use does not require a permit:
- Golf course

**Equestrian Centre Precinct:**
- The following uses do not require a permit in this precinct:
  - Animal husbandry (except Animal boarding, Dog breeding, Racing dog keeping and Intensive animal husbandry);
  - Leisure and recreation (except Motor racing track, Paintball games facility and Race course); and,
  - Place of assembly (except Amusement parlour, Drive in theatre, Nightclub, Place of worship).
Village Resort Precinct:
- Uses which do not require a permit in this precinct include:
  - Accommodation (except Boarding house, Camping & caravan park, Corrective institution, Dependent person’s unit, Hostel, Nurses home and Nursing home);
  - Food and drink premises;
  - Leisure and recreation (except Motor racing track, Paintball games facility and Race course);
  - Office;
  - Place of assembly (except Drive in theatre); and,
  - Shop (except Adult sex product shop).
- Conditions placed on planning permits may include maximum floor areas of individual components of the development. The maximum retail floor area in the precinct without a permit is 2,500 sqm of combined leasable floor area.
- A permit is required pursuant to Clause 52.15 of the Mitchell Planning Scheme for a helicopter landing site. A helicopter landing site within the resort or lakes area to service the resort is exempt from the notification and appeal provisions of the Act.

Lake Areas, Collector Roads, Open Space Trails, and Links:
- Informal outdoor recreation in these areas does not require a planning permit.

Commercial Vineyard and Winery Precinct:
- Uses which do not require a permit in this precinct are:
  - Agriculture (except Animal boarding, Dog breeding, Racing dog keeping, Intensive animal husbandry, Rice growing and Timber production);
  - Dwelling; and,
  - Winery.
SCHEDULE 2 TO CLAUSE 37.02 COMPREHENSIVE DEVELOPMENT ZONE

Shown on the planning scheme map as CDZ2.

MANDALAY COMPREHENSIVE DEVELOPMENT PLAN

Land

The Mandalay Estate is the land within the Comprehensive Development Zone south of Camerons Lane and west of the north-south oriented section of Patterson Road, Beveridge. It is approximately 260 hectares in area. The land is shown in the Mandalay Comprehensive Development Plan, incorporated into this scheme.

Purpose

To facilitate the development of land generally in accordance with the Mandalay Comprehensive Development Plan, incorporated into this scheme.

To enable development of the land for the purposes of a residential development based around a golf course with associated accommodation and conference facilities and a small retail centre.

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal keeping</td>
<td>Must be no more than 2 animals.</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>No more than 6 persons may be accommodated away from their normal place of residence.</td>
</tr>
<tr>
<td>Child care centre</td>
<td></td>
</tr>
<tr>
<td>Display home</td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast)</td>
<td>Must be located generally in accordance with the Mandalay Comprehensive Development Plan.</td>
</tr>
<tr>
<td>Education centre</td>
<td>Must be located generally in accordance with the Mandalay Comprehensive Development Plan.</td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>Must be located generally in accordance with the Mandalay Comprehensive Development Plan.</td>
</tr>
<tr>
<td>Function 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>Minor sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td>Mineral exploration</td>
<td></td>
</tr>
<tr>
<td>Mining</td>
<td>Must meet the requirements of Clause 52.08-2.</td>
</tr>
<tr>
<td>Office</td>
<td>Must be located in the Commercial Precinct or Club House Precinct.</td>
</tr>
<tr>
<td>Residential hotel</td>
<td></td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td></td>
</tr>
</tbody>
</table>
### Use of land

None specified.

### Subdivision

The following application requirements apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- The subdivision must be generally in accordance with an approved Mandalay Layout Plan.
An application for the subdivision of land is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the appeal rights of section 82(1) of the Act.

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The relationship of the proposed subdivision to existing subdivisions and use of adjoining land.
- Any relevant comprehensive development plan or policy affecting the land.
- The effect on traffic and network impacts to be generated, including the loading and unloading of vehicles, waste removal, emergency services, pedestrian and cycling paths and public transport.
- The need for financial and other contributions towards the provision of reticulated service infrastructure, community facilities and transport systems, including footpath construction, as set out in appropriate agreements, conditions or other arrangements to guarantee those contributions.

**Buildings and works**

No permit is required to construct a building or construct or carry out works for the following:

- Construct a building or construct or carry out works for a use in Section 1 which is generally in accordance with the Mandalay Comprehensive Development Zone Plan approved by the responsible authority.
- Construct or extend a single dwelling or construct or carry out works for a single dwelling on a lot of more than 300 square metres.
- Construct or carry out works normal to a dwelling.
- Construct or extend an outbuilding (other than a garage or carport) on a lot provided the gross floor area of the outbuilding does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.

The following application requirements apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A layout plan prepared to the satisfaction of the responsible authority, which shows the relationship between the site and the Mandalay Comprehensive Development Plan, and demonstrates how the proposal is consistent with the Mandalay Comprehensive Development Plan. The layout plan should show, as appropriate:
  - The arrangement of car parking, access and service areas to allow for the loading and unloading of vehicles, waste disposal and access for larger vehicles.
  - How public transport will be integrated.
  - Details addressing the location and integration of community facilities, public spaces and services.
  - That the proposal can accommodate adequate office space to accommodate healthcare practitioners.
  - Any other matters the responsible authority considers necessary.
- A site 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
- Proposed landscape areas and rehabilitation of any disturbed areas
- All driveway, car parking and loading areas
- All external storage and waste treatment areas
- Areas not required for immediate use.

- Details of site servicing including water and sewerage connections and installations, drainage provisions and the location of a garbage collection point.
- Details of the exterior treatment and finish of walls and roofs, including a schedule of materials, finishes and colours.
- The elevation and section views of the proposed buildings.
- Construction details of all drainage works, driveways, pedestrian and cycling paths, 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.

The following decision guidelines apply to an application for a permit under Clause 37.02, in addition to those specified in Clause 37.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority.

- The objectives and standards of Clauses 54 and 55.
- The availability of and connection to services.
- Whether the development is consistent with, and complements the character and development pattern of the area.
- Whether the development uses materials, finishes and colours that complement the local environment.
- The impact of the development upon the character of the surrounding area.

**Signs**

Sign requirements are at Clause 52.05. All land located within the Commercial Precinct, Club House Precinct and signage displayed on the golf course, as shown on the Mandalay Comprehensive Development Plan, is in Category 1. All other land is in Category 3.

An application to construct or display signage is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the appeal rights of section 82(1) of the Act.
URBAN FLOODWAY ZONE

Shown on the planning scheme map as UFZ.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify waterways, major floodpaths, drainage depressions and high hazard areas within urban areas which have the greatest risk and frequency of being affected by flooding.

To ensure that any development maintains the free passage and temporary storage of floodwater, minimises flood damage and is compatible with flood hazard, local drainage conditions and the minimisation of soil erosion, sedimentation and silting.

To reflect any declarations under Division 4 of Part 10 of the Water Act, 1989.

To protect water quality and waterways as natural resources in accordance with the provisions of relevant State Environment Protection Policies, and particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

Table of uses

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet the requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agriculture (other than Animal production and Apiculture)</td>
<td></td>
</tr>
<tr>
<td>Grazing animal production</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation (other than Informal outdoor recreation, Indoor recreation facility, and Motor racing track)</td>
<td></td>
</tr>
<tr>
<td>Road</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Any use listed in Clause 62.01 if any requirement is not met</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Animal production (other than Grazing animal production)</td>
<td></td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td></td>
</tr>
<tr>
<td>Motor racing track</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 2</td>
<td></td>
</tr>
</tbody>
</table>

Buildings and works

A permit is required to construct a building or construct or carry out works, including:

- A fence.
- Roadworks, if the water flowpath is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.

This does not apply to:
- Flood mitigation works carried out by the responsible authority or floodplain management authority.
- The following works in accordance with plans prepared to the satisfaction of the responsible authority:
  - The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
  - The erection of telephone or power lines provided they do not involve the construction of towers or poles.
- Post and wire and post and rail fencing.

### Subdivision

A permit is required to subdivide land. A permit may only be granted to subdivide land if the following apply:

- The subdivision does not create any new lots, which are entirely within this zone. This does not apply if the subdivision creates a lot, which by agreement between the owner and the relevant floodplain management authority, is to be transferred to an authority for a public purpose.
- The subdivision is the resubdivision of existing lots and the number of lots is not increased, unless a local floodplain development plan incorporated into this scheme specifically provides otherwise.

### Application requirements

#### General

An application must be accompanied by any information specified in the schedule to this zone.

#### Local floodplain development plan

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

#### Flood risk report

If a local floodplain development plan for the area has not been incorporated into this scheme, an application must be accompanied by a flood risk report to the satisfaction of the responsible authority. The flood risk report must consider the following, where applicable:
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this zone.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effects of the development on environmental values such as natural habitat, stream stability, erosion, water quality and sites of scientific significance.

### Referral of applications

**37.03-5**

19/01/2006

VC37

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

**37.03-6**

31/07/2018

VC148

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The local floodplain development plan or flood risk report.
- Any comments of the relevant floodplain management authority.
- Any other matters specified in the schedule to this zone.

### Signs

**37.03-7**

31/07/2018

VC148

Sign requirements are at Clause 52.05. This zone is in Category 4 unless the schedule to this zone specifies a different category.

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Page 3 of 3
SCHEDULE TO CLAUSE 37.03 URBAN FLOODWAY ZONE

1.0 Application requirements
None specified.

2.0 Decision guidelines
None specified.

3.0 Signs

<table>
<thead>
<tr>
<th>Land</th>
<th>Sign Category</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To manage the transition of non-urban land into urban land in accordance with a precinct structure plan.
To provide for a range of uses and the development of land generally in accordance with a precinct structure plan.
To contain urban use and development to areas identified for urban development in a precinct structure plan.
To provide for the continued non-urban use of the land until urban development in accordance with a precinct structure plan occurs.
To ensure that, before a precinct structure plan is applied, the use and development of land does not prejudice the future urban use and development of the land.

Application of provisions

Part A – No precinct structure plan applies

The provisions of Clauses 37.07-1 to 37.07-8 apply if no precinct structure plan applies to the land.

Part B – Precinct structure plan applies

The provisions of Clauses 37.07-9 to 37.07-16 apply if a precinct structure plan applies to the land.

Precinct structure plan provisions

A precinct structure plan applies to land when the precinct structure plan is incorporated in this scheme.

Part A – Provisions For Land Where No Precinct Structure Plan Applies

Table of uses

Section 1 – Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
</table>
| Agriculture (other than Animal keeping, Animal production, Apiculture, Rice growing and Timber production) | No more than 10 persons may be accommodated away from their normal place of residence.  
At least 1 car parking space must be provided for each 2 persons able to be accommodated away from their normal place of residence. |
| Bed and breakfast                                                   | 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. |
| Dependent person’s unit                                            | Must be the only Dependent person’s unit on the lot. |
| Diving (other than Bed and breakfast)                               | Must be the only dwelling on the lot.  
The lot must be at least 40 hectares. |
### Condition Use

**Grazing animal production**
- Must meet the requirements of Clause 37.07-2.

**Home based business**

**Informal outdoor recreation**

**Poultry farm**
- Must be no more than 100 poultry (not including emus or ostriches).
- Must be no more than 10 emus and ostriches.

**Primary produce sales**
- Must not be within 100 metres of a dwelling in separate ownership.
- The area used for the display and sale of primary produce must not exceed 50 square metres.

**Railway**

**Rural industry (other than Abattoir and Sawmill)**
- Must not have a gross floor area more than 200 square metres.
- Must not be within 100 metres of a dwelling in separate ownership.
- Must not be a purpose shown with a Note 1 or Note 2 in the table to Clause 53.10.
- The land must be at least the following distances from land (not a road) which is in a residential zone or Rural Living Zone:
  - The threshold distance, for a purpose listed in the table to Clause 53.10.
  - 30 metres, for a purpose not listed in the table to Clause 53.10.

**Rural store**
- Must be used in conjunction with Agriculture.
- Must be in a building, not a dwelling, and have a gross floor area of less than 100 square metres.
- Must be the only Rural store on the lot.

**Tramway**

**Any use listed in Clause 62.01**
- Must meet the requirements of Clause 62.01

### Section 2 – Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Abattoir</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Animal boarding</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Animal keeping (other than Animal boarding)</strong></td>
<td>Must be no more than 5 animals.</td>
</tr>
<tr>
<td><strong>Animal production (other than Broiler farm, Grazing animal production and Intensive animal production)</strong></td>
<td></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>Camping and caravan park</strong></td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Car park</td>
<td>Must be used in conjunction with another use in Section 1 or 2.</td>
</tr>
<tr>
<td>Cemetery</td>
<td></td>
</tr>
<tr>
<td>Crematorium</td>
<td></td>
</tr>
<tr>
<td>Dependent person’s unit – if the Section 1 condition is not met</td>
<td>Must meet the requirements of Clause 37.07-2.</td>
</tr>
<tr>
<td>Display home</td>
<td></td>
</tr>
<tr>
<td>Dwelling (other than Bed and breakfast) – if the Section 1 conditions are not met</td>
<td>Must be no more than 2 dwellings on the lot.</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Education centre</td>
<td></td>
</tr>
<tr>
<td>Emergency services facility</td>
<td></td>
</tr>
<tr>
<td>Freeway service centre</td>
<td>Must meet the requirements of Clause 53.05.</td>
</tr>
<tr>
<td>Industry (other than Rural Industry)</td>
<td></td>
</tr>
<tr>
<td>Trade supplies</td>
<td></td>
</tr>
<tr>
<td>Utility installation (other than Minor utility installation and Telecommunications facility)</td>
<td></td>
</tr>
<tr>
<td>Veterinary centre</td>
<td></td>
</tr>
<tr>
<td>Warehouse (other than Rural store)</td>
<td></td>
</tr>
<tr>
<td>Winery</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

**Section 3 - Prohibited**

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accommodation (other than Bed and breakfast, Camping and caravan park, Dependent person’s unit, Dwelling, Group accommodation, Host farm and Residential hotel)</td>
</tr>
<tr>
<td>Amusement parlour</td>
</tr>
<tr>
<td>Brothel</td>
</tr>
<tr>
<td>Child care centre</td>
</tr>
<tr>
<td>Cinema based entertainment facility</td>
</tr>
<tr>
<td>Intensive animal production</td>
</tr>
<tr>
<td>Nightclub</td>
</tr>
<tr>
<td>Office (other than Medical centre and Real estate agency)</td>
</tr>
<tr>
<td>Renewable energy facility</td>
</tr>
<tr>
<td>Retail premises (other than Landscape gardening supplies, Manufacturing sales, Market, Primary produce sales, Restaurant and Trade supplies)</td>
</tr>
</tbody>
</table>
Use of land for a dwelling

A lot used for a dwelling must meet the following requirements:

- Access to the dwelling must be provided via an all-weather road with dimensions adequate to accommodate emergency vehicles.
- The dwelling must be connected to a reticulated sewerage system or if not available, the waste water must be treated and retained on-site in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- The dwelling must be connected to a reticulated potable water supply or have an alternative potable water supply with adequate storage for domestic use as well as for fire fighting purposes.
- The dwelling must be connected to a reticulated electricity supply or have an alternative energy source.

These requirements also apply to a dependent person’s unit.

Subdivision

A permit is required to subdivide land.

Each lot must be at least 40 hectares.

A permit may be granted to create smaller lots if any of the following apply:

- The subdivision is to create a lot for an existing dwelling. The subdivision must be a two lot subdivision.
- The subdivision is the re-subdivision of existing lots and the number of lots is not increased.
- The subdivision is by a public authority or utility service provider to create a lot for a utility installation.

Buildings and works

A permit is required to construct or carry out any of the following:

- A building or works associated with a use in Section 2 of Clause 37.07-1. This does not apply to:
  - An alteration or extension to an existing dwelling provided the floor area of the alteration or extension is no more than 100 square metres.
  - An out-building associated with an existing dwelling provided the floor area of the out-building is not more than 100 square metres.
  - An alteration or extension to an existing building used for agriculture provided the floor area of the alteration or extension is no more than 200 square metres. The building must not be used to keep, board, breed or train animals.
- Earthworks which change the rate of flow or the discharge point of water across a property boundary.
- Earthworks which increase the discharge of saline water.
- A building which is within any of the following setbacks:
- 100 metres from a Road Zone Category 1 or land in a Public Acquisition Overlay to be acquired for a road, Category 1.
- 40 metres from a Road Zone Category 2 or land in a Public Acquisition Overlay to be acquired for a road, Category 2.
- 20 metres from any other road.
- 5 metres from any other boundary.
- 100 metres from a dwelling not in the same ownership.
- 100 metres from a waterway, wetlands or designated flood plain.
- Permanent or fixed feeding infrastructure for seasonal or supplementary feeding for grazing animal production constructed within 100 metres of:
  - A waterway, wetland or designated flood plain.
  - A dwelling not in the same ownership.
  - A residential zone or urban growth zone where a precinct structure plan applies.

**Referral of applications**

An application of the kind listed below must be referred in accordance with section 55 of the Act to the referral authority specified in Clause 66.03.

- An application to use or develop land for any of the following:
  - Display home.
  - Education centre.
  - Hospital.
  - Industry.
  - Medical centre.
  - Place of worship.
  - Real estate agency.
  - Warehouse.

- An application to subdivide land to create a lot smaller than 40 hectares in area.

**Environmental audit**

Before a pre-school centre or primary school commences on potentially contaminated land, or before the construction or carrying out of buildings and works in association with a pre-school centre or primary school commences on potentially contaminated land, either:

- A certificate of environmental audit must be issued for the land in accordance with Part IXD of the *Environment Protection Act 1970*, or

- An environmental auditor appointed under the *Environment Protection Act 1970* must make a statement in accordance with Part IXD of that Act that the environmental conditions of the land are suitable for the sensitive use.

In this clause, “potentially contaminated land” means land used or known to have been used for industry, mining, or the storage of chemicals, gas, wastes or liquid fuel (if not ancillary to another use of the land).
Decision guidelines

Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect on the future urban development and use of the land, and adjacent or nearby land, having regard to:
  - Any relevant Growth Corridor Framework Plan.
  - Any precinct structure plan being prepared for the area.
  - Any comments or directions of the referral authority.
- Whether the proposal will prejudice the logical, efficient and orderly future urban development of the land, including the development of roads, public transport and other infrastructure.
- The capability of the land to accommodate the proposed use or development, including the disposal of effluent.
- How the use or development relates to sustainable land management.
- Whether the site is suitable for the use or development.
- The impact of the siting, design, height, bulk, colours and materials to be used on the natural environment, major roads, vistas and water features, future urban use of the land, and the measures to be undertaken to minimise any adverse impacts.
- The impact on the character and appearance of the area or features of architectural, historic or scientific significance or of natural scenic beauty or importance.
- The location and design of existing and proposed infrastructure including roads, public transport, walking and cycling networks, gas, water, drainage, telecommunications and sewerage facilities.
- Whether the use and development will require new or upgraded infrastructure, including traffic management measures.

Signs

Sign requirements are at Clause 52.05. The zone is in Category 3.

Despite the provisions of Clause 52.05-13, a permit may be granted, for a period of not more than 5 years, to display a sign that promotes the sale of land or dwellings.

Part B – Provisions For Land Where A Precinct Structure Plan Applies

Use of land

Any requirement in the Table of uses and any requirement specified in the schedule to this zone must be met.

A permit granted must be generally in accordance with the precinct structure plan applying to the land.

Table of uses

Section 1 – Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 1 of a zone applied by the schedule to this zone</td>
<td>Must comply with any condition opposite the use in Section 1 of the applied zone.</td>
</tr>
<tr>
<td>Use</td>
<td>Condition</td>
</tr>
<tr>
<td>-------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Any use specified in the schedule to this zone as a use for which a permit is not required</td>
<td>Must comply with any condition or requirement specified in the schedule to this zone or in the precinct structure plan.</td>
</tr>
</tbody>
</table>

### Section 2 – Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 2 of a zone applied by the schedule to this zone</td>
<td>Must comply with any condition opposite the use in Section 2 of the applied zone.</td>
</tr>
<tr>
<td></td>
<td>Must comply with any condition or requirement specified in the schedule to this zone or in the precinct structure plan.</td>
</tr>
<tr>
<td>Any use specified in the schedule to this zone as a use for which a permit is required</td>
<td>Must comply with any condition or requirement specified in the schedule to this zone or in the precinct structure plan.</td>
</tr>
</tbody>
</table>

Any other use not in Section 1 or 3

### Section 3 – Prohibited

<table>
<thead>
<tr>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use in Section 3 of a zone applied by the schedule to this zone</td>
</tr>
<tr>
<td>Any use specified in the schedule to this zone</td>
</tr>
</tbody>
</table>

#### Subdivision of land

A permit is required to subdivide land. Any requirement in the schedule to this zone or the precinct structure plan must be met.

A permit granted must:

- Be generally in accordance with the precinct structure plan applying to the land.
- Include any conditions or requirements specified in the schedule to this zone or the precinct structure plan.

#### Buildings and works

If the schedule to this zone specifies:

- That the provisions of a zone apply to the development of land, the provisions of the zone apply to land in the circumstances specified in the schedule.
- Provisions relating to the development of land, those provisions apply to land in the circumstances specified in the schedule.

If the schedule to this zone specifies that a permit is required to construct a building or construct or carry out works, a permit granted must:

- Be generally in accordance with the precinct structure plan applying to the land.
- Include any conditions or requirements specified in the schedule to this zone or the precinct structure plan.

37.07-12  
**Application requirements**  
An application to use or subdivide land, construct a building or construct or carry out works, must be accompanied by any information specified in the schedule to this zone.

37.07-13  
**Exemption from notice and review**  
An application under any provision of this scheme which is generally in accordance with the precinct structure plan applying to the land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act, unless the schedule to this zone specifies otherwise.

37.07-14  
**Decision guidelines**  
Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any relevant Growth Area Framework Plan.
- The precinct structure plan applying to the land, including the vision and objectives of the precinct structure plan.
- Any guidelines in the schedule to this zone.

37.07-15  
**Inconsistencies between specific and applied zone provisions**  
If there is an inconsistency between the specific provisions specified in the schedule to this zone and the provisions of a zone applied by the schedule to this zone, the specific provisions prevail to the extent of any inconsistency.

37.07-16  
**Signs**  
Sign requirements are at Clause 52.05. This zone is in the category specified in the schedule to this zone or, if no category is specified, Category 3.
SCHEDULE 1 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ1.

LOCKERBIE PRECINCT STRUCTURE PLAN

1.0

The Plan

Plan 1 below shows the future urban structure proposed for the Lockerbie Precinct Structure Plan (PSP) area. It is a reproduction of Plan 2 in the Lockerbie Precinct Structure Plan.
Use and development

The Land

The use and development provisions specified in this schedule apply to the land shown within the ‘Precinct Area’ on Plan 1 of this schedule and shown as UGZ1 on the planning scheme maps.

Note: If land shown on Plan 1 is not zoned UGZ, the provisions of this zone do not apply.

Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of the land, the construction of a building, construction or carrying out of works as set out in Table 1.

Table 1: Applied zones

<table>
<thead>
<tr>
<th>Land use/development (carried out or proposed) generally in accordance with the precinct structure plan applying to the land (refer Plan 1)</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Principal town centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Local town centre</td>
<td></td>
</tr>
<tr>
<td>Local convenience centre (Donnybrook Station)</td>
<td></td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
</tbody>
</table>

Specific provisions – Use of land

The following provisions apply to the use of land.

Table 2: Use of land within the applied General Residential Zone

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Car wash</td>
<td>The site must adjoin or have access to a road identified in the Precinct Structure Plan as an existing or future arterial road.</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>Leasable floor area must not exceed 100 square metres.</td>
</tr>
<tr>
<td>Service station</td>
<td>The site must either:</td>
</tr>
<tr>
<td></td>
<td>• Adjoin land with an applied zone provision for a commercial zone; or</td>
</tr>
<tr>
<td></td>
<td>• Adjoin or have access to a road identified in the Precinct Structure Plan as an existing or future arterial road.</td>
</tr>
<tr>
<td></td>
<td>The site must not exceed either:</td>
</tr>
<tr>
<td></td>
<td>• 3,000 square metres; or</td>
</tr>
<tr>
<td></td>
<td>• 3,600 square metres if it adjoins two boundaries in a road zone or roads identified in the Precinct Structure Plan as an existing or future arterial road.</td>
</tr>
<tr>
<td>Shop (other than Convenience shop identified in this schedule)</td>
<td>The combined leasable floor area for shop must not exceed 100 square metres</td>
</tr>
</tbody>
</table>
Table 3: Use of land within the applied Commercial 1 Zone

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop</td>
<td>A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds the following areas for the relevant centre in the Lockerbie Precinct Structure Plan:</td>
</tr>
<tr>
<td></td>
<td>• 3000 square metres for land shown as a Local Town centre</td>
</tr>
</tbody>
</table>

2.4 27/05/2019

Specific provisions - Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Mitchell Planning Scheme.

2.5 27/05/2019

Specific Provisions – Buildings and works on land where the Lockerbie Growling Grass Frog Conservation Management Plan applies

Development on land in the Conservation Management Plan Area shown on Plan 1 of this Schedule and Plan 6- Biodiversity and Threatened Species Action Plan in the Lockerbie Precinct Structure Plan must be undertaken in accordance with the relevant actions as outlined in the approved Conservation Management Plan.

The Lockerbie Conservation Management Plan may be amended to the satisfaction of the Department of Sustainability and Environment.

The subdivision of land within or adjoining the Conservation Management Plan area must accord with the Conservation Management Plan boundary as shown on Plan 6 - Biodiversity and Threatened Species Action Plan in the Lockerbie Precinct Structure Plan.

3.0 27/05/2019

Application requirements

If in the opinion of the Responsible Authority an application requirement listed at 3.1, 3.2, 3.3 or 3.4 is not relevant to the assessment of an application, the Responsible Authority may waive or reduce the requirement.

3.1 28/06/2012

Subdivision – residential development

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land and the staging of the development for all land in contiguous ownership with the land under application.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the Lockerbie Precinct Structure Plan;
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the Responsible Authority, in accordance with the Lockerbie Precinct Structure Plan;
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields;
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority;

Any application for residential subdivision must be accompanied by:
- Potential bus route and bus stop locations prepared in consultation with the Department of Public Transport; and
- An assessment of the existing surface and subsurface drainage conditions on the site including any potential impacts on the proposed development, prepared by a suitably qualified professional. The assessment must include any measures required to mitigate the impacts of the development on groundwater and drainage.

3.2 Public Infrastructure Plan

An application for subdivision and/or use and development of land must be accompanied by a Public Infrastructure Plan which addresses the following:
- What land may be affected or required for the provision of infrastructure works;
- The provision, staging and timing of stormwater drainage works;
- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- The landscaping of any land;
- What, if any, infrastructure set out in the Lockerbie Development Contributions Plan is sought to be provided as "works in lieu" subject to the consent of the collecting agency;
- The provision of public open space and land for any community facilities; and
- Any other matter relevant to the provision of public infrastructure required by the Responsible Authority.

3.3 Lockerbie Principal Town Centre

An application to use, subdivide land, construct a building or construct or carry out works for the Lockerbie Principal Town Centre must generally in accordance with Lockerbie Precinct Structure Plan, the Lockerbie Principal Town Centre Urban Design Framework Plan set out in Section 3.3 of the Lockerbie Precinct Structure Plan and any Ministerial Direction.

An application to use, subdivide land, construct a building or construct or carry out works for the Lockerbie Principal Town Centre must also include the following information, as appropriate, to the satisfaction of the responsible authority:
- An Urban Design Precinct Plan that shows:
  - Designated land use precincts, responding to the objectives and guidelines contained within the Lockerbie Principal Town Centre Urban Design Framework Plan.
  - The internal road layout, including traffic management and control works considered necessary in adjoining and nearby roads when the development or any stage is completed.
  - The proposed bicycle and pedestrian pathways.
  - An overall scheme for landscaping of the public realm and private development.
  - The location of individual trees which are to be retained.
  - The provision of regional and local public open space in accordance with the requirements of the Lockerbie Precinct Structure Plan and to the requirements of the responsible authority.
  - The provision and location of land for community purposes in accordance with the requirements of the Lockerbie Precinct Structure Plan and to the requirements of the responsible authority.
  - A built form response plan for the development showing massing, elevations, and external materials and finishes.
- How the application addresses the location and integration of community facilities, public spaces and services.
- An appropriate built form design response that addresses the guidelines of the Lockerbie Principal Town Centre Urban Design Framework Plan.
- An explanation of how the application responds to any VicRoads and/or Department of Transport requirements.
- An explanation of how the interface between conservation areas and development areas will be designed to minimise disturbance to conservation areas.
- How the development relates to existing and/or approved development in the area.
- The location and treatment of public spaces, including parks, conservation reserves and squares.
- How the development will address environmental sustainability including integrated water management, energy conservation and where appropriate, the biodiversity objectives of the Merri Creek Growling Grass Frog open space corridor.
- How public transport will be integrated within the development.
- Provisions for car parking including the location and design of car parking areas (on and off street) and car parking rates for proposed uses.
- Signage in the design of the built form.
- Arrangements for the provision of service areas for deliveries and waste disposal including access for larger vehicles and measures to minimise the impact on the amenity of the town centre and adjoining neighbourhoods.
- Treatment and design of medium and higher density housing in appropriate locations.

3.4

Use or develop land for a Local Town Centre (North and South)

An application to use or subdivide land, construct a building or construct or carry out works for a Local Town Centre must be generally in accordance with the role and function of the Local Town Centre set out in the Lockerbie Precinct Structure Plan.

An application to use, subdivide land, construct a building or construct or carry out works for a Local Town Centre must also include the following information, as appropriate, to the satisfaction of the Responsible Authority:

- A design response report and plans that:
  - Address the potential future structure of the whole site;
  - Address the Local Town Centre Design Requirements in Section 3.4, the Local Town Centre General Guidelines in Section 3.4 and the Local Town Centre Concept in Figures 1 & 2 (as relevant) of the Lockerbie Precinct Structure Plan;
  - Address any relevant design guidelines prepared by the Victorian Government or the Mitchell Shire Council;
  - Demonstrate how the proposal relates to existing or approved development in the area;
  - Demonstrate site responsive architecture and urban design;
  - demonstrate how the proposal will contribute to the urban character of the Local Town Centre;
  - Explain how the proposal responds to feedback received following consultation with relevant infrastructure agencies including VicRoads (where appropriate) and the Department of Transport;
- Include guidelines to positively address environmental sustainability including integrated water management and energy conservation;
- Include provisions for car parking including the location and design of car parking areas and car parking rates for proposed uses within the centre;
- Include design guidelines for the provision of signs;
- Include arrangements for the provision of service areas and for deliveries and waste disposal including access for larger vehicles and measures to minimise the impact on the amenity of the centre and adjoining neighbourhoods; and
- Demonstrate how opportunities for medium and higher density housing and future commercial expansion can be incorporated into the centre (including on future upper levels and through future car park redevelopments)
- An overall landscape concept/master plan for the centre.

3.5
28/06/2012
C81
Develop land where the Lockerbie Conservation Management Plan applies as shown on Plan 6 – Biodiversity and Threatened Species Action Plan in the Lockerbie Precinct Structure Plan

An application for development of land in the Conservation Management Plan area as shown on Plan 6 – Biodiversity and Threatened Species Action Plan in the Lockerbie Precinct Structure Plan, must demonstrate that it is in accordance with the approved Lockerbie Conservation Management Plan.

3.6
01/08/2013
C101
Use or develop land for a sensitive purpose – Environmental Site Assessment - All land (except 1450 Hume Highway, Kalkallo, 1440 Hume Highway, Donnybrook, 40 Dwyer Street Kalkallo, 300 Hume Highway, Beveridge)

An application to use land for a sensitive use or to subdivide land where General Residential Zone is the applied zone must be accompanied by a preliminary assessment of the potential for contaminated land as a result of the previous land uses, carried out by a suitably qualified person.

3.7
27/05/2019
C14smith
Public transport referral requirements

For the purpose of Clause 66.02-11 of the scheme a development is generally in accordance with the Lockerbie Precinct Structure Plan where the following requirements are met:

- A road nominated on Plan 8 – Road Network in the Lockerbie Precinct Structure Plan as a potential bus route is constructed in accordance with its corresponding cross section in the Lockerbie Precinct Structure Plan;
- Signalised intersections that contain a proposed Principal Public Transport Network (PPTN) route in the Lockerbie Precinct Structure Plan include bus priority measures to mitigate delays to bus travel times, to the satisfaction of the Director of Public Transport;
- Any roundabouts or other road management devices on potential bus routes are constructed to accommodate ultra low floor buses in accordance with the Public Transport Guidelines for Land Use and Development; and
- The proposal includes the construction of bus stops as agreed with the Department of Transport, including bus stop hard stands with direct and safe pedestrian access to a pedestrian path (all in accordance with the Public Transport Guidelines for Land Use and Development and compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002) at no cost to the Director of Public Transport all to the satisfaction of the Director of Public Transport.
Conditions and requirements for permits

General requirements
A planning permit must include a condition or conditions which ensure that any requirements or conditions set out in the *Lockerbie Precinct Structure Plan* and the *Lockerbie Native Vegetation Precinct Plan* are implemented as part of the planning permit or the plans endorsed under the permit.

Principal Town Centre and Local Town Centres
The boundary of the Principal Town Centre, Local Town Centres and Local Convenience Centre (Donnybrook Station) with the applied Commercial 1 Zone must be identified on the plan of subdivision to the satisfaction of the Responsible Authority.

Conditions for subdivision or building and works permits where land is required for community facilities, public open space and road widening
Land required for community facilities, as set out in the *Lockerbie Precinct Structure Plan* or the *Lockerbie Development Contributions Plan* must be transferred to or vested in Council at no cost to Council unless the land is funded by the Lockerbie Development Contributions Plan.

Land required for public open space as a local or district park as set out in the Lockerbie Precinct Structure Plan or the *Lockerbie Development Contributions Plan* must be transferred to or vested in Council at no cost to Council unless funded by the *Lockerbie Development Contributions Plan*.

Land required for road widening including right of way flaring for the ultimate design of any intersection with an existing or proposed arterial road must be referred to or vested in Council or VicRoads at no cost to the acquiring agency unless funded by the *Lockerbie Development Contributions Plan*.

Land required for a community facility, road or public open space must be shown on a Plan of Certification as a reserve in favour of Mitchell Shire Council or the relevant agency.

Conditions for subdivision permits that allow for the creation of a lot of less than 300 square metres
Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the Responsible Authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Mitchell Planning Scheme; and
- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the Responsible Authority.

Use or develop land for a sensitive purpose – Environmental Site Assessment - All land (except 1450 Hume Highway, Kalkallo, 1440 Hume Highway, Donnybrook, 40 Dwyer Street Kalkallo, 300 Hume Highway, Beveridge)
Before the plan of subdivision is certified under the *Subdivision Act 1988*, further testing in accordance with the recommendations of the preliminary site assessment lodged with the application, must be carried out, as relevant, to the satisfaction of the responsible authority. Upon receipt of the further testing report the owner must comply with any further requirements made by the responsible authority after having regard to the guidance set out in the General Practice Note on Potentially Contaminated Land June 2005 (DSE). The plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.
Use or develop land for a sensitive purpose - 1450 Hume Highway, Kalkallo, 1440 Hume Highway, Donnybrook, 40 Dwyer Street Kalkallo, 300 Hume Highway, Beveridge - Contamination assessment where no Environmental Audit Overlay (EAO) applies

Before the development associated with the subdivision starts, (this requirement does not apply to bore holes and excavation associated with an environmental site assessment), an environmental site assessment of the land by a suitably qualified environmental professional must be undertaken which provides information including:

- The nature of the previous and existing land use/activities on the land.
- An assessment of the potential level and nature of contamination on the land.
- Advice on whether the environmental condition of the land is suitable for the proposed uses/s and whether an environmental audit of all or part of the land is recommended having regard to the Potentially Contaminated Land General Practice Note June 2005, DSE.

If an environmental assessment recommends an environmental audit of all or part of the land, then:

- Before the commencement of any use for a sensitive purpose; or
- Before any buildings or works; or
- Before the certification of a plan of subdivision;

whichever is earlier, in respect of all or that part of the land as the case may be, the following must be provided to the responsible authority, either:

- A certificate of environmental audit issued for the relevant land in accordance with Part 1XD of the Environmental Protection Act 1970, or
- A statement by an environmental auditor appointed under the Environment Protection Act 1970, in accordance with Part 1XD of that Act that the environmental condition of the relevant land is suitable for a sensitive use (with or without conditions on the use of the site).

If a Statement of Environmental Audit is provided rather than a Certificate of Environmental Audit and the Statement of Environmental Audit indicates that the environmental conditions of the relevant land are suitable for a sensitive use subject to conditions, the owner of the land must enter into an agreement with the responsible authority under Section 173 of the Planning and Environment Act 1987 before the issue of a Statement of Compliance or before the construction of any building on the relevant land, whichever is the earlier which details:

- Implementation of an on-going compliance with all conditions in the Statement of Environmental Audit; and
- The responsible authority’s reasonable legal costs and expenses of drafting/reviewing and registering the agreement to be borne by the owner of the relevant land.

Biodiversity

Eastern Grey Kangaroo

Prior to the commencement of any works in a stage of subdivision an Eastern Grey Kangaroo Management Plan must be submitted for approval to the Department of Sustainability and Environment. The plan must include:

- Strategies (e.g. staging) to avoid land locking Eastern Grey Kangaroos, or where this is not practicable, management solutions and action to respond to their containment in an area with no reasonable likelihood of their continued safe existence.

The subdivision and associated works must implement the Eastern Grey Kangaroo Management Plan in the timeframes set out in the plan by:

- Proceeding in the order of stages as shown on the plan; and
Implementing the management solutions and actions of the plan;
all to the satisfaction of the Department of Sustainability and Environment and the Responsible
Authority.

**Growling Grass Frog**

Any permit which would allow subdivision, buildings or works that will impact on an area identified
as Growling Grass Frog Category 2 habitat on Plan 6 – Biodiversity and Threatened Species Action
Plan in the *Lockerbie Precinct Structure Plan* must contain the following conditions unless otherwise
agreed to in writing by the Department of Sustainability and Environment:

Prior to the commencement of any buildings or works or the removal of any vegetation, offsets
for Growling Grass Frog Category 2 habitat on the land must be provided or agreed to the
satisfaction of the Secretary of the Department of Sustainability and Environment.

Prior to the commencement of any buildings or works, a fully costed Growling Grass Frog
translocation/salvage plan must be prepared to the satisfaction of the Department of Sustainability
and Environment and be submitted to and approved by the Responsible Authority. The approved
Growling Grass Frog translocation/salvage plan must be implemented to the satisfaction of the
Department of Sustainability and Environment and the Responsible Authority.

Any permit which would allow subdivision, buildings or works that will impact on an area where
the Lockerbie Growling Grass Frog Conservation Management Plan (CMP) applies as shown on
Plan 6 – Biodiversity and Threatened Species Action Plan in the *Lockerbie Precinct Structure
Plan* must contain the following conditions unless otherwise agreed to in writing by the Department
of Sustainability and Environment:

Works on land in the CMP area shown on Plan 6 – Biodiversity and Threatened Species Action
Plan in the *Lockerbie Precinct Structure Plan* must be undertaken in accordance with the approved
CMP.

Unless the land included within the CMP area as shown on Plan 6 - Biodiversity and Threatened
Species Action Plan of the *Lockerbie Precinct Structure Plan* has been voluntarily transferred into
the Crown Reserve System, the Owner must:

- Enter into a legally, binding on-title agreement with the Secretary of the Department of
  Sustainability and Environment under Section 69 of the Conservation Forest and Lands Act
  1987 prior to the commencement of works on the land. The agreement must provide for the
  following:
    - Protection of the conservation area
    - The landowner to undertake all pre-construction maintenance and monitoring (Phase One)
      actions in accordance with the approved CMP
    - The landowner granting Department of Sustainability and Environment (or its nominee)
      rights of access to undertake habitat works (Phase Two) and any additional actions as
      required.
    - The landowner to undertake ongoing maintenance and monitoring activities (Phase Three)
      in perpetuity as outlined in the approved CMP.

The land owner must pay the reasonable costs of preparation, execution and registration of the
agreement.

**Striped Legless Lizard**

Any permit which would allow subdivision, buildings or works that will impact on an area of land
identified as potential habitat for Striped Legless Lizard habitat on Plan 6 – Biodiversity and
Threatened Species Action Plan in the *Lockerbie Precinct Structure Plan* must contain the following
condition unless otherwise agreed to in writing by the Department of Sustainability and Environment:
The Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Strategic Approach (DSE 2011) and Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Operational Plan (DSE 2011) must be implemented to the satisfaction of the Secretary of the Department of Sustainability and Environment before, during and after the carrying out of any buildings or works or native vegetation removal and all specifications and requirements of the approved plan must be complied with.

**Golden Sun Moth**

Any permit which would allow subdivision, buildings or works that will impact on land identified as Golden Sun Moth habitat on Plan 6 – Biodiversity and Threatened Species Action Plan in the Lockerbie Precinct Structure Plan must contain the following condition unless otherwise agreed to in writing by the Department of Sustainability and Environment:

Prior to the commencement of any buildings or works or the removal of any vegetation offsets for Golden Sun Moth habitat on land, must be provided, to the satisfaction of the Secretary of the Department of Sustainability an Environment.

**Signs**

None specified.

**Land and home sales signs**

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres.
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.
- The sign is not animated, scrolling, electronic or internally illuminated sign.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.
- The sign is setback a minimum of 750mm from the property boundary.

**Education / Community Promotion signs**

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display an sign above two square metres in area that promotes a community facility or education centre on the land identified as education, community and active open space on Plan 1 to this schedule.

**Referral of applications**

An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land in the Lockerbie Principal Town Centre and within the local town centres must be referred in accordance with section 55 of the Act to the Growth Areas Authority.

**No exemption from notice and review**

An application to use land for a convenience shop or office, on land where the applied zone is General Residential Zone, is not exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.
SCHEDULE 2 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ2.

LOCKERBIE NORTH PRECINCT STRUCTURE PLAN

1.0

The Plan

Plan 1 below shows the future urban structure proposed for the Lockerbie North Precinct Structure Plan (PSP) area. It is a reproduction of Plan 2 in the Lockerbie North PSP.

Plan 1 to the Schedule to Clause 37.07

Use and development

2.0

The Land

The use and development provisions specified in this schedule apply to the land shown within the ‘Precinct Area on Plan 1 of this schedule and shown as UGZ2 on the planning scheme maps.

Note: If land shown on Plan 1 is not zoned UGZ, the provisions of this zone do not apply.
2.2 Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of the land, the construction of a building, construction or carrying out of works as set out in Table 1.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Land use/development (carried out or proposed)</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>generally in accordance with the precinct structure plan applying to the land</td>
<td></td>
</tr>
<tr>
<td>Local Town Centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
<tr>
<td>Mixed Use</td>
<td>Clause 32.04 – Mixed Use Zone</td>
</tr>
<tr>
<td>All other land</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
</tbody>
</table>

2.3 Specific provisions – Use of land

The following provisions apply to the use of land.

Table 2: Use

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop where the applied zone is Commercial 1 Zone</td>
<td>A permit is required to use land for a shop if the combined leasable floor area of all shops exceeds the following areas for the relevant centre as described in the Lockerbie North Precinct Structure Plan:</td>
</tr>
<tr>
<td></td>
<td>• 9000 square metres for land shown as the Northern Local Town Centre</td>
</tr>
<tr>
<td></td>
<td>• 4000 square metres for land shown as the Southern Local Town Centre</td>
</tr>
<tr>
<td>Office where the applied zone is General Residential Zone</td>
<td>A permit may be granted to use land for an office if the leasable floor area of the office does not exceed 100 square metres.</td>
</tr>
</tbody>
</table>

2.4 Specific provisions - Subdivision

None specified.

2.5 Specific provisions – Buildings and works

Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Mitchell Planning Scheme.

3.0 Application requirements

If in the opinion of the Responsible Authority an application requirement listed at 3.1, 3.2 or 3.3 is not relevant to the assessment of an application, the Responsible Authority may waive or reduce the requirement.
**Subdivision – residential development**

In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land and the staging of the development for all land in contiguous ownership with the land under application.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the incorporated Lockerbie North PSP
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the Responsible Authority, in accordance with the incorporated Lockerbie North PSP
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority

Any application for residential subdivision must be accompanied by:

- Potential bus route and bus stop locations prepared in consultation with the Department of Transport
- An assessment of the existing surface and subsurface drainage conditions on the site including any potential impacts on the proposed development, prepared by a suitably qualified professional. The assessment must include any measures required to mitigate the impacts of the development on groundwater and drainage.

**Public Infrastructure Plan**

An application for subdivision and/or use and development of land must be accompanied by a Public Infrastructure Plan which addresses the following:

- What land may be affected or required for the provision of infrastructure works;
- The provision, staging and timing of stormwater drainage works;
- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- The landscaping of any land;
- What, if any, infrastructure set out in the Lockerbie North Development Contributions Plan is sought to be provided as "works in lieu" subject to the consent of the collecting agency;
- The provision of public open space and land for any community facilities;

any other matter relevant to the provision of public infrastructure required by the Responsible Authority.

**Use or develop land for a Local Town Centre**

An application to use, subdivide land, construct a building or construct or carry out works for a Local Town Centre must be generally in accordance with the role and function of the Local Town Centre set out in the Lockerbie North Precinct Structure Plan.

An application to use, subdivide land, construct a building or construct or carry out works for a Local Town Centre must also include the following information, as appropriate, to the satisfaction of the responsible authority:

- A design response report and plans that:
  - Address the potential future structure of the whole site;
- Address the Local Town Centre Design Requirements in Section 3.3, the Local Town Centre General Guidelines in Appendix B and the Local Town Centre Concept in figures 1 & 2 of the Lockerbie North Precinct Structure Plan;
- Address any relevant design guidelines prepared by the Victorian Government or the Mitchell Shire Council;
- Demonstrate how the proposal relates to existing or approved development in the area;
- Demonstrate site responsive architecture and urban design;
- Demonstrate how the proposal will contribute to the urban character of the Local Town Centre;
- Explain how the proposal responds to feedback received following consultation with relevant infrastructure agencies including VicRoads (where appropriate) and the Department of Transport;
- Include guidelines to positively address environmental sustainability including integrated water management and energy conservation;
- Include provisions for car parking including the location and design of car parking areas and car parking rates for proposed uses within the centre;
- Include design guidelines for the provision of signs;
- Include arrangements for the provision of service areas and for deliveries and waste disposal including access for larger vehicles and measures to minimise the impact on the amenity of the centre and adjoining neighbourhoods; and
- Demonstrate how opportunities for medium and higher density housing and future commercial expansion can be incorporated into the centre (including on future upper levels and through future car park redevelopments)

  - An overall landscape concept/master plan for the centre.

### 3.4 Subdivision of land – VicRoads referral

28/06/2012 C82

Once the subdivision on land within the precinct reaches a total of 1100 lots, any permit application for subdivision must be referred to VicRoads in accordance with Section 55 of the Planning and Environment Act 1987. VicRoads must consider whether a permit can be issued prior to the construction of a new interchange at Rankin Street.

### 3.5 Public transport referral requirements

27/05/2019 C141

For the purpose of Clause 66.02-11 of the scheme a development is generally in accordance with the Lockerbie North Precinct Structure Plan where the following requirements are met:

  - A road nominated on Plan 9– Road Network in the Lockerbie North Precinct Structure Plan as a potential bus route is constructed in accordance with its corresponding cross section in the Lockerbie North Precinct Structure Plan; and
  - Signalised intersections that contain a proposed Principal Public Transport Network (PPTN) route in the Lockerbie North Precinct Structure Plan include bus priority measures to mitigate delays to bus travel times, to the satisfaction of the Director of Public Transport; and
  - Any roundabouts or other road management devices on potential bus routes are constructed to accommodate ultra low floor buses in accordance with the Public Transport Guidelines for Land Use and Development; and
  - The proposal includes the construction of the bus stops as agreed with the Department of Transport, including bus stop hard stands with direct and safe pedestrian access to a pedestrian path (all in accordance with the Public Transport Guidelines for Land Use and Development)
and compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002) at no cost to the Director of Public Transport all to the satisfaction of the Director of Public Transport.

**Conditions and requirements for permits**

**General requirements**

A planning permit must include a condition or conditions which ensure that any requirements or conditions set out in the *Lockerbie North Precinct Structure Plan* and the *Lockerbie North Native Vegetation Precinct Plan* are implemented as part of the planning permit or the plans endorsed under the permit.

**Local town centres**

The boundary of a local town centre with the applied Commercial 1 Zone or Mixed Use area with an applied Mixed Use Zone must be identified on the plan of subdivision to the satisfaction of the Responsible Authority.

**Conditions for subdivision or building and works permits where land is required for community facilities, public open space and road widening**

Land required for community facilities, as set out in the *Lockerbie North Precinct Structure Plan* or the *Lockerbie North Development Contributions Plan* (DCP) must be transferred to or vested in Council at no cost to Council unless the land is funded by the Lockerbie North DCP.

Land required for public open space as a local park as set out in the Lockerbie North PSP or the Lockerbie North DCP must be transferred to or vested in Council at no cost to Council unless funded by the Lockerbie North DCP.

Land required for road widening including right of way flaring for the ultimate design of any intersection with an existing or proposed arterial road must be referred to or vested in Council or VicRoads at no cost to the acquiring agency unless funded by the Lockerbie North DCP.

Land required for a community facility, road or public open space must be shown on a Plan of Certification as a reserve in favour of Mitchell Shire or the relevant agency.

**Conditions for subdivision permits that allow for the creation of a lot of less than 300 square metres**

Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to the certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the Responsible Authority. The plan must identify the lots that will include a restriction on title allowing the use of the provisions of the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Mitchell Planning Scheme; and

- The plan of subdivision submitted for certification must identify whether type A or type B of the Small Lot Housing Code applies to each lot to the satisfaction of the Responsible Authority.

**Biodiversity**

**Eastern Grey Kangaroo**

Prior to the commencement of any works in a stage of subdivision an Eastern Grey Kangaroo Management Plan must be submitted for approval to the Department of Sustainability and Environment. The plan must include:
Strategies (e.g. staging) to avoid land locking Eastern Grey Kangaroos, or where this is not practicable, management solutions and actions to respond to their containment in an area with no reasonable likelihood of their safe existence.

The subdivision and associated works must implement the Eastern Grey Kangaroo Management Plan in the timeframes set out in the plan by:

- Proceeding in the order of stages as shown on the plan; and
- Implementing the management solutions and actions of the plan;

all to the satisfaction of the Department of Sustainability and Environment and the Responsible Authority.

**Growling Grass Frog**

Any permit which would allow subdivision, buildings or works that will impact on an area identified on the Biodiversity Plan in the Lockerbie North PSP as Growling Grass Frog Category 2 habitat must contain the following conditions unless otherwise agreed to in writing by the Department of Sustainability and Environment:

- Prior to the commencement of any buildings or works or the removal of any vegetation offsets for Growling Grass Frog Category 2 habitat on the land must be provided or agreed to the satisfaction of the Senior Officer of the Department of Sustainability and Environment.

- Prior to the commencement of any buildings or works, a fully costed Growling Grass Frog translocation / salvage plan must be prepared to the satisfaction of the Department of Sustainability and Environment and be submitted to and approved by the responsible authority. The approved Growling Grass Frog translocation / salvage plan must be implemented to the satisfaction of the Department of Sustainability and Environment and the Responsible Authority.

**Golden Sun Moth**

Any permit which would allow subdivision, buildings or works that will impact on an area identified on the Biodiversity Plan in the Lockerbie North PSP as Golden Sun Moth habitat must contain the following condition unless otherwise agreed to in writing by the Department of Sustainability and Environment:

- Prior to the commencement of any buildings or works or the removal of any vegetation offsets for Golden Sun Moth habitat on the land must be provided to the satisfaction of the Department of Sustainability and Environment.

**Striped Legless Lizard**

Any permit which would allow subdivision, buildings or works that will impact on an area of land identified as potential habitat for Striped Legless Lizard on the Biodiversity Plan in the Lockerbie North PSP must contain the following condition unless otherwise agreed to in writing by the Department of Sustainability and Environment:

- Prior to the commencement of any buildings or works or the removal of any vegetation offsets for Striped Legless Lizard habitat on the land must be provided to the satisfaction of the Department of Sustainability and Environment.

- The Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Strategic Approach (DSE 2011) and Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Operational Plan (DSE 2011) must be implemented to the satisfaction of the Senior Officer of the Department of Sustainability and Environment before during and after the carrying out of any buildings or works or native vegetation removal and all specifications and requirements of the approved plan must be complied with.
Threatened flora salvage and translocation

Any permit which would allow subdivision, buildings or works that will impact on an area of land where Matted Flax Lily on the Biodiversity Plan in the Lockerbie North PSP must contain the following conditions unless otherwise agreed to in writing by the Department of Sustainability and Environment:

- Prior to the commencement of any works, a fully costed Matted Flax Lily translocation and/or propagation and ex situ conservation plan must be prepared to the satisfaction of the Department of Sustainability and Environment. When approved, the plan will be endorsed and will then form part of the permit;
- The approved Matted Flax Lily translocation/propagation plan must be implemented to the satisfaction of the Department of Sustainability and Environment.

Use or develop land for a sensitive use at 300 Hume Highway, Beveridge (Lot 1 LP79801 and Lot 1 TP215160)

Prior to certification of a Plan of Subdivision under the Subdivision Act 1988, further testing in accordance with the recommendations of the Lane Piper Phase 1 Environmental Site Assessment (8 November 2011) must be carried out to the satisfaction of the responsible authority. Upon completion of the testing the landowner must submit the results and comply with any additional requirements to the satisfaction of the responsible authority, having regard to the guidance set out in the General Practice Note on Potentially Contaminated Land June 2005 (DSE). The plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

Signs

None specified.

Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres.
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage.
- The sign is not animated, scrolling, electronic or internally illuminated sign.
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot.
- The sign is setback a minimum of 750mm from the property boundary.

Education/community promotion signs

Despite the provisions of Clause 52.05, a permit may be granted, for a period of not more than 5 years, to display an sign greater than 2 square metres in area that promotes a community facility or education centre on land identified as education, community and district sports reserve on Plan 1 to this schedule.
Referral of applications

Local town centre referral
An application to subdivide land or construct a building or carry out works (where the value of those works is in excess of $500,000) on land in a local town centre must be referred to the Growth Areas Authority in accordance with Section 55 of the Act.

No exemption from notice and review
An application to use land for a convenience shop or office, on land where the applied zone is General Residential Zone, is not exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.
SCHEDULE 4 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ4.

DONNYBROOK-WOODSTOCK PRECINCT STRUCTURE PLAN

1.0

The plan

Plan 1 below shows the future urban structure proposed in the *Donnybrook-Woodstock Precinct Structure Plan, October 2017*. It is a reproduction of Plan 3 in the *Donnybrook-Woodstock Precinct Structure Plan, October 2017*.

Plan 1 to the Schedule to Clause 37.07

2.0

Use and development

2.1

The land

The provisions of this schedule apply to the land within the ‘precinct boundary’ shown on Plan 1 of this schedule and shown as UGZ4 on the planning scheme maps.

2.2

Applied zone provisions

Table 1 allocates the land use/development shown on Plan 1 of this schedule with a corresponding zone from this scheme.

Where the use/development in the left column is carried out or proposed generally in accordance with the incorporated *Donnybrook-Woodstock Precinct Structure Plan, October 2017*, the use, subdivision, construction of a building and construction and carrying out of works provisions of the corresponding zone in the right column apply.

A reference to a planning scheme zone in an applied zone must be read as if it were a reference to an applied zone under this schedule.
For example: The Commercial 2 Zone specifies ‘Shop’ as a Section 1 Use with the condition, ‘The site must adjoin, or have access to, a road in a Road Zone.’ In this instance the condition should be read as, ‘The site must adjoin, or have access to, a road in a Road Zone or an applied Road Zone in the Urban Growth Zone schedule applying to the land’.

Table 1: Applied zone provisions

| Land shown on Plan 1 of this schedule Arterial road (6 lanes) / Outer Metropolitan Ring Transit Corridor | Clause 36.04 – Road Zone – Category 1 |
| Land shown on Plan 1 of this schedule Arterial road (4 lanes) | Clause 36.04 – Road Zone – Category 2 |
| Land shown on Plan 1 of this schedule Local convenience centre | Clause 34.01 – Commercial 1 Zone |
| Land shown on Plan 1 of this schedule All other land | Clause 32.08 – General Residential Zone |

Table 2: Use of land

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop</td>
<td>Where the applied zone is Commercial 1 Zone and the combined leasable floor area of all shops does not exceed:</td>
</tr>
<tr>
<td></td>
<td>- 1,000 square metres for land shown as retail in the Donnybrook Merri-stock Local Convenience Centre (LCC5) in the incorporated Donnybrook-Woodstock Precinct Structure Plan, October 2017.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use not in section 1 or 3 of the applied zone</td>
<td></td>
</tr>
<tr>
<td>Any other use not in Section 1 or 3</td>
<td></td>
</tr>
</tbody>
</table>

Section 3 – Prohibited

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use not in section 1 or 2 of the applied zone</td>
<td></td>
</tr>
</tbody>
</table>

Specific provision – Subdivision

None specified.
Specific provision – Buildings and works

Dwellings on a lot less than 300 square metres

A permit is not required to construct or extend one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code via a restriction on title, and it complies with the Incorporated Document Small Lot Housing Code, August 2014.

Application requirements

If in the opinion of the responsible authority an application requirement listed below is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Subdivision – Residential development

- In addition to the requirements of Clause 56.01-2, a subdivision design response for a residential subdivision must include:
  - A land budget table in the same format and methodology as those within the precinct structure plan applying to the land, setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields;
  - A demonstration of how the proposed subdivision will contribute to the achievement of the residential density outcomes in the precinct structure plan applying to the land;
  - A demonstration of lot size diversity by including a colour coded lot size plan, reflecting the lot size categories and colours outlined in Table 2 - Lot size and Housing Type Guide in the Donnybrook-Woodstock Precinct Structure Plan, October 2017;
  - A mobility plan that demonstrates how the local street and movement network integrates with adjacent urban development or is capable of integrating with future development on adjacent land parcels;
  - An arboricultural report identifying all trees on the site and a tree retention plan identifying how the application responds to Plan 5 – Character and Housing and any tree protection requirements and guidelines within the Donnybrook-Woodstock Precinct Structure Plan, October 2017;
  - Potential bus route and bus stop locations prepared in consultation with Public Transport Victoria;
  - Subdivision and Housing Design Guidelines, prepared to the satisfaction of the Responsible Authority, which demonstrate how the proposal responds to and achieves the objectives, planning and design requirements and guidelines within the “Housing” section of the Donnybrook-Woodstock Precinct Structure Plan, October 2017 incorporated into this scheme;
  - A Stormwater Management Strategy that assesses the existing surface and subsurface drainage conditions on the site, addresses the provision, staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of Mitchell Shire Council and Melbourne Water;
  - A Site Management Plan that addresses bushfire risk during, and where necessary, after construction which is approved by the Country Fire Authority (CFA). The plan must specify, amongst other things:
    - The staging of development and the likely bushfire risks at each stage;
    - An area of land between the development edge and non-urban areas consistent with the separation distances specified in AS3959-2009, where bushfire risk is managed;
The land management measures to be undertaken by the developer to reduce the risk from fire within any surrounding rural or undeveloped landscape to protect residents and property from the threat of grassfire and bushfire;

Provision of adequate access and egress for early subdivisions to minimise grass and bushfire risks to new residents prior to the full completion of the PSP.

Public Infrastructure Plan
An application must be accompanied by a Public Infrastructure Plan which addresses the following:

- What land may be affected or required for the provision of infrastructure works;
- The provision, staging and timing of stormwater drainage works;
- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment;
- The landscaping of any land;
- What, if any, infrastructure set out in the Precinct Infrastructure Plan in Table 9 of the incorporated Donnybrook-Woodstock Precinct Structure Plan, October 2017 is sought to be provided as "works in lieu" subject to the consent of the collecting agency;
- The provision of public open space and land for any community facilities; and
- Any other matter relevant to the provision of public infrastructure required by the responsible authority.

Use or develop land for a sensitive purpose – Environmental Site Assessment
An application to develop land identified in Table 3 below for a sensitive use (including accommodation, child care centre, kindergarten, primary school or public open space) must be accompanied by a detailed site investigation (Phase 2 assessment) conducted by a suitably qualified professional (contaminated land) for the Environmental Assessment Areas ranked as ‘High Potential for Contamination’ and ‘Medium Potential for Contamination’ in the Woodstock Precinct Structure Plan 1096, Environmental, Hydrological & Geotechnical Assessment (Meinhardt, June 2013) and Growth Areas Authority - Donnybrook Precinct Structure Plan 1067, Environmental, Hydrological & Geotechnical Assessment (Meinhardt, June 2013). The Phase 2 assessment must provide for the following information:

- Further detailed assessment of potential contaminants on the relevant land;
- Further detailed assessment of surface and subsurface water conditions and geotechnical characteristics on the relevant land and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions and geology on the development and the impact of the development on surface and subsurface water; and
- An unequivocal recommendation on whether the environmental condition of the land is suitable for the proposed use/s or whether an environmental audit in accordance with Part IXD of the Environment Protection Act 1970 for all or part of the land is recommended having regard to the Potentially Contaminated Land General Practice Note June 2005, DSE.

Table 3

<table>
<thead>
<tr>
<th>Address</th>
<th>Legal Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>300 Donovans Lane, Beveridge</td>
<td>Lot 6 TP394032 only</td>
</tr>
</tbody>
</table>

Kangaroo management
An application for subdivision must be accompanied by a Kangaroo Management Plan to the satisfaction of the responsible authority which includes:
Strategies to avoid land locking kangaroos, including staging of subdivision; and

Management requirements to respond to the containment of kangaroos in an area with no reasonable likelihood of their continued safe existence; or

Management and monitoring actions to sustainably manage a population of kangaroos within a suitable location.

Where a Kangaroo Management Plan has been approved in respect of the land to which the application applies, the application must be accompanied by:

- A copy of the approved Kangaroo Management Plan; and
- A ‘design/management response’ statement outlining how the application is consistent with and gives effect to any requirements of the approved Kangaroo Management Plan.

Traffic Impact Assessment

An application that proposes to create or change access to a primary or secondary arterial road must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility/concept road safety audit, must be to the satisfaction of VicRoads or the Mitchell Shire Council, as required.

Rail Noise Assessment

An application for use or development within 80 metres of the existing Melbourne-Sydney rail track which in the opinion of the responsible authority is likely to be impacted by rail noise such as a child care centre, display home, hospital, hotel or tavern must be accompanied by an assessment of noise and vibration impacts on the development from the rail operations. The acoustic assessment must be prepared by an acoustic engineer or other suitably qualified person to the satisfaction of the responsible authority. The acoustic assessment must:

- Provide an assessment of noise levels on the land taking into account the existing and likely future noise levels associated with the ongoing operation of V-Line and Australian Rail and Track Corporation (ARTC) operations; and
- Include recommendations for noise attenuation measures designed to ensure that internal noise levels in bedrooms are not greater than 35 dB Leq8h from 10pm to 6am.

Conditions and requirements for permits

Condition - Subdivision permits that allow the creation of a lot of less than 300 square metres

Prior to certification of the Plan of Subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provision of the Incorporated Document Small Lot Housing Code, August 2014.

The Plan of Subdivision submitted for certification must identify whether Type A or Type B of the Small Lot Housing Code applies to each lot to the satisfaction of the responsible authority.

Condition - Land required for community facilities and open space

Land required for community facilities and public open space for use as a local or district park, as set out in the Donnybrook-Woodstock Precinct Structure Plan, October 2017 or the incorporated Donnybrook-Woodstock Infrastructure Contributions Plan must be transferred to or vested in Council at no cost to Council unless the land is funded by the incorporated Donnybrook-Woodstock Infrastructure Contributions Plan.
**Condition - Gas pipeline construction management plan**

Prior to the construction of a building or the carrying out of works, including demolition, on land within 50 metres of the gas pipeline easement shown on Plan 16 – Utilities in the incorporated *Donnybrook-Woodstock Precinct Structure Plan, October 2017*, a Construction Management Plan must be submitted to and approved by the responsible authority. The plan must:

- Prohibit the use of rippers or horizontal directional drills unless otherwise agreed by the operator of the gas transmission pipeline.
- Be endorsed by the operator of the gas transmission pipeline where the works are within or crossing the relevant gas transmission easement.
- Include any other relevant matter to the satisfaction of the responsible authority.

The Responsible Authority must be satisfied that the gas transmission pipeline licensee has reviewed and approved the Construction Management Plan.

The Construction Management Plan must be implemented to the satisfaction of the responsible authority.

The Construction Management Plan may be amended to the satisfaction of the responsible authority.

**Conditions – Biodiversity and threatened species**

Any permit for subdivision must contain the following conditions:

**Kangaroo Management Plan**

Before the certification of the plan of subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning. Once approved the plan will be endorsed by the responsible authority and form part of the permit.

The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority.

**Environment Management Plans**

A planning permit for subdivision or buildings or works on land shown as a conservation area in the incorporated *Donnybrook-Woodstock Precinct Structure Plan, October 2017* must include the following condition:

- Prior to certification of the plan of subdivision or the commencement of buildings or works an Environmental Management Plan for the relevant works must be approved to the satisfaction of the Department of Environment, Land, Water and Planning and Responsible Authority, unless otherwise agreed by the Department of Environment, Land, Water and Planning and Responsible Authority.

**Protection of conservation areas and native vegetation during construction**

A permit granted to subdivide land or a permit granted to construct a building or carry out works, where this precinct structure plan shows the land, or abutting land, including a conservation area or a patch of native vegetation or a scattered tree must contain the following conditions:

- Prior to the commencement of works in or around a conservation area, scattered native tree or patch of native vegetation, the developer of the land must erect a protective fence that is:
  - Highly visible;
  - At least two metres in height;
  - Sturdy and strong enough to withstand knocks from construction vehicles;
  - Kept in place for the whole period of construction; and
  - Located the following minimum distance from the element to be protected:
### Minimum distance from element

<table>
<thead>
<tr>
<th>Element</th>
<th>Minimum distance from element</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation area</td>
<td>2 metres from the edge of the area</td>
</tr>
<tr>
<td>Scattered tree</td>
<td>The distance as shown in the incorporated precinct structure plan (Section 4.6)</td>
</tr>
<tr>
<td>Patch of native vegetation</td>
<td>2 metres from the edge of the patch</td>
</tr>
</tbody>
</table>

- Construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:
  - Be located not less than 15 metres from a waterway
  - Be located outside the required protective fence;
  - Be constructed and designed to ensure that the conservation area, scattered tree or patches of native vegetation are protected from adverse impacts during construction; and
  - Not be undertaken if the qualified ecologist or arborist who is familiar with the requirements of the incorporated precinct structure plan is of the opinion that the various activities present a risk to any vegetation within a conservation area.

### Land Management Cooperative Agreement

A permit to subdivide land shown in a Conservation Area Concept Plan (CACP) in the incorporated Donnybrook-Woodstock Precinct Structure Plan, October 2017 as including a conservation area must ensure that, the owner of the land:

- Enters into a Land Management Cooperative Agreement (LMCA) with the Secretary to the Department of Environment, Land, Water and Planning (DELWP) under section 69 of the Conservation, Forests and Lands Act 1987, which:
  - Must provide for the conservation and management of that part of the land shown as a conservation area in the incorporated PSP (a conservation area); and
  - May include any matter that such an agreement may contain under the Conservation, Forests and Lands Act 1987.
  - Makes application to the Registrar of Titles to register the agreement on the title to the land.
  - Pays the reasonable costs of the Secretary to DELWP in the preparation, execution and registration of the agreement.

The requirement for a LMCA in this condition does not apply to land or any lot or part of a lot within a conservation area that:

- Is identified in the incorporated PSP as public open space and is vested, or will be vested, in the council as a reserve for the purposes of public open space; or
- Is identified in the incorporated PSP as a drainage reserve and is vested, or will be vested, in Melbourne Water Corporation or the council as a drainage reserve; or
- Is within a Conservation Area identified in the incorporated PSP for nature conservation and is vested, or is subject of an agreement with the Secretary to the DELWP to be vested, in the Secretary to DELWP for conservation purposes; or
- Is the subject of an agreement with the Secretary to DELWP to transfer or gift that land to:
  - The Secretary to DELWP;
  - The Minister administering the Conservation, Forests and Lands Act, 1987; or
  - Another statutory authority.

- to the satisfaction of the Secretary to DELWP.
The LMCA must be entered into:
- In relation to land containing Nature Conservation or Open Space conservation area, prior to the commencement of works for; or
- In relation to land containing Growling Grass Frog conservation area, before the issue of a statement of compliance for the last stage of the subdivision.

**Condition - Public transport**

Unless otherwise agreed by Public Transport Victoria, prior to the issue of Statement of Compliance for any subdivision stage, bus stop hard stands with direct and safe pedestrian access to a pedestrian path must be constructed:
- In accordance with the Public Transport Guidelines for Land Use and Development; and compliant with the *Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002*.
- At locations approved by Public Transport Victoria, at no cost to Public Transport Victoria, and to the satisfaction of Public Transport Victoria.

**Condition – Road network**

Any permit for subdivision or building and works must contain the following condition:
- Prior to the certification of a plan of subdivision, the plan of subdivision must show the land affected by the widening of the road reserve which is required to provide road widening and/or right of way flaring for the ultimate design of any adjacent intersection.
- Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed arterial road must be transferred to or vested in council at no cost to the acquiring agency unless affected by the Public Acquisition Overlay or funded by the incorporated *Donnybrook-Woodstock Infrastructure Contributions Plan*.

**Condition - Precinct Infrastructure Plan**

Any permit for subdivision must contain the following condition:
- Prior to the certification of a plan of subdivision or at such other time which is agreed between Council and the owner, if required by the responsible authority or the owner, the owner must enter into an agreement or agreements under section 173 of the Planning and Environment Act 1987 which provides for:
  - The implementation of the Public Infrastructure Plan approved under this permit.

**Requirement – Rail noise attenuation**

Any permit for the use or development of land within 80 metres of the existing Melbourne-Sydney rail track in the *Donnybrook-Woodstock Precinct Structure Plan, October 2017* must implement any recommendations of the acoustic assessment submitted with the application and include any conditions necessary, in the opinion of the responsible authority, to implement railway noise attenuation measures.

All to the satisfaction of the responsible authority.

**Exemption from notice and review**

**Notice to gas transmission pipeline licensee**

Notice of an application of the kind listed below must be given in accordance with section 52(1)(c) of the Act to the person or body specified in the Schedule to Clause 66.06:
An application on land shown as ‘gas pipeline measurement length’ on ‘Plan 16 – Utilities’ in the incorporated Donnybrook-Woodstock Precinct Structure Plan, where the application is to use land for, or to construct a building to accommodate, any of the following:

- Residential aged care facility
- Child care centre
- Cinema based entertainment facility
- Education centre
- Hospital
- Place of assembly
- Retail premises

### Decision guidelines

None specified.

### Signs

Sign requirements are at Clause 52.05. All land within the Donnybrook-Woodstock Precinct Structure Plan area is included in the category specified in its applied zone at Clause 2.2 of this schedule.

#### Land and home sales signs

Despite the provisions of Clause 52.05, signs promoting the sale of land or homes on the land (or on adjoining land in the same ownership) may be displayed without a permit provided:

- The display area for each sign does not exceed 10 square metres;
- Only one sign is displayed per road frontage. Where the property has a road frontage of more than 150 metres multiple signs may be erected provided there is a minimum of 150 metres distance between each sign, with a total of not more than 4 signs per frontage;
- The sign is not animated, scrolling, electronic or internally illuminated sign;
- The sign is not displayed longer than 21 days after the sale (not settlement) of the last lot; and
- The sign is setback a minimum of 750 millimetres from the property boundary.

A permit may be granted to display a sign promoting the sale of land or homes on the land (or on adjoining land in the same ownership) with an area greater than 10 square metres.

**Note:** Operation of Commonwealth Environmental Laws. On 5 September 2013 an approval under the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act) was issued by the Commonwealth Minister for Environment, Heritage and Water. The approval applies to all actions associated with urban development in growth corridors in the expanded Melbourne 2010 Urban Growth Boundary as described in page 4 in the Biodiversity Strategy for Melbourne’s Growth Corridors (Department of Environment and Primary Industries, 2013). The Commonwealth approval has effect until 31 December 2060. The approval is subject to conditions specified at Annexure 1 of the approval. Provided the conditions of the EPBC Act approval are satisfied individual assessment and approval under the EPBC Act is not required.
SCHEDULE 5 TO CLAUSE 37.07 URBAN GROWTH ZONE

Shown on the planning scheme map as UGZ5.

BEVERIDGE CENTRAL PRECINCT STRUCTURE PLAN

1.0

The plan

Plan 1 of this schedule shows the future urban structure proposed in the Beveridge Central Precinct Structure Plan. It is a reproduction of Plan 3 in the Beveridge Central Precinct Structure Plan.

Plan 1 to the Schedule to Clause 37.07

Use and development

The land

The use and development provisions specified in this schedule apply to the land shown within the precinct boundary on Plan 1 of this schedule, and shown as UGZ5 on the planning scheme maps. This schedule must be read in conjunction with the Beveridge Central Precinct Structure Plan (PSP).

Applied zone provisions

The provisions of the following zones in this scheme apply to the use and subdivision of land, construction of a building, and construction and carrying out of works, by reference to Plan 1 of this schedule.

Table 1: Applied zone provisions

<table>
<thead>
<tr>
<th>Land shown on Plan 1 of this schedule</th>
<th>Applied zone provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Clause 32.08 – General Residential Zone</td>
</tr>
<tr>
<td>Local Convenience Centre</td>
<td>Clause 34.01 – Commercial 1 Zone</td>
</tr>
</tbody>
</table>
## Specific provisions – Use of land

### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shop</td>
<td>On land where the applied zone is Commercial 1 Zone if the combined leasable floor area of all shops does not exceed:</td>
</tr>
<tr>
<td></td>
<td>- 3,000 square metres for land shown as Camerons Local Convenience Centre in the incorporated Beveridge Central Precinct Structure Plan.</td>
</tr>
<tr>
<td></td>
<td>- 1,000 square metres for land shown as the Lithgow Street Local Convenience Centre in the incorporated Beveridge Central Precinct Structure Plan.</td>
</tr>
<tr>
<td>Any use listed in Clause 62.01</td>
<td>Must meet requirements of Clause 62.01.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Use</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

### Section 3 – Prohibited

| Use          | |
|--------------| |
| None specified | |

## Specific provisions - Subdivision

None specified.

## Specific provisions - Buildings and works

No permit is required to construct a building or construct or carry out works for the following:

- Construction or extension of one dwelling on a lot with an area less than 300 square metres where a site is identified as a lot to be assessed against the Small Lot Housing Code, August 2014 via a restriction on title, and it complies with the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Mitchell Planning Scheme.

A permit is required to construct a building or construct or carry out works for the following:
Building and works on land known as 44 Kelly Street, Beveridge, or on lots directly abutting 44 Kelly Street, Beveridge. An application pursuant to this provision must address (where relevant) the John Kelly’s Former House – design principles and guidelines at Section 4.6 of the Beveridge Central Precinct Structure Plan, to the satisfaction of the responsible authority.

3.0
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Application requirements
The following application requirements apply to an application for a permit under Clause 37.07, in addition to those specified in Clause 37.07 and elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

Subdivision – Residential development
In addition to the requirements of Clause 56.01-2, a Subdivision Design Response for a residential subdivision of less than 60 lots must show the proposed use and development of each part of the land, and the staging of the development for all land in contiguous ownership with the land under application.

An application for a residential subdivision of 10 lots or more must be accompanied by:

- A written statement that sets out how the subdivision implements the incorporated Beveridge Central Precinct Structure Plan.
- Subdivision and Housing Design Guidelines, prepared to the satisfaction of the responsible authority, in accordance with the incorporated Beveridge Central Precinct Structure Plan.
- A table setting out the amount of land allocated to the proposed uses and expected population, dwelling and employment yields.
- A Traffic Impact Assessment Report to the satisfaction of the relevant road management authority.
- A hydrogeological assessment of the groundwater conditions on the site and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater on the development and the impact of the development on groundwater.
- A preliminary site assessment of the potential for contaminated land as a result of previous land uses, carried out by a suitably qualified person.

Public Infrastructure Plan
An application to subdivide land, or construct a building or construct or carry out works must be accompanied by a Public Infrastructure Plan which addresses the following:

- A Stormwater Management Strategy that makes provision for the staging and timing of stormwater drainage works, including temporary outfall provisions, to the satisfaction of Melbourne Water.
- What land may be affected or required for the provision of infrastructure works.
- The provision, staging and timing of stormwater drainage works.
- The provision, staging and timing of road works internal and external to the land consistent with any relevant traffic report or assessment.
- What, if any, infrastructure set out in any Infrastructure Contributions Plan applying to the land is sought to be provided as "works in lieu" subject to the written consent of the responsible authority.
- The provision of public open space and land for any community facilities.
- Any other matter relevant to the provision of public infrastructure required by the responsible authority.
Traffic Impact Assessment
An application that proposes to create or change access to a primary or secondary arterial road must be accompanied by a Traffic Impact Assessment Report (TIAR). The TIAR, including functional layout plans and a feasibility / concept road safety audit, must be prepared to the satisfaction of the responsible authority or the Roads Corporation.

Subdivide, use or develop land for a sensitive use – Environmental Site Assessment
An application to subdivide land, use, or develop land for a sensitive use (residential use, child care centre, pre-school centre or primary school) on land at 55 Lewis Street, Beveridge must be accompanied by an Environmental Site Assessment of the land by a suitably qualified environmental professional to the satisfaction of the responsible authority which takes account of ‘Beveridge Central Precinct Structure Plan Area – Phase 1 Environmental Site Assessment – LanePiper, September 2011’ and provides information including:

- Further detailed assessment of potential contaminants on the relevant land.
- Clear advice on whether the environmental condition of the land is suitable for the proposed use/s and whether an environmental audit of all, or part, of the land is recommended having regard to the Potentially Contaminated Land General Practice Note June 2005, DSE.
- Further detailed assessment of surface and subsurface water conditions and geotechnical characteristics on the relevant land and the potential impacts on the proposed development including any measures required to mitigate the impacts of groundwater conditions and geology on the development and the impact of the development on surface and subsurface water.
- Recommended remediation actions for any potentially contaminated land.

Heritage Places
An application for subdivision, use or development of land within a Heritage Overlay should:

- Discuss the proposed future use or adaptive reuse of the heritage place.
- Include a draft Conservation Management Plan for the heritage place to the satisfaction of the responsible authority.
- Include the provision of sufficient space around the heritage building to allow its adaptive reuse to comply with other planning requirements, such as car parking and landscaping.

Conditions and requirements for permits

Condition - Subdivision permits that allow the creation of a lot/s of less than 300 square metres
Any permit for subdivision that allows the creation of a lot less than 300 square metres must contain the following conditions:

- Prior to certification of the plan of subdivision for the relevant stage, a plan must be submitted for approval to the satisfaction of the responsible authority. The plan must identify the lots that will include a restriction on title allowing the use of the provision of the Small Lot Housing Code incorporated pursuant to Clause 72.04 of the Mitchell Planning Scheme.
- The plan of subdivision submitted for certification must identify whether Type A or Type B of the Small Lot Housing Code applies to each lot to the satisfaction of the responsible authority.

Condition – Open Space
Land required for public open space as a local or district park as set out in the Beveridge Central Precinct Structure Plan must be transferred to or vested in Council at no cost to Council unless the land is funded by an applicable incorporated Infrastructure Contributions Plan.
Condition – Environmental site assessment
Any permit for subdivision, use or development for a sensitive use at 55 Lewis Street, Beveridge must contain the following conditions:

- Before a plan of subdivision is certified under the Subdivision Act 1988, the recommendations of the Phase 2 Environmental Site Assessment submitted must be carried out to the satisfaction of the responsible authority.

- Upon receipt of the further testing report the owner must comply with any further requirements made by the responsible authority after having regard to the guidance set out in the General Practice Note on Potentially Contaminated Land June 2005 (DSE). The plan of subdivision must not be certified until the responsible authority is satisfied that the land is suitable for the intended use.

Condition – Hume Freeway noise
Any permit for use and development adjacent to the Hume Freeway must include the following condition:

- Any use or development of land directly abutting the Hume Freeway boundary must comply with the VicRoads Traffic Noise Reduction Policy, 2005 to the satisfaction of, and at no cost to, the Roads Authority.

Condition – Kangaroo Management Plan
Any permit for subdivision must contain the following conditions:

- Before the certification of the plan of subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning, or its successor. Once approved the plan will be endorsed by the responsible authority and form part of the permit.

- The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority

Condition – Salvage and translocation
Any permit for subdivision must contain the following condition:

- Salvage and translocation of flora and fauna, threatened species and ecological communities must be undertaken in the carrying out of development to the satisfaction of the Secretary to the Department of Environment, Land, Water and Planning, or its successor.

Condition – Public Transport
Any permit for subdivision must contain the following condition:

- Unless otherwise agreed by Public Transport Victoria, prior to the issue of Statement of Compliance for any subdivision stage, bus stop hard stands with direct and safe pedestrian access to a pedestrian path must be constructed:
  
  - In accordance with the Public Transport Guidelines for Land Use and Development; and compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002.
  
  - At locations approved by Public Transport Victoria, at no cost to Public Transport Victoria, and to the satisfaction of Public Transport Victoria.

Condition – Public Infrastructure Plan
Any permit for subdivision must contain the following condition:
Prior to the certification of a plan of subdivision or at such other time which is agreed between responsible authority and the owner, if required by the responsible authority or the owner, the owner must enter into an agreement or agreements under section 173 of the Planning and Environment Act 1987 which provides for:

- The implementation of the Public Infrastructure Plan approved under this permit.

**Condition – Road network**

Any permit for subdivision, or buildings and works, must contain the following conditions:

- Prior to the certification of a plan of subdivision, the plan of subdivision must show the land affected by the widening of the road reserve which is required to provide road widening and/or right of way flaring for the ultimate design of any adjacent intersection.

- Land required for road widening including right of way flaring for the ultimate design of any intersection within an existing or proposed arterial road must be transferred to or vested in the responsible authority at no cost to the acquiring agency unless funded by an Infrastructure Contributions Plan applying to the land.

**Condition – Heritage place**

Any permit for subdivision and/or development of land within a Heritage Overlay must contain the following conditions:

- Prior to the certification of a plan of subdivision for the first stage of the subdivision, a Conservation Management Plan must be prepared for the heritage place, to the satisfaction of the responsible authority.

- Before the commencement of works for any stage of subdivision, the heritage place must be appropriately secured against damage as a result of works, deterioration, the effects of weather, trespassing or vandalism, to the satisfaction of the responsible authority.

**5.0 Exemption from notice and review**

None specified.

**6.0 Decision guidelines**

None specified.

**7.0 Signs**

Sign requirements are at Clause 52.05. All land located within the Beveridge Central Precinct Structure Plan is the category specified in the zone applied to the land at Clause 2.2 of this schedule.
OVERLAYS

This section sets out the overlays which apply in this scheme.
[NO CONTENT]
ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify areas where the development of land may be affected by environmental constraints.
To ensure that development is compatible with identified environmental values.

Environmental significance and objectives

A schedule to this overlay must contain:

- A statement of environmental significance.
- The environmental objectives to be achieved.

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Construct a fence if specified in a schedule to this overlay.
- Construct bicycle pathways and trails.
- Subdivide land. This does not apply if a schedule to this overlay specifically states that a permit is not required.
- Remove, destroy or lop any vegetation, including dead vegetation. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - If the table to Clause 42.01-3 specifically states that a permit is not required.
  - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivide land to realign the common boundary between 2 lots where:</td>
<td>Clause 59.01</td>
</tr>
<tr>
<td>- The area of either lot is reduced by less than 15 percent.</td>
<td></td>
</tr>
<tr>
<td>- The general direction of the common boundary does not change.</td>
<td></td>
</tr>
<tr>
<td>Subdivide land into lots each containing an existing building or car parking space where:</td>
<td>Clause 59.02</td>
</tr>
<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<td></td>
</tr>
</tbody>
</table>
### Class of application

<table>
<thead>
<tr>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>• An occupancy permit or a certificate of final inspection has been issued under the Building Regulations in relation to the buildings within 5 years prior to the application for a permit for subdivision.</td>
</tr>
</tbody>
</table>

### Subdivide land into 2 lots if:

<table>
<thead>
<tr>
<th>Clause 59.02</th>
</tr>
</thead>
<tbody>
<tr>
<td>• The construction of a building or the construction or carrying out of works on the land:</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>
</tr>
<tr>
<td>• Has started lawfully.</td>
</tr>
<tr>
<td>• The subdivision does not create a vacant lot.</td>
</tr>
</tbody>
</table>

### 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

<table>
<thead>
<tr>
<th>The requirement to obtain a permit does not apply to:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Emergency works</strong></td>
</tr>
<tr>
<td><strong>Fire protection</strong></td>
</tr>
<tr>
<td>• in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or</td>
</tr>
<tr>
<td>• where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
<tr>
<td>• fire fighting;</td>
</tr>
<tr>
<td>• planned burning;</td>
</tr>
<tr>
<td>• making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;</td>
</tr>
<tr>
<td>• making of a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);</td>
</tr>
<tr>
<td>• is ground fuel within 30 metres of a building and is vegetation other than native vegetation;</td>
</tr>
<tr>
<td>• in accordance with a fire prevention notice issued under either:</td>
</tr>
<tr>
<td>• Section 65 of the Forests Act 1958; or</td>
</tr>
<tr>
<td>• Section 41 of the Country Fire Authority Act 1958.</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

- keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the *Electricity Safety Act 1998*;
- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the *Road Management Act 2004*.

*Note:* Additional permit exemptions for bushfire protection are provided at Clause 52.12.

<table>
<thead>
<tr>
<th>Geothermal energy exploration and extraction</th>
<th>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <em>Geothermal Energy Resources Act 2005</em>.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenhouse gas sequestration and exploration</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <em>Greenhouse Gas Geological Sequestration Act 2008</em>.</td>
</tr>
<tr>
<td>Land management or directions notice</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <em>Catchment and Land Protection Act 1994</em>.</td>
</tr>
<tr>
<td>Land use conditions</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the <em>Catchment and Land Protection Act 1994</em>.</td>
</tr>
</tbody>
</table>
| Mineral exploration and extraction          | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the *Mineral Resources (Sustainable Development) Act 1990*:
- that is low impact exploration within the meaning of Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990*; or
- in accordance with a work plan approved under Part 3 of the *Mineral Resources (Sustainable Development) Act 1990*.

*Note:* Schedule 4A of the *Mineral Resources (Sustainable Development) Act 1990* specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.

<table>
<thead>
<tr>
<th>Noxious weeds</th>
<th>Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the <em>Catchment and Land Protection Act 1994</em>. This exemption does not apply to Australian Dodder (<em>Cuscuta australis</em>).</th>
</tr>
</thead>
</table>
| Pest animal burrows                         | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows.
In the case of native vegetation the written agreement of an officer of the department responsible for administering the *Flora and Fauna Guarantee Act 1988* is required before the vegetation can be removed, destroyed or lopped. |
| Planted vegetation                          | Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production. |
| Railways                                    | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| Regrowth                                    | Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:
- bracken (*Pteridium esculentum*); or
- within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation. |
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
</table>
| Road safety               | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). 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 exploration         | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration 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.                                                                                                                                                                                                                                                                                                                                                                                                  |
| 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.
MT PIPER AND SURROUNDS

1.0

Statement of environmental significance

Mt Piper is a significant conservation area and includes important remnant native vegetation which requires protection. It is a steep, solitary mountain rising from 230m to 456m above an undulating plain between the Tallarook and Mt William ranges.

Mt Piper is virtually an island in a natural bushland setting surrounded by largely cleared grazing land. It provides a refuge for a variety of native wildlife and is also a valuable educational resource. A number of threatened flora and fauna communities exist in the area including Butterfly Community No. 1, Large Ant-blue, Acrodipsas brisbanis syrilus and Small Ant blue A myrmecophilabb butterflies.

2.0

Environmental objective to be achieved

Recognise and protect the landscape conservation and scientific Importance of Mt Piper.

Give recognition to and protection to the Butterfly Community in accordance with its inclusion in the Flora and Fauna Guarantee Act 1988.

Identify and protect those significant areas over which controls of the clearing of native vegetation additional to that provided in state policy is required.

Conserve and enhance areas of remnant native vegetation.

Provide for appropriate land management practices for rural activities located within areas of high conservation value.

3.0

Permit requirement

Permit exemptions

No planning permit is required for:

- Any agricultural development or activity, including cultivation, dam, fencing, water tanks and water bores.
- Power lines of less than 220,000 volts.
- Low impact telecommunications infrastructure or facility.
- Any buildings, works or removal, destruction or lopping of any vegetation by any government department, public authority or Mitchell Shire Council for the purposes of any public or local government utility, service, facility, stream improvement or other works.
- The carrying out of any works required by or approved by the Department of Sustainability and Environment, a water authority, a Catchment Management Authority or the responsible authority for conservation purposes, including prevention of soil erosion, regulation of water flow in a watercourse, construction or redirection of a watercourse, or regulation of flooding.
- Development of an outbuilding of less than 120m2 in floor area (and where the total floor area of all outbuildings does not exceed 200m2), the slope of the land is less than 15 percent, no removal of native trees or shrubs is required, earthworks are less than 2,000 square metres and the development site is not within 100 metres of a waterway, to the satisfaction of the responsible authority.
- Any alterations or additions to an existing dwelling or outbuilding, provided the proposed building is not within 100 metres of a waterway, the slope of the land is less than 15 percent, the proposed floor area is not greater than 100 percent of the existing floor area, there is no
increase in building height, all external building materials are of non-reflective materials, no removal of native trees or shrubs is required, and earthworks are less than 2,000 square metres, to the satisfaction of the responsible authority.

- Any sign.
- A swimming pool associated with a dwelling.
- Extensions or alterations to existing caravans, annexes and on site cabins used in conjunction with an existing ‘camping and caravan park’.
- Works associated with timber production.
- Any development or works in accordance with any approved management plan adopted by the responsible authority or the Department of Sustainability and Environment.
- Removal, destruction or loping of dead vegetation, exotic vegetation or native vegetation if seedlings or regrowth are less than 10 years old and the land is being re-established or maintained for cultivation or pasture, the minimum extent of native vegetation necessary for the construction, operation or maintenance of a fence, or the removal, destruction or lopping of native vegetation as a result of grazing domestic stock or moving stock along a road.

Development of land

The land may only be developed in accordance with the recommendations made under Flora and Fauna Guarantee Act 1988, and/or for any management plan approved by the responsible authority. All development should be consistent with the Management Plan applying to the area.

Application requirements

None specified.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The conservation and enhancement of the area.
- The preservation of and the impact on the natural environment and including the retention of dead timber and areas of mistletoe, the need for preventing land degradation particularly on slopes, hill tops, ridges and along watercourses.
- The management of vegetation to minimise fire hazard.
- The benefit of a condition requiring planting, replanting or other treatment of any part of the land.
- The quality and health of native vegetation.
- The value of the native vegetation for scientific purposes, for shelter, for shade, for habitat or movement corridor of wildlife, or for other purposes.
- The extent of any danger to public health or safety.
- The existing use of the land and any existing or proposed Land Management Plan.

Referral of applications

Before deciding upon any application (including any management plan), the responsible authority must refer the application in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause.
SCHEDULE 2 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO2.

EPPALOCK AND MOLLISON CREEK (PYALONG) SPECIAL WATER SUPPLY CATCHMENT AREAS

1.0

Statement of environmental significance

The Eppalock Special Water Supply Catchment Area and the Mollison Creek (Pyalong) Special Water Supply Catchment Area are listed under Schedule 5 of the Catchment and Land Protection Act 1994.

The catchments are major sources of water for irrigation, stock, domestic and urban water supplies for communities within and external to the Shire. The protection of Special Water Supply Catchment Areas from inappropriate development and the protection of water quality is essential to the health of the surrounding environment, habitat, vegetation and all communities that rely on water for domestic and stock supply.

2.0

Environmental objective to be achieved

To protect and maintain water quality and water yield in the Eppalock and Mollison Creek (Pyalong) Special Water Supply Catchment Areas.

3.0

Permit requirement

Permit exemptions

Buildings and works

- Buildings and works for a dwelling or associated with an existing dwelling connected to a reticulated sewerage system.

- Buildings and works associated with an existing dwelling in an unsewered area, if all of the following conditions can be met:
  - Extensions or outbuildings which do not generate additional wastewater other than stormwater.
  - The building and any component of its domestic wastewater system are not located within 100 metres of a waterway or upstream of a dam or wetland;
  - Any site cut required is less than one metre in depth and is less than 300 square metres in area; and
  - No stormwater is discharged less than 100 metres from a waterway unless into an approved drainage system or legal point of discharge.

- The construction of a dam under 3ML capacity that is not on a waterway and is for stock and domestic purposes only.

- Activities conducted on public land by or on behalf of the Department of Environment, Land, Water and Planning under the relevant provisions of the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Land Act 1958, the Crown Land (Reserves) Act 1978 or the Forests Act 1958.

- Any development or works associated with an agricultural use that is not specified anywhere else here.

- Any buildings, works or removal, destruction or lopping of any vegetation by or on behalf of any government department, public authority or responsible authority for the purposes of any public or local government utility, service, facility, stream improvement or other works.
The carrying out of any works required by or approved by the Department of Environment, Land, Water and Planning, a water authority, a Catchment Management Authority or the responsible authority for conservation purposes, including prevention of soil erosion, regulation of water flow in a watercourse, construction or redirection of a watercourse, or regulation of flooding.

- Extensions or alterations to existing caravans, annexes and on site cabins used in conjunction with an existing ‘camping and caravan park’.

- Works associated with timber production.

- Any development or works in accordance with any approved management plan adopted by the responsible authority or the Department of Environment, Land Water and Planning.

- Removal, destruction or loping of dead vegetation, exotic vegetation or native vegetation if seedlings or regrowth are less than 10 years old and:
  - the land is being re-established or maintained for cultivation or pasture;
  - the minimum extent of native vegetation necessary for the construction, operation or maintenance of a fence; or
  - the vegetation removal is as a result of grazing domestic stock or moving stock along a road.

Subdivision
A permit is not required to subdivide land if:

- The subdivision is for existing buildings that are connected to a reticulated water and sewerage system.

- The subdivision is a two lot subdivision and each lot is connected to a reticulated water and sewerage system.

Application Requirements
An application for a permit must be accompanied by a report that includes the following information, where appropriate, as determined by the responsible authority:

- A geotechnical report prepared by a suitably qualified person which demonstrates that the land is capable of absorbing effluent generated on the lot and the likely impact of any on-site wastewater management system on surface and groundwater resources and how such impacts are to be mitigated.

- A scaled site context plan showing the subject site and surrounding land including location of all waterways, drainage lines, water bodies, water supply channels or springs.

- The location and use of existing and proposed buildings and works, including proposed or existing components of a domestic wastewater system and vehicle access.

- Where an application proposes to located a dwelling and/or any component of a domestic wastewater system within:
  - 100 metres of a watercourse;
  - 250 metres of any watercourse where adjoining escarpments or slopes are greater than 25%; or
  - a wetland;

satisfactory evidence must be provided to demonstrate why the dwelling and/or any component of a domestic wastewater system cannot be located outside these areas.
5.0
Referral/Notice requirements
An application for a permit 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.
A referral agreement between the responsible authority and the referral authority may be in place that may affect the above requirement.
The responsible authority may also seek the comments of the relevant water supply or drainage authority.

6.0
Decision guidelines
The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The views of the relevant water authority.
- The Ministerial Guidelines for Planning permit applications in open, potable water supply catchment areas, November 2012, including any subsequent revision to these Guidelines.
- The potential effect of the development on water quality and quantity.
- The capability of the land to contain effluent on site.
- Soil preservation and potential impacts including erosion.
- The potential impacts on natural (land and water) habitats and conservation of native flora and fauna.
- 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.
- Any relevant land capability study.
- Whether the proposal is consistent with the provisions of any incorporated or reference documents including the State Environment Protection Policies – Waters of Victoria and Groundwaters of Victoria and the Mitchell Shire Domestic Wastewater Management Plan, October 2014, including any subsequent revision of this plan.
- Any relevant plan such as the Lake Eppalock Special Area Plan and the North Central Catchment Management Authority’s River Health Strategy.
Map 1 to the Schedule to Clause 42.01 – Location of Eppalock and Mollison Creek (Pyalong) Special Water Supply Catchment Areas within the Shire.
SCHEDULE 3 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO3.

WATERCOURSE CONSERVATION

1.0

Statement of environmental significance

Identified watercourses and the sensitive areas along their frontages are significant and can provide essential links to enable wildlife movement across the Shire and beyond. These links are often of high aesthetic and social value. Existing links need to be conserved and improved to enhance ecological vitality and health.

Healthy waterways result from a delicately balanced system of environmental factors including groundwater and overland flows, vegetation, stream flow, soil quality and stability. Sensitive riparian areas can provide an indicator for overall ecological health within an area, such as water quality and the presence of rare flora and wildlife.

High quality natural or revegetated stream frontages are also highly sensitive to change and impact from adjoining development including ground disturbance and vegetation removal.

Conservation of these areas is needed to minimise adverse impacts such as weed infestation, ground disturbance, erosion and salinity discharge. The management of land adjacent to streams and watercourses is necessary to reduce erosion, while maintaining clean water, soil stability and diversity of flora and fauna. Protection of these areas is important to minimise the adverse impacts often associated with grazing, weeds, pest animals and salinity discharge.

2.0

Environmental objective to be achieved

Conserve and improve the ecological vitality and health of watercourses.

Maintain the quality and quantity of water within the watercourse and its ability to carry natural flows.

Prevent erosion of banks, streambeds and adjoining land and the siltation of watercourses, drains and other features.

Conserve and improve the visual and landscape values of watercourses.

Minimise fill and the artificial modification of watercourses.

Protect flora and fauna habitats and links along watercourses and encourage habitat regeneration.

Prevent pollution and increased turbidity of water in natural watercourses.

Prevent increased surface run-off or concentration of surface water run-off.

Manage the intensity of development on and around watercourses.

3.0

Permit Requirement

Permit exemptions

No planning permit is required for:

- Buildings and works for a dwelling or associated with an existing dwelling connected to a reticulated sewerage and drainage system which can also meet the following setbacks, where relevant:
  - Not within 30 metres of any waterway designated under the Water Act 1989, excluding the Goulburn River; and/or
  - Not within 50 metres of the Goulburn River.
- The construction of an extension or alterations to an existing dwelling or the constructing or carrying out of works which are ancillary to a dwelling, if all of the following conditions can be met:
  - The additional floor area does not exceed 50 square metres;
  - No additional load will be imposed upon a domestic wastewater system;
  - The building and any component of its domestic wastewater system are not located within 30 metres of any waterway designated under the Water Act 1989, excluding the Goulburn River;
  - The building is not located within 50 metres of the Goulburn River;
  - Any component of a buildings domestic wastewater system is not located within 100 metres of the Goulburn River.

- Any buildings, works or removal, destruction or lopping of any vegetation by or on behalf of any government department, public authority or Mitchell Shire Council for the purposes of any public or local government utility, service, facility, stream improvement or other works.

- The carrying out of any works required by or approved by the Department of Environment, Land, Water and Planning, a water authority, a Catchment Management Authority or the responsible authority for conservation purposes, including prevention of soil erosion, regulation of water flow in a watercourse, construction or redirection of a watercourse, or regulation of flooding.

- Extensions or alterations to existing caravans, annexes and on site cabins used in conjunction with an existing camping and caravan park.

- Works associated with timber production.

- Any development or works in accordance with any approved management plan adopted by the responsible authority or the Department of Environment, Land, Water and Planning.

No planning permit is required to develop or to construct or carry out works to construct, use or maintain the Broadford Water Supply Project in accordance with an approved Project Impact Assessment and environmental management plan and native vegetation offset plan.

No planning permit is required to remove, destroy or lop any vegetation to the minimum extent necessary to construct, use or maintain the Broadford Water Supply Project, in accordance with an approved Project Impact Assessment, environmental management plan and native vegetation offset plan.

### Referral/Notice requirements

An application for a permit 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.

A referral agreement between the responsible authority and the referral authority may be in place that may vary the above requirement.

The responsible authority may also seek the comments of the relevant water supply or drainage authority.

### Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Any relevant State Environment Protection Policy.

- The possible effect of the development on the quality and quantity of water.
The potential for flooding to occur as a result of the development.

The proper management of the land as a floodplain.

The need to conserve natural habitats and flora and fauna and retain and build biolinks, including significant plant and animal species or communities.

The need to retain vegetation and natural features which contribute to waterway health and water quality.

The protection and enhancement of the watercourse for its recreation, landscape and visual values.

The preservation of and impact on soils and the need to prevent erosion.

The potential of chemical contamination of soil and water from the proposed development.

Whether the siting of buildings may cause demands in the future for tree lopping or removal.

The adequacy of reasons for removing vegetation, if required, and the practicality of alternative options which do not require the removal of vegetation.

The potential to prevent or reduce the need for earthwork removal and the extent of ground disturbance.

The need for, or adequacy of, landscaping or vegetation screening.
SCHEDULE 4 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO4.

RURAL CONSERVATION AREA

1.0

Statement of environmental significance

The development of Melbourne has caused significant impacts to the environment. Melbourne’s footprint has resulted in the removal of most native vegetation, and retained habitat areas only support flora and fauna that can survive in a highly fragmented and urbanised landscape. The overall biodiversity of Melbourne is a fraction of what it was prior to European settlement.

As part of the delivery of Melbourne’s Newest Sustainable Communities Program, the Victorian Government established a process to identify, permanently protect and manage biodiversity assets that are important within the greater Melbourne region.

This process has determined the location of significant biodiversity assets and identified areas where these can be retained and where urban development is not appropriate and to which this overlay has been applied.

The areas covered by this overlay include some existing conservation reserves, areas of significant remnant native vegetation and a number of areas that provide habitat for threatened flora and fauna.

The areas include but are not limited to:

- Important grasslands.
- Grassy eucalypt woodlands.
- Waterways and riparian areas.
- Other important habitat for threatened flora and fauna.

It is important that these areas are retained and managed to ensure that their biodiversity values and any habitat links are protected and enhanced.

2.0

Environmental objective to be achieved

To protect and improve the viability of habitats, ecological communities, flora and fauna and genetic diversity.

To enhance the environmental and landscape values of the area.

To ensure that any use, development or management of land within and adjacent to areas of biological significance are compatible with their long-term maintenance and conservation and will not have detrimental impacts on biodiversity values.

To encourage ecological restoration, regeneration and revegetation with indigenous species within the site.

To maintain and enhance habitat connectivity for listed threatened species.

To prevent a decline in the extent and quality of native vegetation and native fauna habitat.

To ensure that the siting and design of any buildings and works maintains the environmental integrity of the land.

To maintain and enhance the integrity of sites of environmental significance.

To provide for the long term preservation of the flora and fauna and associated habitat of environmentally significant areas.

3.0

Permit requirement

A permit is not required to:
- Construct a building or construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) in accordance with an agreement under Section 69 of the Conservation, Forests and Lands Act 1987.

- Construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) by or on behalf of a public authority or public land manager involving revegetation, or preparatory works associated with revegetation.

- Extend or alter an existing dwelling provided that the gross floor area of that extension or alteration does not exceed 50 square metres and the extension or alteration is more than 5 metres from any existing native vegetation.

- Remove, destroy or lop any vegetation, including dead vegetation:
  - Where the vegetation is non native.
  - Where the vegetation is a plant proclaimed as a weed under the Catchment and Land Protection Act 1994.
  - In order to enable the use and maintenance of a building constructed or approved by a planning permit granted under this planning scheme or by a building permit granted under the Building Act 1993, before 6 August 2010. This exemption does not apply to vegetation located more than 10 metres from a building.
  - Where the vegetation has been planted or grown for aesthetic or amenity purposes, including agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), shelter belts, woodlots, street trees, gardens or the like. This exemption does not apply if public funding was provided to assist in planting or managing the vegetation for conservation purposes and the terms of the funding did not anticipate removal or harvesting of the vegetation.
  - For the purpose of maintenance, where no more than one third of the foliage is removed from any individual plant. This exemption does not apply to the pruning or lopping of the trunk of a tree or shrub or to native vegetation within a road or railway reservation.
  - To mow or slash grass in a lawn, garden or other planted area for maintenance only.
  - To maintain an existing fence where the removal of vegetation is within a combined maximum width of 4 metres either side of the fence.

### Application requirements

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A description of any proposed disturbance of surface soil or rocks associated with the proposal.

- The total extent of vegetation on the property and the extent of native vegetation proposed to be cleared.

- A description of the steps that have been taken to avoid and minimise the removal of native vegetation including the practicality of alternative options which do not require removal of the native vegetation.

- A flora and fauna assessment of the land prepared by a suitably qualified and experienced person to the satisfaction of the responsible authority. The assessment must include:
  - A flora and fauna survey.
  - A habitat hectare assessment.
  - Identification of the vegetation and habitat significance of the property.
- A description of the effect of the proposed development in relation to other areas of native vegetation or native fauna habitat, including any proposed reserves, strategic reserves, conservation reserves, streams and waterways.

- A land and environmental management plan prepared by a suitably qualified person identifying, as appropriate:
  - Any proposals for revegetation, including proposed species, and ground stabilisation.
  - How any vegetation removal will be offset (an offset plan), in accordance with Victoria’s Native Vegetation Management: A Framework For Action (Department of Natural Resources and Environment 2002).
  - Weed management, including species to be targeted and proposed management techniques.
  - Pest animal management, including species to be targeted and proposed management techniques.

If in the opinion of the responsible authority a flora and fauna assessment of the land or a land and environmental management plan is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

**Referral of applications**

In accordance with Section 55 of the Act, an application must be referred to the relevant referral authority specified in the schedule to Clause 66.04.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider, as appropriate:

- The conservation significance of any vegetation to be removed and its habitat value for native fauna.
- The reason for removing any vegetation and the practicality of any alternative options.
- Measures to protect and enhance native vegetation and native fauna habitat including the retention of land form, surface soils and rocks.
- Measures to maintain contiguous areas of native vegetation or native fauna habitat.
- Measures to encourage ecological restoration, regeneration and revegetation with indigenous species.
- Any park management plan, including the potential impact of management activities, such as burning, on any proposed development.
- The impact of the development on any proposed or existing conservation reserves, streams and waterways, including the potential impacts of nutrient and water run-off, increased weed and pest invasion or recreational impacts.
- The impact on the integrity of the site from the proposed development, disturbance and removal of rock, indiscriminate weed control, habitat fragmentation and isolation and disturbance and destruction of habitat of threatened species.
- The proposed management practices for the land including:
  - The linking and enlarging of areas of significant flora and fauna habitats.
  - Effective and targeted weed control.
  - Programs to control or eliminate introduced predatory and pest animal species, in particular foxes, rabbits and hares.
- Rehabilitation of degraded areas through fencing, revegetation with appropriate native species and ongoing management.
- Collection of seed and other plant propagules for rehabilitation projects on and off site.

- The results of any flora and fauna survey and assessment of the land.
- Any Native Vegetation Precinct Plan, Conservation Management Plan, Precinct Structure Plan or other management plan approved for the area by the Minister for Planning or Minister for Environment and Climate Change.

7.0

Reference

- Delivering Melbourne’s Newest Sustainable Communities: Strategic Impact Assessment Report for the Environment Protection and Biodiversity Conservation Act 1999 (Department of Sustainability and Environment 2009)
- Delivering Melbourne’s Newest Sustainable Communities: Report for Public Consultation, Urban Growth Boundary Review (Department of Planning and Community Development 2009)
- Delivering Melbourne's Newest Sustainable Communities: Background Technical Report 2a: Biodiversity Assessment of Melbourne’s Western Investigation Area (Biosis Research 2009)
SCHEDULE 5 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO5.

KILMORE WASTEWATER MANAGEMENT FACILITY BUFFER AREA

1.0

Statement of environmental significance

The Kilmore Wastewater Management Facility provides sewerage treatment and waste water disposal for Kilmore.

The ongoing operation of the Kilmore Wastewater Management Facility is critical to the continued growth of Kilmore.

The area covered by this schedule has been identified as potentially subject to non-routine emissions of odour from the Kilmore Wastewater Management Facility.

2.0

Environmental objective to be achieved

To avoid development that would compromise the ongoing operation of the Kilmore Wastewater Management Facility.

To ensure that applications for development which may impact on the ongoing operation of the Kilmore Wastewater Management Facility are referred to the relevant agency.

To make landowners aware of the buffer area to the Kilmore Wastewater Management Facility and of its likely expansion or intensification of use over time.

3.0

Permit requirement

A permit is only required under this Overlay if it is also required by another provision of the planning scheme.

Permit applications must include:

- Plans to scale indicating distances of property boundaries and any proposed buildings to the boundary of the Kilmore Wastewater Management Facility.
- An estimate of the number of persons drawn to the buffer area as a result of the proposal.
- A statement as to how the proposal satisfies the environmental objectives in Section 2.0.

4.0

Referral/Notice requirements

Before deciding on any application under this overlay area the responsible authority must refer the application in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause.

5.0

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The proximity of the proposed development to the Kilmore Wastewater Management Facility.
- The number of persons the proposal is likely to attract to the buffer area.
- The length and frequency of the stay of those persons in the buffer area.
- Whether the proposal will be impaired in its normal operation by odour emission from the Kilmore Wastewater Management Facility.
• The comments of Goulburn Valley Water, in particular, the authority’s assessment of the compatibility of the proposal against the long term viability of the Kilmore Wastewater Management Facility.

• The State Environment Protection Policy (Air Quality Management).

• The Recommended Buffer Distances for Industrial Residual Air Emissions, Publication AQ2-86, Environmental Protection Authority, 1990, or as amended.
SCHEDULE 6 TO CLAUSE 42.01 ENVIRONMENTAL SIGNIFICANCE OVERLAY

Shown on the planning scheme map as ESO6.

URBAN CONSERVATION AREA

1.0

Statement of environmental significance

The development of Melbourne has caused significant impacts to the environment. Melbourne’s footprint has resulted in the removal of most native vegetation, and retained habitat areas only support flora and fauna that can survive in a highly fragmented and urbanised landscape. The overall biodiversity of Melbourne is a fraction of what it was prior to European settlement.

As part of the Delivering Melbourne's Newest Sustainable Communities program, the Victorian Government established a process to identify, permanently protect and manage biodiversity assets that are important within the greater Melbourne region.

This process has determined the location of significant biodiversity assets and identified areas where these can be retained and where urban development is not appropriate and to which this overlay has been applied.

The areas covered by this overlay include some existing conservation reserves, areas of significant remnant native vegetation and a number of areas that provide habitat for threatened flora and fauna.

The areas include but are not limited to:

- Important grasslands.
- Grassy eucalypt woodlands.
- Waterways and riparian areas.
- Other important habitat for threatened flora and fauna.

It is important that these areas are retained and managed to ensure that their biodiversity values and any habitat links are protected and enhanced.

2.0

Environmental objective to be achieved

To protect and improve the viability of habitats, ecological communities, flora and fauna and genetic diversity.

To enhance the environmental and landscape values of the area.

To ensure that any use, development or management of land within and adjacent to areas of biological significance are compatible with their long-term maintenance and conservation and will not have detrimental impacts on biodiversity values.

To encourage ecological restoration, regeneration and revegetation with indigenous species within the site.

To maintain and enhance habitat connectivity for listed threatened species.

To prevent a decline in the extent and quality of native vegetation and native fauna habitat.

To ensure that the siting and design of any buildings and works maintains the environmental integrity of the land.

To maintain and enhance the integrity of sites of environmental significance.

To provide for the long term preservation of the flora and fauna and associated habitat of environmentally significant areas.

3.0

Permit requirement

A permit is not required to:
Construct a building or construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) in accordance with an agreement under section 69 of the Conservation, Forests and Lands Act 1987.

Construct or carry out works or to remove, destroy or lop vegetation (including dead vegetation) by or on behalf of a public authority or public land manager involving revegetation, or preparatory works associated with revegetation.

Extend or alter an existing dwelling provided that the gross floor area of that extension or alteration does not exceed 50 square metres and the extension or alteration is more than five metres from any existing native vegetation.

Remove, destroy or lop any vegetation, including dead vegetation:
- Where the vegetation is a plant proclaimed as a weed under the Catchment and Land Protection Act 1994.
- In order to enable the use and maintenance of a building constructed or approved by a planning permit granted under this planning scheme or by a building permit granted under the Building Act 1993, before 6 August 2010. This exemption does not apply to vegetation located more than 10 metres from a building.
- Where the vegetation has been planted or grown for aesthetic or amenity purposes, including agroforestry (the simultaneous and substantial production of forest and other agricultural products from the same land unit), shelter belts, woodlots, street trees, gardens or the like. This exemption does not apply if public funding was provided to assist in planting or managing the vegetation for conservation purposes and the terms of the funding did not anticipate removal or harvesting of the vegetation.
- For the purpose of maintenance, where no more than one third of the foliage is removed from any individual plant. This exemption does not apply to the pruning or lopping of the trunk of a tree or shrub or to native vegetation within a road or railway reservation.
- To mow or slash grass in a lawn, garden or other planted area for maintenance only.
- To maintain an existing fence where the removal of vegetation is within a combined maximum width of four metres either side of the fence.

Application requirements

The following application requirements apply to an application for a permit under Clause 42.01, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A description of any proposed disturbance of surface soil or rocks associated with the proposal.
- The total extent of vegetation on the property and the extent of native vegetation proposed to be cleared.
- A description of the steps that have been taken to avoid and minimise the removal of native vegetation including the practicality of alternative options which do not require removal of the native vegetation.
- A flora and fauna assessment of the land prepared by a suitably qualified and experienced person to the satisfaction of the responsible authority. The assessment must include:
  - A flora and fauna survey.
  - A habitat hectare assessment.
  - Identification of the vegetation and habitat significance of the property.
- A description of the effect of the proposed development in relation to other areas of native vegetation or native fauna habitat, including any proposed reserves, strategic reserves, conservation reserves, streams and waterways.

- A land and environmental management plan prepared by a suitably qualified person identifying, as appropriate:
  - Any proposals for revegetation, including proposed species, and ground stabilisation.
  - How any vegetation removal will be offset (an offset plan), in accordance with Victoria’s Native Vegetation Management: A Framework For Action (Department of Natural Resources and Environment 2002).
  - Weed management, including species to be targeted and proposed management techniques.
  - Pest animal management, including species to be targeted and proposed management techniques.

If in the opinion of the responsible authority a flora and fauna assessment of the land or a land and environmental management plan is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

Referral of applications

In accordance with section 55 of the Planning and Environment Act 1987, an application must be referred to the relevant referral authority specified in the schedule to Clause 66.04.

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.01, in addition to those specified in Clause 42.01 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The conservation significance of any vegetation to be removed and its habitat value for native fauna.
- The reason for removing any vegetation and the practicality of any alternative options.
- Measures to protect and enhance native vegetation and native fauna habitat including the retention of land form, surface soils and rocks.
- Measures to maintain contiguous areas of native vegetation or native fauna habitat.
- Measures to encourage ecological restoration, regeneration and revegetation with indigenous species.
- Any park management plan, including the potential impact of management activities, such as burning, on any proposed development.
- The impact of the development on any proposed or existing conservation reserves, streams and waterways, including the potential impacts of nutrient and water run-off, increased weed and pest invasion or recreational impacts.
- The impact on the integrity of the site from the proposed development, disturbance and removal of rock, indiscriminate weed control, habitat fragmentation and isolation and disturbance and destruction of habitat of threatened species.
- The proposed management practices for the land including:
  - The linking and enlarging of areas of significant flora and fauna habitats.
  - Effective and targeted weed control.
  - Programs to control or eliminate introduced predatory and pest animal species, in particular foxes, rabbits and hares.
- Rehabilitation of degraded areas through fencing, revegetation with appropriate native species and ongoing management.
- Collection of seed and other plant propagules for rehabilitation projects on and off site.

- The results of any flora and fauna survey and assessment of the land.
- Any Native Vegetation Precinct Plan, Conservation Management Plan, Precinct Structure Plan or other management plan approved for the area by the Minister for Planning or Minister for Environment and Climate Change.

Reference

Biodiversity Conservation Strategy for Melbourne’s Growth Corridors, Department of Environment and Primary Industries, June 2013

Delivering Melbourne’s Newest Sustainable Communities: Strategic Impact Assessment Report for the Environment Protection and Biodiversity Conservation Act 1999 (Department of Sustainability and Environment 2009)

Delivering Melbourne’s Newest Sustainable Communities: Report for Public Consultation, Urban Growth Boundary Review (Department of Planning and Community Development 2009)

Delivering Melbourne's Newest Sustainable Communities: Background Technical Report 2a: Biodiversity Assessment of Melbourne’s Western Investigation Area (Biosis Research 2009)
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.
- 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.
- 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.
- 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.
- 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.
- 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.
- 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).
- 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.

<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>
<tr>
<td>Mineral exploration and extraction</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration, mining, prospecting, or retention licence issued under the Mineral Resources (Sustainable Development) Act 1990:</td>
</tr>
<tr>
<td></td>
<td>• that is low impact exploration within the meaning of Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990; or</td>
</tr>
<tr>
<td></td>
<td>• in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990.</td>
</tr>
<tr>
<td></td>
<td>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.</td>
</tr>
<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>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>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 the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). |
| Stone exploration     | Vegetation is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.  
  The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:  
  - 1 hectare of vegetation which does not include a tree.  
  - 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.  
  - 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.  
  This exemption does not apply to coseating 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 the nature and significance of the vegetation to be protected and the vegetation protection objective contained in a schedule to this overlay.
- The effect of the proposed use, building, works or subdivision on the nature and type of vegetation to be protected.
- The role of native vegetation in conserving flora and fauna.
- The need to retain native or other vegetation if it is rare, supports rare species of flora or fauna or forms part of a wildlife corridor.
- The need to retain vegetation which prevents or limits adverse effects on ground water recharge.
- The need to retain vegetation:
  - Where ground slopes exceed 20 percent.
  - Within 30 metres of a waterway or wetland.
  - On land where the soil or subsoil may become unstable if cleared.
  - On land subject to or which may contribute to soil erosion, slippage or salinisation.
  - In areas where the removal, destruction or lopping of vegetation could adversely affect the integrity or long term preservation of an identified site of scientific, nature conservation or cultural significance.
  - Which is of heritage or cultural significance.
- The need to remove, destroy or lop vegetation to create a defendable space to reduce the risk of bushfire to life and property.
- Any relevant permit to remove, destroy or lop vegetation in accordance with a land management plan or works program.
- Whether the application includes a land management plan or works program.
- Whether provision is made or is to be made to establish and maintain vegetation elsewhere on the land.
- Any other matters specified in a schedule to this overlay.
SCHEDULE 1 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as VPO1.

ROADSIDE AND CORRIDOR PROTECTION

1.0

Statement of nature and significance of vegetation to be protected

Roadsides vegetation and wildlife corridors are a significant feature of the Mitchell Shire. Many roadsides and corridors throughout the area contain pockets of remnant indigenous vegetation, rare, vulnerable and significant flora species. Some of the roadsides and corridors provide a valuable source of native seed stock and important habitat for wildlife. The conservation and protection of these areas is an important strategy.

2.0

Vegetation protection objectives to be achieved

Protect and preserve indigenous vegetation and rare and endangered flora and fauna species on linear reserves

Achieve high landscape quality on roadsides

Maintain and enhance habitat and corridor requirements for indigenous fauna

3.0

Permit Requirement

A planning permit is not required to remove, destroy or lop any:

- Exotic vegetation.

- Vegetation to the minimum extent necessary to construct, use or maintain the Broadford Water Supply Project, in accordance with an approved Project Impact Assessment, environmental management plan and native vegetation offset plan.

4.0

Application requirements

- None specified.

5.0

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.02, in addition to those specified in Clause 42.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The conservation and enhancement of the area

- The preservation of, and impact on, the natural environment or landscape values

- The role of native vegetation in conserving the flora and fauna and in providing food, shade and shelter for native fauna

- The need to retain native vegetation if it is rare or supports rare species of flora or fauna and where it forms part of a wildlife corridor

- Whether provision is made or is to be made to establish and maintain native vegetation elsewhere on the land

- The sensitive location of driveways or crossings over roadside reserves

SCHEDULE 2 TO CLAUSE 42.02 VEGETATION PROTECTION OVERLAY

Shown on the planning scheme map as VPO2.

FREeway EnvironS PROTECTION

1.0

Statement of nature and significance of vegetation to be protected

Wide freeway reservations frequently contain remnant vegetation and habitat that may be substantially depleted in adjacent freehold areas. Freeways are also significant as the main viewing corridor of many visitors and local residents when travelling through the municipality, thus placing importance upon the maintenance and enhancement of the freeway environs.

2.0

Vegetation protection objective to be achieved

Maintain and enhance the safety and amenity of Hume Freeway and proposed Goulburn Valley Freeway including any adjoining main road

Preserve and enhance the tree lined character of the roadsides along the approaches to the urban townships and along main roads

Preserve and improve scenic views from Road Zones and to preserve and enhance the visual character of the areas adjacent to the Road Zones approaching and within the townships

Discourage the intensification of development in undesirable locations

Ensure that all existing trees and natural features which are within the overlay area are conserved within the limits of practicality and are not wantonly damaged, destroyed or removed

Require new buildings and their associated works, gardens and landscape areas to be designed and maintained in a manner as to harmonise with the visual character of their surrounds

Preserve the amenity and service capability of the Road Zone and their environs

Protect and preserve indigenous vegetation and rare and endangered flora and fauna species on linear reserves

Maintain and enhance habitat and corridor requirements for indigenous fauna

3.0

Permit requirement

A permit is not required to remove, destroy or lop any:

- Dead or exotic vegetation
- Vegetation on the Goulburn Valley Highway between the Hume Freeway and Mangalore Road, as shown on Drawing No 12263CBA.DGN, dated 14 August 1998, as attached to this schedule
- Vegetation to the minimum extent necessary to construct, use or maintain the Broadford Water Supply Project, in accordance with an approved Project Impact Assessment, environmental management plan and native vegetation offset plan.

4.0

Application requirements

None specified.

5.0

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.02, in addition to those specified in Clause 42.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The effect of any development on the safety and operation of the road.
- The prevention of ribbon development in the vicinity of the main road.
- The objectives of the zone within which the land is situated.
- The preservation of the amenity of the neighbourhood and the need to prevent unnecessary intrusive development from occurring in visually exposed areas.
- The necessity or otherwise of retaining a buffer strip of vegetation in the vicinity of roads and property boundaries, or in visually prominent areas of the site.
- The necessity to control the exterior colour and finishes of buildings, structures and works that directly affect the visual quality of the area, and to encourage where appropriate such buildings, structure and works to conform and reflect the character and atmosphere of the surrounding township. The conservation and enhancement of the area.
- The preservation of, and impact on, the natural environment or landscape values.
- The role of native vegetation in conserving the flora and fauna and in the providing food, shade and shelter for native fauna.
- The need to retain native vegetation if it is rare or supports rare species of flora or fauna and where it forms part of a wildlife corridor.
- Whether provision is made or is to be made to establish and maintain native vegetation elsewhere on the land.
- The sensitive location of driveways or crossings over roadside reserves.
- The construction and use of signs or hoardings which are likely to cause drivers of vehicles to slow or stop their vehicles within the road reservation or constitute a hazard to pedestrian, bicycle, road or rail traffic.

**Referral of applications**

Before deciding on an application, the responsible authority must refer the application in accordance with Section 55 of the Act to the referral authority specified in Clause 66.04 or a schedule to that clause.
SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify significant landscapes.
To conserve and enhance the character of significant landscapes.

Landscape character and objectives

A schedule to this overlay must contain:

- A statement of the nature and key elements of the landscape.
- The landscape character objectives to be achieved.

Permit requirement

A permit is required to:

- Construct a building or construct or carry out works. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - To the conduct of agricultural activities including ploughing and fencing (but not the construction of dams) unless a specific requirement for that activity is specified in a schedule to this overlay.
- Construct a fence if specified in the schedule to this overlay.
- Remove, destroy or lop any vegetation specified in a schedule to this overlay. This does not apply:
  - If the table to Clause 42.03-3 specifically states that a permit is not required.
  - To the removal, destruction or lopping of native vegetation in accordance with a native vegetation precinct plan specified in the schedule to Clause 52.16.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a fence.</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>Remove, destroy or lop one tree.</td>
<td>Clause 59.06</td>
</tr>
<tr>
<td>Construct a building or construct or carry out works for:</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>- A carport, garage, pergola, verandah, deck, shed or similar structure.</td>
<td></td>
</tr>
<tr>
<td>- A rainwater tank.</td>
<td></td>
</tr>
<tr>
<td>The buildings and works must be associated with a dwelling.</td>
<td></td>
</tr>
</tbody>
</table>
# Table of exemptions

<table>
<thead>
<tr>
<th>The requirement to obtain a permit does not apply to:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Emergency works</strong></td>
</tr>
<tr>
<td>Vegetation that is to be removed, destroyed or lopped:</td>
</tr>
<tr>
<td>• in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access or to enable emergency works; or</td>
</tr>
<tr>
<td>• where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
</tbody>
</table>

| **Fire protection**                                  |
| Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of any of the following fire protection activities: |
| • fire fighting;                                      |
| • planned burning;                                   |
| • making or maintaining of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres; |
| • making of strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987); |
| • is ground fuel within 30 metres of a building and is vegetation other than native vegetation; |
| • in accordance with a fire prevention notice issued under either: |
|   • Section 65 of the Forests Act 1958; or |
|   • Section 41 of the Country Fire Authority Act 1958. |
| • keeping vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998; |
| • minimising the risk to life and property from bushfire of a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the Road Management Act 2004. |

*Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*

| **Geothermal energy exploration and extraction**      |
| Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with 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:**

*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 (<em>Cuscuta australis</em>).</td>
</tr>
<tr>
<td>Pest animal burrows</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows. In the case of native vegetation the written agreement of an officer of the department responsible for administering the 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 costeanning 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 CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO1.

KILMORE HISTORIC OUTDOOR RECREATION PRECINCT

1.0

Statement of nature and key elements of landscape

The Kilmore Historic Outdoor Recreation Precinct (the Precinct) is a culturally significant landscape that has been continuously used and developed for public outdoor recreation since 1853. It comprises the remnants of the Kilmore Reservoir, the 1924 Hume and Hovell Tower and associated Monument Hill, and remnant exotic and native vegetation associated with the development of this area as a public parkland from the Nineteenth Century onwards.

The Precinct consists of four overlapping character areas (or sub-precincts), each defined by their historic use. These character areas are:

- The lake/reservoir
- Golf links
- Cricket ground
- Monument Hill.

The Precinct as a whole is characterised by the dominance of landscape features and a lack of hard surfaces, buildings or other above ground structures. The following places and elements contribute to the significance of the Precinct:

- The mixture of exotic and indigenous/native trees throughout the Precinct. These include remnant indigenous vegetation (including coppiced trees at Monument Hill), as well as deliberately planted native and exotic trees which form a significant physical feature throughout the Precinct and dominate the views of Monument Hill and its walking tracks. In particular, the mature specimens of Candlebark (Eucalyptus rubida), stands of and individual specimens of mature Monterey Pine (Pinus radiata) dating from 1895 and 1924 ‘beautification’ and other public projects, and to a lesser degree, specimens of Monterey Cypress (Cupressus macrocarpa) associated with the Kilmore Golf Club course and the Kilmore Cricket Club grounds are considered significant.

- The Lake Environs (HO104) located within the reserve, comprising the lake/reservoir and associated archaeological fabric.

- Hume and Hovell Monument (HO318).

- Important internal and external historic views from various locations on the golf course, including views to the former convent and hospital; the views over the Hume and Hovell route from Monument Hill and the internal views which juxtapose the beauty of the golf course, the lake and the cricket grounds against the bushland and ruggedness of Monument Hill.

- The important view from the Hume and Hovell Monument which encompasses land comprising the route of the 1824 Hume and Hovell expedition and over Rutledge’s Special Survey area.

- The public infrastructure that was established during the Nineteenth Century, including the reservoir/lake, retaining wall, cricket oval, walking paths and road to Monument Hill.

- The picturesque rural setting of the reserve.

- The visual connection between the cricket ground, golf course and Monument Hill.

- The close and distant views dominated by interconnected continuous open space and individual, and groups of indigenous and exotic trees.

- Walking tracks from the cricket ground and from the lake, leading through the golf course, along the ridges to the Monument itself.

- Doolan’s Water Hole.
The golf course which was created in 1911 on land that was previously used as the Police Paddock. This includes the Kilmore Rifle Club Range, located at the base of Monument Hill, now part of the golf course.

The cricket oval which dates to 1853, with continual use as a cricket oval since this date (with minor recesses).

2.0
27/05/2019
C141mith

Landscape character objectives to be achieved

To ensure the retention and conservation of the culturally significant cricket ground, lake golf course, walking tracks and the Hume and Hovell Monument and associated interpretative signs.

To protect the picturesque interrelated views of the different land uses and sub-precincts and pathway connections between each sub-precinct.

To protect the permeability of the precinct by ensuring that hard surfaces are kept to a minimum and are appropriately integrated into the landscape setting.

To recognise and protect the heritage values of the precinct as a whole as well as the significant and distinctive features of each sub-precinct.

To recognise and protect the scientific importance of the Monument Hill area.

To ensure development does not compromise the historical significance or the landscape setting of extant historic fabric and landscape attributes (including exotic plantings) within the precinct.

To protect significant historical views from intrusive and inappropriate development. Such views include the views to the former convent (HO25), Kilmore Hospital (HO66) and former police residence (HO81) and the view when approaching the Hume and Hovell Monument (HO318).

To maintain passive recreational use of the land for the enjoyment of all visitors.

3.0
24/09/2015
C56

Permit requirement

A permit is required to:

- Remove, destroy or lop any native vegetation.
- Remove, destroy or lop historic exotic vegetation.
- Construct of a fence.

4.0
27/05/2019
C141mith

Application requirements

None specified.

5.0
27/05/2019
C141mith

Decision Guidelines

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The impact of the proposal on the natural environment, visual and aesthetic qualities of the Kilmore Historic Outdoor Recreation Precinct, and the long term use of the land for public purposes.

- The impact of the proposal on the historic, social and scientific significance of the precinct as described within the Statement of Significance - Kilmore Historic Outdoor Recreation Precinct, February 2014.

- Whether the siting, height and design (including materials) for any proposed buildings or works will adversely impact on the view lines and landscape values as described within the Statement of Significance - Kilmore Historic Outdoor Recreation Precinct, February 2014.
- Whether the siting, height and design (including materials) of any buildings or works will adversely impact on the extant historic fabric (including exotic planting) as described within the Statement of Significance - Kilmore Historic Outdoor Recreation Precinct, February 2014.

- Whether the siting, height and design (including materials) of any buildings or works will adversely impact the ongoing health, views of and picturesque qualities of historic exotic plantings, as described within the Statement of Significance - Kilmore Historic Outdoor Recreation Precinct, February 2014.

**Referral Of Applications**

Before deciding upon any application (including any management plan) the responsible authority must refer the application to the Department of Environment, Land, Water & Planning, under Section 55 of the Act, unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the Department.
SCHEDULE 2 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO2.

TALLAROOK RANGES

1.0

Statement of nature and key elements of landscape

Tallarook is a historic township within an attractive rural setting which is dominated by the Tallarook Ranges. The ranges provide a significant natural setting, attraction and backdrop to the township environs and provide important habitat and native vegetation areas requiring protection.

Landscape character objectives to be achieved

Protect the natural and environmental significance of the Tallarook Ranges.

Preserve the rural amenity of the land.

Protect the rural landscape from insensitive designed development.

Maintain and protect the diversity of landscapes, native fauna, remnant vegetation and sites of historical, botanical and zoological significance.

Provide for the development of tourism oriented activities complementing the special nature of the Tallarook Ranges.

Recognise and protect the landscape conservation and scientific importance of the Tallarook Ranges.

Protect the Ranges and the surrounding landscapes from visual intrusion and inappropriate development.

Maintain passive recreational use of the land for the enjoyment of all visitors.

2.0

Permit requirement

No permit is required for:

- Any agricultural development or activity, including cultivation, dam, fencing, water tanks and water bores.
- Power lines of less than 220,000 volts.
- Low impact telecommunications infrastructure or facility.
- Any buildings, works or removal, destruction or lopping of any vegetation by any government department, public authority or Mitchell Shire Council for the purposes of any public or local government utility, service, facility, stream improvement or other works.
- The carrying out of any works required by or approved by the Department of Sustainability and Environment, a water authority, a Catchment Management Authority or the responsible authority for conservation purposes, including prevention of soil erosion, regulation of water flow in a watercourse, construction or redirection of a watercourse, or regulation of flooding.
- Development of an outbuilding of less than 120m² in floor area (and where the total floor area of all outbuildings does not exceed 200m²), the slope of the land is less than 15 percent, no removal of native trees or shrubs is required, earthworks are less than 2,000 square metres and the development site is not within 100 metres of a waterway, to the satisfaction of the responsible authority.
- Any alterations or additions to an existing dwelling or outbuilding, provided the proposed building is not within 100 metres of a waterway, the slope of the land is less than 15 percent, the proposed floor area is not greater than 100 percent of the existing floor area, there is no
increase in building height, all external building materials are of non-reflective materials, no removal of native trees or shrubs is required, and earthworks are less than 2,000 square metres, to the satisfaction of the responsible authority.

- Any sign.
- A swimming pool associated with a dwelling.
- Extensions or alterations to existing caravans, annexes and on site cabins used in conjunction with an existing ‘camping and caravan park.’
- Works associated with timber production.
- Any development or works in accordance with any approved management plan adopted by the responsible authority or the Department of Sustainability and Environment.
- Removal, destruction or lopping of dead vegetation, exotic vegetation or native vegetation if seedlings or regrowth are less than 10 years old and the land is being re-established or maintained for cultivation or pasture, the minimum extent of native vegetation necessary for the construction, operation or maintenance of a fence, or the removal, destruction or lopping of native vegetation as a result of grazing domestic stock or moving stock along a road.

No planning permit is required to develop or to construct or carry out work to construct, use or maintain the Broadford Water Supply Project in accordance with an approved Project Impact Assessment and environmental management plan and native vegetation offset plan.

No planning permit is required to remove, destroy or lop any vegetation to the minimum extent necessary to construct, use or maintain the Broadford Water Supply Project, in accordance with an approved Project Impact Assessment, environmental management plan and native vegetation offset plan.

### Application requirements

None specified.

### Decision Guidelines

The development within the ranges and on surrounding land shall be assessed on its merits, having regard for the protection of the environment, visual and aesthetic qualities, and the long term use of the land for public purposes.
SCHEDULE 3 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO3.

KILMORE CREEK ENVIRONS

1.0

Statement of nature and key elements of landscape

Kilmore Creek Environ is aesthetically and historically significant for its importance as a cultural landscape dating from the earliest occupation of Kilmore in the 1930s. The Kilmore Creek Environ is also considered to be scientifically significant given the strong likelihood for archaeological research potential and socially significant for its continuing use as a public open space area and area of community gathering.

The Kilmore Creek Environ is a natural landscape that provides a continuous linear open space and landscape presence within the Kilmore Town Centre. The land is characterised by minimal built form, continuous interior views, significant permeability, planted exotic vegetation, remnant native vegetation and varying degrees of slope.

The Kilmore Creek Environ provides for a visual landscape break when viewing Kilmore Town Centre from surrounding local high points, including, the Kilmore Outdoor Recreation Precinct, Kilmore Hospital and the surrounding development to the east.

It is understood that overlanders and pastoralists camped by the Kilmore Creek in the 1830’s, and much of the exotic extant planting took place between 1907 and 1913, as part of beautification projects for the benefit of travellers who used the area as a stopover (Mitchell Shire Heritage Study 2006). The most notable exotic plantings include Willow, Elm, Poplar and Cypress trees.

The Kilmore Creek Environ have a strong visual connection with the built form of Kilmore, in particular, the historic commercial buildings along Sydney Street, and residences in Victoria Parade, of particular note if the view from ‘The Towers’ (HO98), thus illustrating the importance of Kilmore Creek in the early development of Kilmore.

2.0

Landscape character objectives to be achieved

Enhance and protect views of the Kilmore Creek Environ from Victoria Parade and Sydney Street.

Encourage improved visual and pedestrian connectivity between Sydney Street and the Kilmore Creek Environ.

Ensure the ongoing protection of exotic planting and remnant native vegetation.

Enhance and improve the landscape quality of the Kilmore Creek Environ.

To protect the permeability of the precinct by ensuring that hard surfaces are kept to a minimum and are appropriately integrated into the landscape setting.

To promote and enhance the ongoing open space use and the continuous open nature of the linear corridor.

3.0

Permit requirement

A permit is required to:

- Remove, destroy or lop any native vegetation.
- Remove, destroy or lop mature exotic vegetation.
- Construct of a fence.

4.0

Application requirements

None specified.
Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The impact of the proposal on the visual and aesthetic qualities of the Kilmore Creek Environments and the long term use of the land for public purposes and community gathering.

- Whether the proposal will adversely impact on the view of Kilmore Creek Environments from key local focal points, including Kilmore Outdoor Recreation Precinct, Sydney Street Commercial Properties and Victoria Parade.

- Whether the siting, height and design (including materials) for any proposed buildings or works will adversely impact on the open and continuous nature of the Kilmore Creek Environments landscape.

- Whether the proposal will adversely impact on the health and ongoing protection of any historic exotic planting or remnant native vegetation.
SCHEDULE 4 TO CLAUSE 42.03 SIGNIFICANT LANDSCAPE OVERLAY

Shown on the planning scheme map as SLO4.

GOVERNMENT QUARRY, THE DENE

1.0

Statement of nature and key elements of landscape

Government Quarry, also known as the Wandong or Mathieson's Quarry, is a former quarry site, situated on the north side of the The Dene at Wandong. The significant elements of the site are the exposed quarry face and the open cut area at the front indicating the extent of the quarrying operations, and any related archaeological deposits.

2.0

Landscape character objectives to be achieved

To protect the visual, aesthetic and historical values of the exposed quarry face and open cut area.

To recognise and protect the heritage and archaeological values of the site.

To ensure development does not compromise the historical, archaeological and aesthetic significance of the site.

3.0

Permit requirement

None specified.

4.0

Application requirements

None specified.

5.0

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 42.03, in addition to those specified in Clause 42.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The impact of the proposal on the environment, visual and aesthetic qualities of the former quarry site.

- The impact of the proposal on the historic, archaeological and aesthetic significance of the former quarry site as described within the Wandong & Heathcote Junction Heritage Gap Study 2016.
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>
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<tr>
<td>- The buildings or car parking spaces have been constructed in accordance with the provisions of this scheme or a permit issued under this scheme.</td>
<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>
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<tr>
<td>- The construction of a building or the construction or carrying out of works on the land is approved under this scheme or by a permit issued under this scheme and the permit has not expired.</td>
<td></td>
</tr>
</tbody>
</table>
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></td>
<td>- The construction or carrying out of the approved building or works on the land has started lawfully.</td>
</tr>
<tr>
<td></td>
<td>- The subdivision does not create a vacant lot.</td>
</tr>
<tr>
<td></td>
<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>
</tr>
<tr>
<td></td>
<td>- Demolish or remove a fence unless the fence is specified in the schedule to the Heritage Overlay.</td>
</tr>
<tr>
<td></td>
<td>- Externally alter a non-contributory building.</td>
</tr>
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<td></td>
<td>- External painting.</td>
</tr>
<tr>
<td></td>
<td>- Construct a fence.</td>
</tr>
<tr>
<td></td>
<td>- Construct a carport, garage, pergola, verandah, deck, shed or similar structure.</td>
</tr>
<tr>
<td></td>
<td>- Construct and install domestic services normal to a dwelling.</td>
</tr>
<tr>
<td></td>
<td>- Construct and install a non-domestic disabled access ramp.</td>
</tr>
<tr>
<td></td>
<td>- Construct a vehicle cross-over.</td>
</tr>
<tr>
<td></td>
<td>- Construct a domestic swimming pool or spa and associated mechanical equipment and safety fencing.</td>
</tr>
<tr>
<td></td>
<td>- Construct a rainwater tank.</td>
</tr>
<tr>
<td></td>
<td>- Construct or display a sign.</td>
</tr>
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<td></td>
<td>- Lop a tree.</td>
</tr>
<tr>
<td></td>
<td>- Construct or install a solar energy facility attached to a dwelling.</td>
</tr>
<tr>
<td></td>
<td>- Construct and install an electric vehicle charging station.</td>
</tr>
<tr>
<td></td>
<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>
</tr>
</tbody>
</table>

43.01-2
21/11/2017
VC141

Places in the Victorian Heritage Register

A heritage place which is included in the Victorian Heritage Register is subject to the requirements of the Heritage Act 2017.

Permit requirement

A permit is required under this overlay to subdivide a heritage place which is included in the Victorian Heritage Register. This includes the subdivision or consolidation of land including any building or airspace.

Referral of applications

An application to subdivide a heritage place which is included in the Victorian Heritage Register must be referred to the relevant referral authority under Section 55 of the Act in accordance with Clause 66 of this scheme.
**No permit required**

No permit is required under this overlay:

- For anything done in accordance with an incorporated plan specified in a schedule to this overlay.
- To internally alter a church for liturgical purposes if the responsible authority is satisfied that the alterations are required for liturgical purposes.
- For interments, burials and erection of monuments, re-use of graves, burial of cremated remains and exhumation of remains in accordance with the *Cemeteries and Crematoria Act 2003*.
- To develop a heritage place which is included in the Victorian Heritage Register, other than an application to subdivide a heritage place of which all or part is included in the Victorian Heritage Register.

**Exemption from notice and review**

An application under this overlay for any of the following classes of development is exempt from the notice requirements of section 52(1) (a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act:

- Demolition or removal of an outbuilding (including a carport, garage, pergola, verandah, deck, shed or similar structure) unless the outbuilding is specified in the schedule to this overlay.
- Demolition or removal of a fence unless the fence is specified in the schedule to this overlay.
- External alteration of a building.
- External painting.
- Construction of a fence.
- Construction of a carport, garage, pergola, verandah, deck, shed or similar structure.
- Domestic services normal to a dwelling.
- Carry out works, repairs and routine maintenance.
- Internally alter a building.
- Non-domestic disabled access ramp.
- Construction of a vehicle cross-over.
- Construction of a domestic swimming pool or spa and associated mechanical equipment and safety fencing.
- Construction of a tennis court.
- Construction of a rainwater tank.
- Construction or display of a sign.
- Lopping of a tree.
- Construction of seating, picnic tables, drinking taps, barbeques, rubbish bins, security lighting, irrigation, drainage or underground infrastructure, bollards, telephone boxes.
- Roadworks.
- An electric vehicle charging station.
- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.
Statements of significance

The schedule to this overlay must specify a statement of significance for each heritage place included in the schedule after the commencement of Amendment VC148. This does not apply to:

- a heritage place included in the schedule to this overlay by an amendment prepared or authorised by the Minister under section 8(1)(b) or section 8A(4) of the Act before or within three months after the commencement of Amendment VC148.

- a registered heritage place included in the Victorian Heritage Register established under Part 3 of the Heritage Act 2017.

Heritage design guidelines

The schedule to this overlay may specify heritage design guidelines for any heritage place included in the schedule. A heritage design guideline must not contain any mandatory requirements.

Application requirements

An application must be accompanied by any information specified in the schedule to this overlay.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:


- The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place.

- Any applicable statement of significance (whether or not specified in the schedule to this overlay), heritage study and any applicable conservation policy.

- Any applicable heritage design guideline specified in the schedule to this overlay.

- Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place.

- Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place.

- Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place.

- Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.

- Whether the proposed subdivision will adversely affect the significance of the heritage place.

- Whether the proposed subdivision may result in development which will adversely affect the significance, character or appearance of the heritage place.

- Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.

- Whether the lopping or development will adversely affect the health, appearance or significance of the tree.

- Whether the location, style, size, colour and materials of the proposed solar energy facility will adversely affect the significance, character or appearance of the heritage place.
Use of a heritage place

A permit may be granted to use a heritage place (including a heritage place which is included in the Victorian Heritage Register) for a use which would otherwise be prohibited if all of the following apply:

- The schedule to this overlay specifies the heritage place as one where prohibited uses may be permitted.
- The use will not adversely affect the significance of the heritage place.
- The benefits obtained from the use can be demonstrably applied towards the conservation of the heritage place.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the effect of the use on the amenity of the area.

Aboriginal heritage places

A heritage place specified in the schedule to this overlay as an Aboriginal heritage place is also subject to the requirements of the *Aboriginal Heritage Act 2006*. 
### SCHEDULE TO CLAUSE 43.01 HERITAGE OVERLAY

#### Application requirements

None specified.

#### Heritage places

The requirements of this overlay apply to both the heritage place and its associated land.

<table>
<thead>
<tr>
<th>PS map ref</th>
<th>Heritage place</th>
<th>External paint controls apply?</th>
<th>Internal alteration controls apply?</th>
<th>Tree controls apply?</th>
<th>Outbuildings or fences not exempt under Clause 43.01-4</th>
<th>Included on the Victorian Heritage Register under the Heritage Act 2017?</th>
<th>Prohibited uses permitted?</th>
<th>Aboriginal heritage place?</th>
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</thead>
<tbody>
<tr>
<td>HO4</td>
<td>John Kelly’s Former House</td>
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<td>-</td>
<td>-</td>
<td>Yes Ref No H940</td>
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<td></td>
<td>44 Kelly Street, Beveridge</td>
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<td>HO22</td>
<td>Exhibition Goods Shed</td>
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<td>-</td>
<td>Yes Ref No H930</td>
<td>Yes</td>
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<td></td>
<td>330 Union Lane, Bylands</td>
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<td>HO51</td>
<td>Kilmore District Hospital</td>
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<td>Yes Ref No H1685</td>
<td>Yes</td>
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<td>HO56</td>
<td>Banool</td>
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<td>Yes Ref No H752</td>
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<td></td>
<td>18-20 Fitzroy Street, Kilmore</td>
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<td>HO71</td>
<td>Whitburgh Cottage</td>
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<td>Yes Ref No H774</td>
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<td>10 Piper Street, Kilmore</td>
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<td>HO73</td>
<td>Former Kilmore Post Office</td>
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<td>Yes Ref No H1190</td>
<td>Yes</td>
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<td>HO75</td>
<td>Kilmore Court House</td>
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<td>Yes Ref No H1471</td>
<td>Yes</td>
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<td>Tree controls apply?</td>
<td>Outbuildings or fences not exempt under Clause 43.81-4</td>
<td>Included on the Victorian Heritage Register under the Heritage Act 2017?</td>
<td>Prohibited uses permitted?</td>
<td>Aboriginal heritage place?</td>
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<td>HO79</td>
<td>Bindley House</td>
<td>-</td>
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<td>Yes Ref No H824</td>
<td>Yes</td>
<td>Yes</td>
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<td>20-22 Powlett Street, Kilmore</td>
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<td>HO84</td>
<td>St Patrick's Church</td>
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<td>Yes Ref No H905</td>
<td>Yes</td>
<td>Yes</td>
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<td>37 Sutherland Street, Kilmore</td>
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<td>HO98</td>
<td>The Towers</td>
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<td>Yes Ref No H564</td>
<td>Yes</td>
<td>Yes</td>
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<td>48-50 Victoria Parade, Kilmore</td>
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<tr>
<td>HO122</td>
<td>Rail Bridge over Hansfords Creek</td>
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<td>-</td>
<td>-</td>
<td>Yes Ref No H1695</td>
<td>No</td>
<td>No</td>
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<td></td>
<td>Wandong-Bendigo Line, Pyalong</td>
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<td>HO123</td>
<td>Rail Bridge over Mollisons Creek</td>
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<td>Yes Ref No H1451</td>
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<tr>
<td>HO130</td>
<td>Reedy Creek Homestead</td>
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<td>-</td>
<td>-</td>
<td>Yes Ref No H273</td>
<td>Yes</td>
<td>No</td>
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<td>200 Reedy Creek Road, Broadford</td>
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<td>HO140</td>
<td>Habbies Howe Homestead</td>
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<td>Yes Ref No H336</td>
<td>Yes</td>
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<td>65, 110 &amp; 135 Dropmore Road, Highlands</td>
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<td>HO150</td>
<td>Seymour Railway Station</td>
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<td>Yes Ref No H1591</td>
<td>Yes</td>
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<td>Station Street, Seymour</td>
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<td>HO152</td>
<td>Old Goulburn River Bridge</td>
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<td>Yes Ref No H92</td>
<td>No</td>
<td>No</td>
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<td></td>
<td>Old Hume Highway over Goulburn River, Seymour</td>
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<td>HO230</td>
<td>Redesdale Bridge over Campaspe River</td>
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<td>-</td>
<td>Yes Ref No H1419</td>
<td>No</td>
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<td>Heathcote - Kyneton Road, Mia Mia</td>
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<td>Prohibited uses permitted?</td>
<td>Aboriginal heritage place?</td>
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<td>HO233</td>
<td>Comet Mill, Mount Disappointment, Harrys Nose Road, Clonbinane</td>
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<td>Yes Ref No H1816</td>
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<tr>
<td>HO293</td>
<td>St Michaels Catholic Church, 33-35 Wandong Avenue, Wandong</td>
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<td>Yes Ref No H2357</td>
<td>Yes</td>
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<td>HO318</td>
<td>Hume &amp; Hovell Monument, Monument Road (opposite 130), Kilmore</td>
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<td>Yes Ref No H2349</td>
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<td>HO334</td>
<td>Yan Yean Water Supply System, Clonbinane</td>
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<td>Yes Ref No H2333</td>
<td>Yes</td>
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<td>HO343</td>
<td>Kilmore Brewery Site, 57 Melbourne Street, Kilmore</td>
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<td>Yes Ref No H2375</td>
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<td></td>
<td><strong>BEVERIDGE</strong></td>
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<td>Post Office</td>
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<tr>
<td>HO2</td>
<td>'Mt Fraser' Homestead Complex, 100 Minton Street</td>
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<td>HO3</td>
<td>Hume &amp; Hovell Monument, Deloraine Station, Old Hume Highway extension</td>
<td>Yes</td>
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<td>HO5</td>
<td>Former St. John's Catholic Church, Spring Street</td>
<td>Yes</td>
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<td>HO6</td>
<td>Former Church of England</td>
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<td>Aboriginal heritage place?</td>
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<td>State School No. 1476 Arrowsmith Street</td>
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<td>HO234</td>
<td>House and Palm trees 75 Stewart Street</td>
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<td>Yes Palm trees only</td>
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<td>HO332</td>
<td>Remnant Chimney Lithgow Street</td>
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</table>

**BROADFORD**

<p>| HO10      | 'Glenaroua' Homestead Complex Broadford/Pyalong Road                             | Yes                           | No                                  | Yes                  | No                                                     | No                                                                | Yes                        | No                         |
| HO11      | Former Hildene &amp; Kur Kurruck Creek Primary School building, Former 'Mills' Cottage, Former Courier Office, and Former Straw Boiler from Broadford Paper Mill, all relocated to Broadford Historical Reserve High Street | Yes                           | No                                  | No                   | No                                                     | No                                                                | Yes                        | No                         |
| HO12      | Stand of 24 Valonia Oaks (<em>Quercus macrolepis Kotchy</em>) 'Glenaroua' Homestead Broadford/Pyalong Road | No                            | No                                  | Yes                  | No                                                     | No                                                                | No                         | No                         |
| HO13      | Hume and Hovell Monument High Street                                             | No                            | No                                  | No                   | No                                                     | No                                                                | No                         | No                         |
| HO15      | Broadford Primary School No. 1125 17-23 Powlett Street                           | No                            | No                                  | No                   | No                                                     | No                                                                | Yes                        | No                         |</p>
<table>
<thead>
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<th>Aboriginal heritage place?</th>
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<tr>
<td>HO16</td>
<td>St. George's Presbyterian Church 30 Hamilton Street and 51-53 High Street and front fence 28 Hamilton Street</td>
<td>Yes</td>
<td>Yes</td>
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<td>“Glenview” Sugarloaf Creek Road</td>
<td>Yes</td>
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<td>‘Glendora’ House 16 Derek Drive</td>
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<td>Bluestone Culverts Broadford-Kilmore Road (near Casey Crescent) and High Street</td>
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<td>HO242</td>
<td>Broadford Cemetery 77-89 Piper Street</td>
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<td>HO258</td>
<td>Broadford Pre 1912 Group</td>
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<td>HO260</td>
<td>Brick Spoon Drain High Street Road Reserve (Outside no. 200-206 High Street)</td>
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<td>HO265</td>
<td>Broadford Paper Mill 209 High Street and 21 Last Street</td>
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<td>HO277</td>
<td>‘Tooranga Vale’ House 110 Piper Street</td>
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<td>HO282</td>
<td>Our Lady Help of Christian Catholic Church</td>
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<td>HO291</td>
<td>‘Prospect Hill’ House and Outbuilding 625 Broadford-Kilmore Road</td>
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<td>HO315</td>
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<td>HO316</td>
<td>House and former shop 149 High Street</td>
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<td>HO329</td>
<td>Bush Nursing Hospital (former) 158-162 High Street</td>
<td>No</td>
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<td>HO20</td>
<td>Former Primary School No. 1105 Northern Highway</td>
<td>Yes</td>
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<td>HO21</td>
<td>Former Railways Department residence and platform mound</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO246</td>
<td>‘Castle Glen’ Cottage, exotic trees and associated structures 305 Union Lane</td>
<td>Yes</td>
<td>No</td>
<td>Yes Exotic trees only</td>
<td>Yes</td>
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### MITCHELL PLANNING SCHEME

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<td>HO30 Clonbinane Park Clonbinane Road</td>
<td>Yes</td>
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<td>HO342 Mulberry Cottage 16 Ryans Road</td>
<td>No</td>
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**Incorporated plan:**
Mitchell Shire HO Permit Exemptions Incorporated Plan, 2014 (amended 2016)

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<th><strong>HEATHCOTE JUNCTION</strong></th>
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<tr>
<td>HO334 Smalley House (former) Part 37-57 Glenburnie Avenue</td>
<td>No</td>
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<td>HO335 Victorian Railways Stationmaster’s House 121 Rail Street</td>
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<td>HO336 House 159-161 Rail Street</td>
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<td>HO337 No.4 Camp Office (former) 25 Range Avenue</td>
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<tr>
<td><strong>HIGH CAMP</strong></td>
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<tr>
<td>HO247 'Rockvale’ farm complex 85 Crawfords Road</td>
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<tr>
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<tr>
<td>HO50</td>
<td>House 86 Albert Street</td>
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<td>HO52</td>
<td>House 44 Andrew Street</td>
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<td>HO53</td>
<td>Former Primitive Methodist Church, (Masonic Hall) 13-15 Bourke Street</td>
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<td>HO54</td>
<td>House 16 Bourke Street</td>
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<tr>
<td>HO55</td>
<td>House &amp; Oak (Quercus sp.) 3-5 Chapel Street <strong>Incorporated plan:</strong> Mitchell Shire HO Permit Exemptions Incorporated Plan, 2014 (amended 2016)</td>
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<tr>
<td>HO57</td>
<td>&quot;Rose Hill&quot; 23 Fitzroy Street</td>
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<td>HO58</td>
<td>&quot;Kirkbrae&quot; 60-64 Fitzroy Street</td>
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<tr>
<td>HO59</td>
<td>House 63 Fitzroy Street</td>
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<td>HO60</td>
<td>House 69 Fitzroy Street</td>
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<td>HO62</td>
<td>&quot;The Rocks&quot; George Street</td>
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<td>HO64</td>
<td>House 7 Gipps Street</td>
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<td>HO65</td>
<td>St Andrew’s Presbyterian Church 3-11 Hamilton Street</td>
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<td>HO66</td>
<td>Former Kilmore Private Hospital Kilmore East Road</td>
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<tr>
<td>HO67</td>
<td>House 52 Melbourne Street</td>
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<td>HO68</td>
<td>'Melrose Hall' 12 Melrose Drive</td>
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<tr>
<td>HO69</td>
<td>Former Albion Mill 1 Mill Road</td>
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<tr>
<td>HO70</td>
<td>House 7 Piper Street</td>
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<td>HO72</td>
<td>Former Colonial Bank 1 Powlett Street</td>
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<tr>
<td>HO76</td>
<td>Former Police Station &amp; Barracks 8 Powlett Street</td>
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<tr>
<td>HO77</td>
<td>House 11-13 Powlett Street</td>
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<td>HO80</td>
<td>Former Wesleyan Methodist Church, (Uniting Church) Powlett Street</td>
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<tr>
<td>HO81</td>
<td>'The Camp', former police station and residence Ryans Road</td>
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<tr>
<td>HO83</td>
<td>Former Gaol &amp; Butter Factory Sutherland Street</td>
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<tr>
<td>HO85</td>
<td>Former Convent of Mercy (Assumption College) 43 Sutherland Street</td>
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<tr>
<td>HO86</td>
<td>Former Town Hall 16 Sydney Street</td>
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<tr>
<td>HO87</td>
<td>Royal Oak Hotel 29-31 Sydney Street</td>
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<tr>
<td>HO88</td>
<td>Wallders Butchery 30 Sydney Street</td>
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<td>HO89</td>
<td>Ian B Still &amp; Co. Building 32 Sydney Street</td>
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<td>HO90</td>
<td>Former All Nations Hotel 38 Sydney Street</td>
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<td>HO91</td>
<td>Former Colonial Bank 39 Sydney Street</td>
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<td>HO92</td>
<td>Red Lion Hotel 43-45 Sydney Street</td>
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<td>HO93</td>
<td>London Mart 52 &amp; 52A Sydney Street</td>
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<td>HO94</td>
<td>Former Hay &amp; Grain Store (Macs Hotel) 57-59 Sydney Street</td>
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<td>HO95</td>
<td>Former Hudsons Warehouse 85 Sydney Street</td>
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<td>HO97</td>
<td>Christ Anglican Church former Rectory and Cypress trees 3-11 Union Street <strong>Incorporated plan:</strong> Mitchell Shire HO Permit Exemptions Incorporated Plan, 2014 (amended 2016)</td>
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<tr>
<td>HO99</td>
<td>Kilmore Town Centre Precinct</td>
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<td>Society Street Precinct <strong>Incorporated plan:</strong> Mitchell Shire HO Permit Exemptions Incorporated Plan, 2014 (amended 2016)</td>
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<td>HO103</td>
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<td>HO104</td>
<td>Lake Environs</td>
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<td>HO243</td>
<td>Beuhne Mountain cairn and Avenue of Southern Mahogany Gums (outside 47) Kilmore-Broadford Road</td>
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<td>HO248</td>
<td>House 78-80 Powlett Street</td>
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<td>HO250</td>
<td>Marist Brother Monastery &amp; School (former) 32-42 White Street</td>
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<td>HO252</td>
<td>House and Oak tree 16B George Street</td>
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<td>HO253</td>
<td>Kilmore General Cemetery 165 Kilmore-Lancefield Road</td>
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| HO254      | 'Wyldecourt' farm complex 370 Kilmore-Lancefield Road  
**Incorporated plan:** Mitchell Shire HO Permit Exemptions Incorporated Plan, 2014 (amended 2016) | Yes | No | No | Yes | No | Yes | No |
| HO255      | 'Woodburn' Homestead Complex 125 McDougalls Road  
**Incorporated plan:** Mitchell Shire HO Permit Exemptions Incorporated Plan, 2014 (amended 2016) | Yes | No | Yes | Yes | No | Yes | Yes |
<p>| HO256      | Bluestone Road Bridge Northern Highway | Yes | No | No | No | No | No | No |
| HO257      | Kilmore Roman Catholic Cemetery 165 Kilmore-Lancefield Road | No | No | Yes | No | No | No | No |
| HO259      | Bluestone Gutter Melbourne Street | No | No | No | No | No | No | No |
| HO283      | 'Carlsberg' Farm Complex 15 Costellos Road | No | No | Yes | No | No | No | No |
| HO317      | House | Yes | No | No | Yes | No | Yes | No |</p>
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<td>Railway Station Complex</td>
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<td>HO231</td>
<td>Spring Plains Station</td>
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<td>Duigan Memorial</td>
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<td>Moranding Rural Settlement Precinct</td>
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<td>HO299</td>
<td>Emu Flat Rural Precinct</td>
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<td>55 Baynton-Emu Flat Road and 1685 Lancefield-Tooborac Road</td>
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<td>Pine, Cypress and remnant fruit trees only</td>
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<td>Mollison Park</td>
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<td>Whitehart Hotel (former) and outbuildings 4145 Northern Highway</td>
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<td>Mollison Memorial Cairn</td>
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<td>Former Shire Offices</td>
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<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>Northern Highway</td>
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<td>HO126</td>
<td>State School No 2005</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td></td>
<td>Bourke Street</td>
<td></td>
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<tr>
<td>HO262</td>
<td>‘Doogans’ Hotel (former) and outbuildings 9 High Street and 80 Browns Lane</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO263</td>
<td>Pyalong Cemetery</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>Reg Walters Drive</td>
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<td>HO264</td>
<td>‘The Stone House’ Zoch farmhouse complex</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>465 West Road</td>
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<td>HO320</td>
<td>Anglican Church of the Transfiguration Nicholson Street <strong>Incorporated plan:</strong> Mitchell Shire HO Permit Exemptions Incorporated Plan, 2014 (amended 2016)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO321</td>
<td>Zoch house (former) 21-33 Mollison Street <strong>Incorporated plan:</strong> Mitchell Shire HO Permit Exemptions Incorporated Plan, 2014 (amended 2016)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO322</td>
<td>Coronation Hotel domed water tank 17 Mollison Street <strong>Incorporated plan:</strong> Mitchell Shire HO Permit Exemptions Incorporated Plan, 2014 (amended 2016)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td><strong>REEDY CREEK</strong></td>
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<tr>
<td>HO266</td>
<td>Post Office (former) and cottage 12 Doyle Street</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO267</td>
<td>Reedy Creek State School No.2234 (former) 24 Doyle Street</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO271</td>
<td>Cottage 6-10 Doyle 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><strong>SEYMOUR</strong></td>
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<td>HO141</td>
<td>Royal Hotel Complex 26 Emily Street</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO142</td>
<td>Former Court House 45 Emily Street</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO144</td>
<td>Log Lock-up Emily Street</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO148</td>
<td>Railway Club Hotel 28 Station Street</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO149</td>
<td>Terminus Hotel 26 Station Street</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO151</td>
<td>Library and former Army Huts 53 Tallarook Street</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO153</td>
<td>Cemetery Crawford Street</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>Yes</td>
<td>No</td>
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<td>HO154</td>
<td>New Crossing Place including Lions Park Goulburn River</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<tr>
<td>HO155</td>
<td>Stand of 4 Ombu trees (<em>Phylolacca dioica</em>), Trawool Valley Angora Stud Goulburn Valley Highway</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO156</td>
<td>Old Town Centre Historic Precinct</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>HO157</td>
<td>Seymour Commercial Precinct</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO158</td>
<td>Victorian Railway Institute Building</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>Railway Place</td>
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<td>HO261</td>
<td>Seymour Power House (former)</td>
<td>No</td>
<td>No</td>
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<td>No</td>
<td>No</td>
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<td>32 Victoria Street</td>
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<td>HO269</td>
<td>Howard’s Residence (former)</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td></td>
<td>5 Tierney Street</td>
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<td>HO272</td>
<td>Masonic Lodge and Moreton Bay Fig</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td></td>
<td>25 Anzac Avenue</td>
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<td>HO273</td>
<td>Hume &amp; Hovell Monument</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td></td>
<td>Anzac Avenue (opposite Webb Ave)</td>
<td></td>
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<tr>
<td>HO274</td>
<td>Granite Flood level marker</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td></td>
<td>Station Street, cnr. Wallis Street (outside No.118 Station Street)</td>
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<td>HO287</td>
<td>Memorial Cairn, Plaques, Guns and Streetscape</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td></td>
<td>Anzac Avenue (between Hunt Street &amp; Chittck Place)</td>
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<td>HO290</td>
<td>PWG Railway Bridge</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td></td>
<td>Goulburn River (south of Quarry Road)</td>
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<td>HO297</td>
<td>Australian Light Horse Memorial Park and surrounds including the Seymour Bushland Park, Goulburn Valley Highway, corner, Telegraph Road</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO305</td>
<td>Seymour High Street Precinct</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO306</td>
<td>Seymour Mob Siding Precinct</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO307</td>
<td>Seymour Progress Precinct</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO308</td>
<td>Seymour Railway Precinct</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO323</td>
<td>St Andrew’s Presbyterian Church 1-3 Gordon Crescent</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO324</td>
<td>Christ Church of England 6 Anzac Avenue</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td>Yes</td>
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<td>HO325</td>
<td>Goulburn Park house (former) 16 The Avenue</td>
<td>No</td>
<td>No</td>
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<td>No</td>
<td>Yes</td>
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<td>HO330</td>
<td>Church of the Immaculate Conception 21 Crawford Street</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO331</td>
<td>St Mary’s Convent 90 High Street</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
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<td><strong>TALLAROOK</strong></td>
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<td>HO180</td>
<td>Landscape Homestead Yea Road</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<td>HO181</td>
<td>Tallarook Town Precinct</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
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<td>HO251</td>
<td>Tallarook Mechanics Institute 44 Main Road</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO268</td>
<td>Junction Hotel (former Howe’s Hotel and Abbingdon) 6 Main Road</td>
<td>No</td>
<td>Yes</td>
<td>Stables only</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO275</td>
<td>Tallarook to Mansfield Railway Reserve</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO327</td>
<td>St Joseph’s Catholic Church 66 Main Road</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<td>HO328</td>
<td>St Stephen’s Anglican Church 61 Main Road</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>TOOBORAC</td>
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<tr>
<td>HO190</td>
<td>Tooborac Hotel  Northern Highway</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO270</td>
<td>Smiths Bridge  Heathcote East Baynton Road (adjacent to 325)</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO276</td>
<td>War Memorial  Northern Highway</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>HO279</td>
<td>Mechanics’ Institute and tree windbreak  Northern Highway</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO280</td>
<td>Uniting Church, Spruce Trees and Tennis courts 6 Flagstaff Lane</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>HO281</td>
<td>McIvor Timber and Firewood Co. Tramway Depot</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<td>Aboriginal heritage place?</td>
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<tr>
<td>HO311</td>
<td>‘Leicester House’, homestead, stables and shearing shed 5455 Northern Highway</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>HO313</td>
<td>‘Taringa’ farm complex 5370 Northern Highway</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>TRAWOOL</td>
<td>'Worrough' Homestead Greenslopes Road</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO284</td>
<td>School No.2700 (former) 8314 Goulburn Valley Highway</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO285</td>
<td>‘Clyde’ Cottage and Cypress Hedge 8340 Goulburn Valley Highway</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
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<tr>
<td>HO286</td>
<td>Seymour Water Supply Storage Reservoir and Diversion Weir</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>TYAAK</td>
<td>Tyaaq Cemetery Broadford-Strath Creek Road</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>WALLAN</td>
<td></td>
<td></td>
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<tr>
<td>HO210</td>
<td>World War 1 Memorial and Avenue of Honour inc 48 Purple leaved Dutch Elms (<em>Ulmus x hollandica ‘Purpurascens’</em>) Both sides of Northern Highway between Queens &amp; Watson Streets</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO211</td>
<td>Free Library High Street</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO212</td>
<td>Former Methodist Church (1865) High Street</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO289</td>
<td>Uniting (former Presbyterian) Church 29-31 Wellington Street</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>HO292</td>
<td>Wallan Cemetery 148 Queen Street</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>HO342</td>
<td>The former Store and Post Office 59 High Street Original Brick front façade elevation with shop windows Door frame and highlight sash Rendered Brick north and south side walls</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td></td>
<td><em>Interim control.</em> Expiry date: 18/05/2017</td>
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<tr>
<td></td>
<td><strong>WALLAN EAST</strong></td>
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<td></td>
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</tr>
<tr>
<td>HO220</td>
<td>'Walnarring' Farm complex buildings including Former Quinn's Cottage  Merniang Road</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO221</td>
<td>Railway Station Complex</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td>WANDONG</td>
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<tr>
<td>HO338</td>
<td>House 45 Affleck Street</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<td><strong>Incorporated plan:</strong> Mitchell Shire HO Permit Exemptions Incorporated Plan, 2014 (amended 2016)</td>
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<tr>
<td>HO339</td>
<td>Oak (adjacent to Dry Creek) Dry Creek Crescent</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
<td>No</td>
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<tr>
<td>HO340</td>
<td>Syd Harper House and ‘Blackwood’ (Jack Harper House) 21 and 33 Dry Creek Crescent</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO341</td>
<td>Wandong Primary School trees and shelter/storage shed 39-51 Rail Street</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td></td>
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<tr>
<td>HO294</td>
<td>House and garden 770 Wandong Road</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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<tr>
<td>HO309</td>
<td>Wandong Precinct Wandong Avenue, Dry Creek Crescent and Rail Street</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
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### MITCHELL PLANNING SCHEME

<table>
<thead>
<tr>
<th>PS map ref</th>
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<th>Tree controls apply?</th>
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<tr>
<td></td>
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<tr>
<td></td>
<td><strong>WILLOWMAVIN</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>HO295</td>
<td>Floradale Farm Complex</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>210 Campaspe Road</td>
<td></td>
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<tr>
<td>HO296</td>
<td>Bridge</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td></td>
<td>Costello’s Road</td>
<td></td>
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</tbody>
</table>

The following sites within the Mitchell Shire are on Commonwealth Land, and as such, no Shire Planning control can be enforced on these locations:
- Puckapunyal Army Camp, Blamey Avenue
- 3 Camp Hospital, Blamey Avenue
DESIGN AND DEVELOPMENT OVERLAY
Shown on the planning scheme map as **DDO** with a number.

**Purpose**
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify areas which are affected by specific requirements relating to the design and built form of new development.

**Design objectives**
A schedule to this overlay must contain a statement of the design objectives to be achieved for the area affected by the schedule.

**Buildings and works**

**Permit requirement**
A permit is required to:
- Construct a building or construct or carry out works. This does not apply:
  - If a schedule to this overlay specifically states that a permit is not required.
  - To the construction of an outdoor swimming pool associated with a dwelling unless a specific requirement for this matter is specified in a schedule to this overlay.
- Construct a fence if specified in a schedule to this overlay.

Buildings and works must be constructed in accordance with any requirements in a schedule to this overlay. A schedule may include requirements relating to:
- Building setbacks.
- Building height.
- Plot ratio.
- Landscaping.
- Any other requirements relating to the design or built form of new development.

A permit may be granted to construct a building or construct or carry out works which are not in accordance with any requirement in a schedule to this overlay, unless the schedule specifies otherwise.

**VicSmart applications**
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a fence.</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>Construct a building or construct or carry out works for:</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>- A carport, garage, pergola, verandah, deck, shed or similar structure.</td>
<td></td>
</tr>
<tr>
<td>- An outdoor swimming pool.</td>
<td></td>
</tr>
<tr>
<td>The buildings and works must be associated with a dwelling.</td>
<td></td>
</tr>
</tbody>
</table>
Information requirements and decision guidelines

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $1,000,000 where the land is in an industrial zone.</td>
<td>Clause 59.05</td>
</tr>
<tr>
<td>Construct a building or construct or carry out works with an estimated cost of up to $500,000 where the land is in a commercial zone or a Special Use, Comprehensive Development, Capital City, Docklands, Priority Development or Activity Centre Zone.</td>
<td>Clause 59.05</td>
</tr>
</tbody>
</table>

Exemption from notice and review

A schedule to this overlay may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Subdivision

Permit requirement

A permit is required to subdivide land.

This does not apply if a schedule to this overlay specifically states that a permit is not required.

Subdivision must occur in accordance with any lot size or other requirement specified in a schedule to this overlay.

A permit may be granted to subdivide land which is not in accordance with any lot size or other requirement in a schedule to this overlay, unless the schedule specifies otherwise.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<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 and Information requirements and decision guidelines

- Has been approved under this scheme or by a permit issued under this scheme and the permit has not expired.
- Has started lawfully.
- The subdivision does not create a vacant lot.

Exemption from notice and review

A schedule to this overlay may specify that an application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

43.02-4
31/07/2018
VC148

Signs

Sign requirements are at Clause 52.05 unless otherwise specified in a schedule to this overlay.

43.02-5
31/07/2018
VC148

Application requirements

An application must be accompanied by any information specified in a schedule to this overlay.

43.02-6
31/07/2018
VC148

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The design objectives of the relevant schedule to this overlay.
- The provisions of any relevant policies and urban design guidelines.
- Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.
- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking.
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Any other matters specified in a schedule to this overlay.
SCHEDULE 1 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO1.

INDUSTRIAL GATEWAY PRECINCT

1.0 Design objectives

To ensure that buildings and works within the industrial gateway precinct will enhance the Northern Highway approach into Kilmore.

To ensure that the design, siting and appearance of buildings and works within the industrial zone is of a high quality which results in a neat appearance whilst also providing for the practical and efficient use of the land.

To ensure that new development integrates well with the surrounding landscape.

2.0 Buildings and works

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

Infrastructure

- All lots should be connected to reticulated water, sewerage and drainage.
- All developments should meet the principals of Water Sensitive Urban Design, including the collection of rain water run-off from roof areas.

Built form

- Lower scale administration/reception/sales areas or a veranda should be sited in front of larger storage or manufacturing buildings so that the street view of such buildings provides visual interest (articulation) which reduces the impact of the building mass behind and avoids extensive blank facades.
- Water storage tanks must be located to the side or rear of buildings.
- Encourage all external surfaces of buildings to be painted or finished with a quality textured coating and in non-reflective neutral tones.
- Encourage paving materials that provide texture, patterns, subtle colour and permeability to the lot frontage.
- Discourage large expanses of harsh grey cement or asphalt.
- Plant equipment, vents and any other mechanical additions to the building must be carefully designed or incorporated into the roof design so as to avoid visibility from the street, surrounding spaces and buildings.

Landscaping

- Landscaping of lots which front the Northern Highway should visually screen the view of the building as it presents to the Highway as well as the side views of any buildings which will be seen from the Highway so as to enhance the Highway approach into Kilmore.
- Landscaping at the front of lots should include the planting of trees, whilst landscaping near residential or sensitive uses should achieve a screening effect.
- Trees should be planted within car park areas and all landscaped areas to provide shade and visual amenity.
- Provide a 2.5 metre wide landscaped area to the front title boundary. All other landscaped areas to be a minimum of 2 metres wide.
- Nature strips to include street tree planting consistent with existing streetscape theme.
Acoustics
- Building design and layout should incorporate techniques to reduce noise emissions to acceptable standards, when the associated use may have adverse off-site noise impacts.

Car parking and access
- There shall be no direct vehicle access between the Northern Highway and the site
- Driveway crossovers should be fully constructed with a weather proof pavement.
- Parking areas should be surfaced and graded to reduce run-off and allow stormwater to drain out of the site with integrated landscaping.
- Provision should be made for car parking within the front setback of allotments and should be consistent with the existing industrial estate on the Northern Highway to the south.

Storage and waste
- Storage and waste facilities must be located to the rear of the building and be screened from street view.

Subdivision
None specified.

Signs
None specified.

Application requirements
None specified.

Decision guidelines
The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:
- The extent to which the proposed buildings and works comply with the requirements of this schedule.
SCHEDULE 2 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO2**.

WANDONG VILLAGE

1.0

**Design objectives**

To retain the rural township character of Wandong Village.

To encourage a consistent pattern of detached dwellings that maintains the areas single storey scale with large setbacks and small site coverage.

To ensure fences do not dominate street frontages.

2.0

**Buildings and works**

A permit is not required to:

- Construct a front fence less than 1.2 metres in height and a minimum 50% transparency and permeability.

- Construct, extend or alter a dwelling or construct alter or extend an outbuilding associated with a dwelling where the following requirements are met:
  - The side and rear setbacks are a minimum of 3 metres from the site boundary.
  - The front setback is the average of adjacent dwellings or 9 metres, whichever is lesser. If there is no adjacent dwellings the minimum setback is 6 metres.

3.0

**Subdivision**

None specified.

4.0

**Signs**

None specified.

5.0

**Application requirements**

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A permit to subdivide land must include a planning report that demonstrates how future buildings and works will be able to reasonably comply with the 40% site coverage and permeability requirements at Schedule 1 to Clause 32.09.

- Applications for buildings and works must be accompanied by the following reports and plans to the satisfaction of the responsible authority:
  - A planning report detailing the surrounding neighbourhood character and design response.
  - For new dwellings and associated outbuildings an urban context and design response report which provides the following, as relevant:
    - A detailed description of the site context including; site shape, size, orientation, vegetation, levels and contours, location and height of existing buildings on the site and surrounding properties.
    - A design response to the characteristics of the site and area including building form and scale.
6.0

Decision guidelines

The following decisions guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The design objectives of this schedule.
- The architectural quality and design response.
- The preservation of trees, natural bushland and native vegetation.
SCHEDULE 3 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO3.

KILMORE EQUINE LIFESTYLE PRECINCT

1.0 Design objectives

To allow for the establishment of horse stables with minimal adverse amenity affect on surrounding residential use within the Kilmore Equine Lifestyle precinct.

2.0 Buildings and works

The following buildings and works are exempt from requiring a planning permit:

- Single building used as a dwelling (must be the only dwelling on the lot) which maintains a set back distance of at least 10 metres from side and rear title boundaries and 20 metres from existing horse stables;
- Swimming pool for human use that is at least 10 metres from the side and rear title boundaries and 20 metres from existing horse stables;
- Development of an outbuilding less than 120 square metres in floor area (and where the floor area of the outbuilding does not exceed 200 square metres when additions have been made to an outbuilding originally less than 120 square metres in floor area);
- Extension or alteration to existing caravans, annexes and onsite cabins used in conjunction with an existing ‘camping and caravan park’ as long as the setback distance is at least 10 metres from side and rear title boundaries and at least 20 metres from horse stables; and
- Any development or works in accordance with any approved management plan adopted by the responsible authority or the Department of Sustainability and Environment.

The following buildings and works requirements apply to an application to construct a building or construct or carry out works:

Setbacks

The setback distances described in the following table are required:

<table>
<thead>
<tr>
<th>Feature</th>
<th>Minimum setback or separation distance</th>
<th>Side and rear title boundary</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Horse stable and horse wash down area:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>On the same lot</td>
<td>On an adjacent or adjoining lot</td>
</tr>
<tr>
<td>Building used for accommodation</td>
<td>10 metres</td>
<td>20 metres</td>
</tr>
<tr>
<td>Swimming pools for human use</td>
<td>20 metres</td>
<td>20 metres</td>
</tr>
<tr>
<td>Front title boundary</td>
<td>10 metres preferred</td>
<td>NA</td>
</tr>
</tbody>
</table>

Built form

The built form and the positioning of any horse stable should consider:

- The construction of screens to prevent water spray from horse wash down areas entering neighbouring properties;
- The need to construct an adequate disposal system to collect effluent and used cleansing water from the stables and the wash down area;
- The positioning of horse stables and horse wash down areas which minimise the likelihood of odours and water spray travelling to neighbouring properties (e.g. consideration of prevailing winds)

**Exemptions from notice and review**

An application for construction of a building or to construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

**3.0**

27/05/2019
C141mth

**Subdivision**

None specified.

**4.0**

27/05/2019
C141mth

**Signs**

None specified.

**5.0**

27/05/2019
C141mth

**Application requirements**

The following application requirements apply to an application for a permit under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A ‘horse management plan’ provided by the applicant if horse stable use is proposed.

**6.0**

27/05/2019
C141mth

**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether spray from the horse wash down area will enter adjoining properties;
- Whether odours from horse stables and the horse wash down area will have adverse amenity impact on adjacent and adjoining properties.
SCHEDULE 4 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO4.

KILMORE TOWN CENTRE AND KEY GATEWAY SITES

1.0 Design objectives

To ensure that development within the town centre is of appropriate scale and form and has regard to the underlying heritage character, is of architectural interest and respects but does not mock or replicate the heritage features of the town centre.

To improve the appearance of Sydney Street and Patrick Street by encouraging development of vacant or under-utilised sites and active street fronts, including al-fresco dining on Sydney Street and Patrick Street and shop top dwellings.

To improve the pedestrian experience in the Kilmore town centre and discourage off street car parking from visually dominating the public realm and facilitate the role of Kilmore Creek as a continuous recreation and habitat corridor that provides the primary pedestrian and cycle access into the town centre.

To encourage high quality development outcomes along Melbourne Street which has regard to its residential interface and supporting role to Sydney Street.

To promote well designed key gateway sites that mark entry into the town centre.

2.0 Buildings and works

A permit is not required to:

- Install an automatic teller machine.
- Alter an existing building facade.
- Construct a fence.
- Carry out works that are not visible from the public realm.

An application for construction of a building or to construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

This provision does not exempt works for buildings that are affected by Clause 43.01, Heritage Overlay.

The following buildings and works requirements apply to an application to construct a building or carry out works:

General requirements

- Buildings and works should meet the preferred minimum and maximum heights in Table 1 to this schedule.
- Buildings must be located/oriented towards street frontages and setback in accordance with Table 1.
- Buildings on prominent corner sites are to be designed to define and connect the corners location through distinctive architectural treatments and features which wrap around the street frontages.
- Buildings are to activate the street edge at the ground floor level and provide interest for pedestrians by:
  - Logical placement of visible building entries, windows and openings.
  - Avoiding the presentation of blank walls to the public realm.
  - Providing opportunities for outdoor dining/congregation.
Street walls are to be activated by residential or commercial entries and include sufficient possibilities for passive surveillance.

Public spaces at ground level should be:
- Designed and landscaped to create attractive, accessible, inclusive and functional spaces;
- Open and inviting;
- Well lit and provide opportunities for passive surveillance opportunities.

**Pedestrian, Vehicle Access and Car Parking Requirements**

- Additional crossovers along street frontages must be avoided unless there are no existing crossovers.
- Vehicle access is to be created from side streets or rear laneways, except where alternative access is not available or reasonably practical.
- Vehicle parking spaces are to be located to the rear and side of buildings, or undercroft spaces where viable.
- Vehicle parking spaces and associated structures including garages, car ports, open spaces should not dominate the street frontage or front facades of buildings.
- Where lots have two frontages pedestrian access to both frontages should be provided and sites with two frontages are to be partially developed, development should not preclude providing a future active frontage.
- Carparks should not dominate Melbourne Street frontages.
- Pedestrian access between Sydney Street and Patrick Street and Melbourne Street is strongly encouraged.
- For land within the gateway precincts, access points to arterial roads should be minimimised where possible and converted to left in, left out only.
- Loading and unloading of commercial vehicles should be undertaken on the land and not on the road reserve. Loading and service vehicle access should be located and designed to avoid conflict with pedestrians and other vehicles, and to minimise visibility from the street.

**Precinct Guidelines**

**Table 1**

<table>
<thead>
<tr>
<th>Preferred Building Height and Form</th>
<th>Preferred Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Area 1: Sydney Road East</strong></td>
<td></td>
</tr>
<tr>
<td>For buildings fronting Sydney Road, development of two storeys.</td>
<td>Buildings fronting Sydney Road to be built to the title boundary.</td>
</tr>
<tr>
<td>Where lots front both Sydney and Patrick Streets, active frontage is to be provided for both streets.</td>
<td>Buildings fronting Patrick Street to be built to the footpath or provide landscaping that fits the natural creek environment of the area.</td>
</tr>
<tr>
<td>Single storey frontages to Patrick Street.</td>
<td></td>
</tr>
<tr>
<td>Where buildings front both Patrick Street and Sydney Street, a second storey setback to the Patrick Street frontage should be provided.</td>
<td></td>
</tr>
<tr>
<td><strong>Area 2: Sydney Road West</strong></td>
<td></td>
</tr>
<tr>
<td>For buildings fronting Sydney Road, development of two storeys or higher.</td>
<td>Buildings fronting Sydney Road to be built to the title boundary.</td>
</tr>
<tr>
<td>For buildings fronting Melbourne Street single storey.</td>
<td></td>
</tr>
</tbody>
</table>

**Gateway Precinct**
Preferred Building Height and Form | Preferred Setbacks
--- | ---
Active street frontages. | Refer to Maps 1 and 2 for precincts. Refer to Figure 1 for a cross section of preferred building heights.

**3.0**
28/03/2019
C123

**Subdivision**
None specified.

**4.0**
27/05/2019
C141smith

**Signs**
None specified.

**5.0**
27/05/2019
C141smith

**Application requirements**
The following application requirements apply to an application for a permit to construct a building or carry out works under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- An urban design report which provides the following, as relevant:
  - A detailed description of the site context including; site shape, size, orientation, levels and contours, location and height of existing buildings on the site and surrounding land, use of surrounding buildings, views to and from the site, movement systems through and around the site and any other notable feature or characteristics of the site and how the design responds to site context.
  - An assessment of how the proposal responds to the design strategies, structural elements and design objectives within the *Kilmore Structure Plan, August 2016*.

- For land located within the Gateway Precincts a Traffic Impact Assessment Report prepared by a suitability qualified person which considers how the development will affect the local and regional road networks and vehicle and pedestrian circulation, access, loading and car parking.

**6.0**
27/05/2019
C141smith

**Decision guidelines**
The following decisions guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- That development is consistent with and delivers the key design strategies and public realm improvements of the *Kilmore Structure Plan, August 2016*.

- That development has regard to the public realm works set out in the *Kilmore 3764 Town Centre Revitalisation, August 2016*.

- The architectural merit and design response.

- The contribution the development makes to the preferred public realm along Sydney Street and Patrick Street.

- The contribution the development makes to the walkability, accessibility and streetscapes of the area.

- The design objectives of this schedule.
Map 1 to the Schedule to Clause 43.02: Kilmore Town Centre Precincts
Map 2 to the Schedule to Clause 43.02: Gateway Precinct

Figure 1: Town Centre Cross Section Example
SCHEDULE 5 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO5.

SEYMOUR EQUINE LIFESTYLE PRECINCT

1.0

Design objectives

To allow for the establishment of horse stables with minimal adverse amenity effect on surrounding residential use within the Seymour Equine Lifestyle precinct.

2.0

Buildings and works

The following buildings and works are exempt from requiring a permit:

- Single building used as a dwelling (must be the only dwelling on the lot) which maintains a setback distance of at least 10 metres from side and rear title boundaries and 20 metres from existing horse stables;
- Swimming pool for human use that is at least 10 metres from the side and rear title boundaries and 20 metres from existing horse stables;
- Development of an outbuilding less than 120 m² in floor area (and where the floor area of the outbuilding does not exceed 200 m² when additions have been made to an outbuilding originally less than 120 m² in floor area);
- Extension or alteration to existing caravans, annexes and onsite cabins used in conjunction with an existing ‘camping and caravan park’ as long as the setback distance is at least 10 metres from side and rear titles and at least 20 metres from horse stables;
- Any development or works in accordance with any approved management plan adopted by the responsible authority or the Department of Sustainability and Environment.

Building and works requiring a planning permit must be constructed with minimum setback distance and built form requirements as set out in this clause.

Setbacks

The setback distances described in the following table are required:

<table>
<thead>
<tr>
<th>Feature</th>
<th>Minimum setback or separation distance</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Horse stable and horse wash down area:</td>
</tr>
<tr>
<td></td>
<td>On the same lot</td>
</tr>
<tr>
<td>Building used for accommodation</td>
<td>10 metres</td>
</tr>
<tr>
<td>Swimming pools for human use</td>
<td>20 metres</td>
</tr>
<tr>
<td>Front title boundary</td>
<td>10 metres preferred</td>
</tr>
</tbody>
</table>

Built form

The built form and the positioning of any horse stable should consider:

- The construction of screens to prevent water spray from horse wash down areas entering neighbouring properties;
- The need to construct an adequate disposal system to collect effluent and used cleansing water from the stables and the wash down area;
- The positioning of horse stables and horse wash down areas which minimise the likelihood of odours and water spray travelling to neighbouring properties (e.g. consideration of prevailing winds).

**Exemptions from notice and review**

An application for construction of a building or to construct or carry out works is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

**3.0**

**Subdivision**

None specified.

**4.0**

**Signs**

None specified.

**5.0**

**Application requirements**

The following application requirements apply to an application for a permit to use land for a horse stables under Clause 43.02, in addition to those specified elsewhere in the scheme and must accompany an application, as appropriate, to the satisfaction of the responsible authority:

- A ‘horse management plan’.

**6.0**

**Decision guidelines**

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether spray from the horse wash down area will enter adjoining properties;
- Whether odours from horse stables and the horse wash down area will have adverse amenity impact on adjacent and adjoining properties;
SCHEDULE 7 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO7.

KILMORE AND SEYMOUR HOSPITALS EMERGENCY SERVICE FLIGHT PATH (INNER)

1.0

Design objectives

To ensure the height of new development does not encroach on the flight path areas associated with the Kilmore and Seymour District Hospitals helicopter landing site.

To ensure that the height of new development avoids creating a hazard to aircraft in the vicinity of the Kilmore and Seymour Hospital helicopter landing site and to facilitate safe emergency medical service helicopter operations.

2.0

Buildings and works

A planning permit is not required to construct a building or carry out works with a height of less than 373.42 metres (Australian Height Datum) in Kilmore or 137.73 metres (Australian Height Datum) in Seymour.

Notes: The Kilmore District Hospital helicopter landing site is at an elevation of 373.42 metres (Australian Height Datum).
       The Seymour District Hospital helicopter landing site is at an elevation of 137.73 metres (Australian Height Datum).
       For the purpose of this clause, buildings and works include fences, radio masts, antennas and flagpoles and any construction equipment associated with the buildings and works.

3.0

Referral of applications

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.

4.0

Application requirements

None specified.

5.0

Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the height and design of any proposed buildings and works will have an impact on the flight paths associated with the Kilmore and Seymour District Hospitals helicopter landing site.
SCHEDULE 8 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as DDO8.

KILMORE HOSPITAL EMERGENCY SERVICE FLIGHT PATH (OUTER)

1.0 Design objectives

To ensure the height of new development does not encroach on the flight path areas associated with the Kilmore District Hospital helicopter landing site.

To ensure that the height of new development avoids creating a hazard to aircraft in the vicinity of the Kilmore Hospital helicopter landing site and to facilitate safe emergency medical service helicopter operations.

2.0 Buildings and works

A planning permit is not required to construct a building or carry out works with a height less than 12 metres above ground level.

Notes: For the purpose of this clause, buildings and works include fences, radio masts, antennas and flagpoles and any construction equipment associated with the buildings and works.

3.0 Referral of applications

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.

4.0 Application requirements

None specified.

5.0 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether the height and design of any proposed buildings and works will have an impact on the flight paths associated with the Kilmore District Hospital helicopter landing site.
SCHEDULE 9 TO CLAUSE 43.02 DESIGN AND DEVELOPMENT OVERLAY

Shown on the planning scheme map as **DDO9**.

SEYMOUR HOSPITAL EMERGENCY SERVICE FLIGHT PATH (OUTER)

1.0 Design objectives

To ensure the height of new development does not encroach on the flight path areas associated with the Seymour District Hospital helicopter landing site.

To ensure that the height of new development avoids creating a hazard to aircraft in the vicinity of the Seymour Hospitals helicopter landing site and to facilitate safe emergency medical service helicopter operations.

2.0 Buildings and works

A planning permit is not required to construct a building or carry out works with a height less than 10 metres above ground level.

*Note:* For the purpose of this clause, buildings and works include fences, radio masts, antennas and flagpoles and any construction equipment associated with the buildings and works.

3.0 Referral of applications

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.

4.0 Application requirements

None specified.

5.0 Decision guidelines

The following decision guidelines apply to an application for a permit under Clause 43.02, in addition to those specified in Clause 43.02 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

• Whether the height and design of any proposed buildings and works will have an impact on the flight paths associated with the Seymour District Hospital helicopter landing site.
INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as **IPO** with a number.

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which require:

- The form and conditions of future use and development to be shown on an incorporated plan before a permit can be granted to use or develop the land.
- A planning scheme amendment before the incorporated plan can be changed.

To exempt an application from notice and review if it is generally in accordance with an incorporated plan.

**Requirement before a permit is granted**

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until an incorporated plan has been incorporated into this scheme.

This does not apply if a schedule to this overlay specifically states that a permit may be granted before an incorporated plan has been incorporated into this scheme.

A permit granted must:

- Be generally in accordance with the incorporated plan, unless a schedule to this overlay specifies otherwise.
- Include any conditions or requirements specified in a schedule to this overlay.

**Exemption from notice and review**

An application under any provision of this planning scheme which is generally in accordance with the incorporated plan is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Decision guidelines**

Before deciding on an application under any provision of this scheme which is not generally in accordance with the incorporated plan, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

- The incorporated plan.
- Any other matters specified in a schedule to this overlay.

**Preparation of the incorporated plan**

The incorporated plan may consist of plans or other documents and may, with the agreement of the planning authority, be prepared and implemented in stages.

An incorporated plan that provides for residential subdivision in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone, Township Zone, Comprehensive Development Zone and Priority Development Zone must meet the requirements of Clause 56 as specified in the zone.

The incorporated plan must describe:

- The land to which the plan applies.
- The proposed use and development of each part of the land.
- Any other requirements specified for the plan in a schedule to this overlay.
SCHEDULE 1 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO1.

SEYMOUR ABATTOIR INCORPORATED PLAN

1.0

Permits not generally in accordance with Incorporated Plan

The responsible authority can consider an application to construct a building or construct or carry out works that is not generally in accordance with the Seymour Abattoir Incorporated Plan. Such buildings and works must be compatible with the operation of the Seymour Abattoir or in the event that it ceases to operate, the Farming Zone generally.

2.0

Conditions and requirements for permits

All permits to construct a building or construct or carry out works within the site must include a condition which requires the development and use to meet with the EPA compliance requirements.

3.0

Notice and Review

An application for any use or development associated with the abattoir under any provision of this scheme which is generally in accordance with the Incorporated Plan is exempt from the notice requirements of Section 52 (1) (a), (b) and (d), the decision requirements of Section 64 (1), (2) and (3) and the review rights of Section 82 (1) of the Act.

4.0

Decision Guidelines

The following decision guidelines apply to an application for a permit under Clause 43.03 which is not generally in accordance with the incorporated plan, in addition to those specified in Clause 43.03 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- The extent to which the proposed building, works or its use affects the safety, environmental quality and general amenity of the surrounding area.

5.0

Preparation of the incorporated plan

None specified.
SCHEDULE 2 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO2.

LOCKERBIE PRECINCT STRUCTURE PLAN

Purpose
The purpose of this Incorporated Plan Overlay is to give effect to the objectives, requirements, guidelines and conditions of the Lockerbie Precinct Structure Plan.

1.0

Requirement before a permit is granted

Development on land in the Conservation Management Plan Area shown on Map 1 of this Schedule and Plan 6 - Biodiversity and Threatened Species Action Plan in the Lockerbie Precinct Structure Plan must be undertaken in accordance with the relevant management actions as outlined in the approved Conservation Management Plan.

The Lockerbie Conservation Management Plan may be amended to the satisfaction of the Department of Sustainability and Environment.

The subdivision of land within or adjoining the Conservation Management Plan area must accord with the Conservation Management Plan boundary as shown on Map 1 to this Schedule and Plan 6 - Biodiversity and Threatened Species Action Plan in the Lockerbie Precinct Structure Plan.

An application for development of land in the Conservation Management Plan area as shown on Map 1 to this Schedule and Plan 6 – Biodiversity and Threatened Species Action Plan in the Lockerbie Precinct Structure Plan, must demonstrate that it is in accordance with the approved Lockerbie Conservation Management Plan.

2.0

Conditions and requirements for permits

Conditions - all permits

Growling Grass Frog

Works on land in the Conservation Management Plan area shown on Map 1 of this Schedule and Plan 6 – Biodiversity and Threatened Species Action Plan in the Lockerbie Precinct Structure Plan must be undertaken in accordance with the approved Lockerbie Conservation Management Plan (CMP).

Unless the land included within the Conservation Management Plan area as shown on Plan 6 - Biodiversity and Threatened Species Action Plan of the Lockerbie Precinct Structure Plan has been voluntarily transferred into the Crown Reserve System, the Owner must:

- Enter into a legally, binding on-title agreement with the Secretary of the Department of Sustainability and Environment under Section 69 of the Conservation Forest and Lands Act 1987 before the Commencement of Works on the land. The agreement must provide for the following:
  - Protection of the conservation area
  - The landowner to undertake all pre-construction maintenance and monitoring (Phase One) actions in accordance with the approved Conservation Management Plan
  - The landowner granting Department of Sustainability and Environment (or its nominee) rights of access to undertake habitat works (Phase Two) and any additional actions as required.
  - The landowner to undertake ongoing maintenance and monitoring activities (Phase Three) in perpetuity as outlined in the approved Conservation Management Plan.
The land owner must pay the reasonable costs of preparation, execution and registration of the agreement.

**Conditions - permits relating to land described as potential habitat for Striped Legless Lizard on Map 1 to the Schedule to Clause 43.03**

Before, during and after the carrying out of any construction of any buildings or carrying out of works or removal of native vegetation, the requirements of the *Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Strategic Approach (DSE 2011)*; and *Salvage and Translocation of Striped Legless Lizard in the Urban Growth Areas of Melbourne: Operational Plan (DSE 2011)* must be implemented and complied with to the satisfaction of the Secretary of the Department of Sustainability and Environment.

**Requirements**

The layout and design of the drainage corridors must be to the satisfaction of Melbourne Water and the Responsible Authority.

A shared trail of at least three metres in width must be provided along the drainage corridors and the Merri Creek corridor.

Design of paths, bridges and boardwalks in the drainage corridors (both the Merri Creek and the constructed waterways) must be above the 1:100 year flood level (if running parallel to the corridor). Pedestrian bridges across the Merri Creek and constructed drainage corridors must be above the 1:100 year floor level. Where a 1:100 year flood level is not achievable, measures on the approach of the creek or constructed drainage corridors must be installed to the satisfaction of Melbourne Water.

The scattered trees identified on Plan 6 of the *Lockerbie Precinct Structure Plan* must be retained within the Merri Creek linear corridor and passive open space areas.

Landscape master planning of open space adjacent to the Merri Creek corridor must be designed to protect areas of environmental significance (i.e. habitat zones) from pedestrian and vehicle access.

Any passive open space areas within the Merri Creek must be designed to minimise disturbance to any habitat zones or existing or created Growling Grass Frog habitat.

**Decision guidelines**

How the application implements and complies with an approved Conservation Management Plan applying to the land pursuant to an approval to take a controlled action in accordance with the Delivering Melbourne’s Newest Sustainable Communities Program Report, December 2009 under Part 10 of the *Environment Protection and Biodiversity Act 1999 (Commonwealth).*
Map 1 to the Schedule to Clause 43.03

Note:
- Refer to Lockerbie NVPP for details in native vegetation
- The entire Precinct is indentified as potential for Striped Legless Lizard
- The land covered by the PAO (for the OMR9) requires a separate approval process for threatened species

Precinct Area
Area where Conservation Management Plan applies
High contribution to species Golden Sun Moth habitat
Medium contribution to species Golden Sun Moth habitat
Growing Grass Frog Category 1 Habitat
Growing Grass Frog Category 2 Habitat
Scattered Trees
Habitat Zones (As per SMEC report ‘October 2010’)
Property Reference Number
Parcel Boundary
OMRTC Public Acquisition Overlay
SCHEDULE 3 TO CLAUSE 43.03 INCORPORATED PLAN OVERLAY

Shown on the planning scheme map as IPO3.

DONNYBROOK-WOODSTOCK PRECINCT STRUCTURE PLAN – BIODIVERSITY
CONSERVATION STRATEGY AREAS

1.0

Requirement before a permit is granted

None specified.

2.0

Permits not generally in accordance with incorporated plans

A permit granted must be generally in accordance with the incorporated plans as they apply to the land unless otherwise agreed in writing by the Secretary to the Department of Environment, Land Water and Planning and the responsible authority is satisfied that the development will not prejudice the orderly planning of the area having regard to the objectives of the Donnybrook-Woodstock Precinct Structure Plan, October 2017.

3.0

Conditions and requirements for permits

The following conditions and/or requirements apply to permits:

Requirements

All applications for use and/or development of land shown as conservation areas for Melbourne’s growth corridors (Category 1 under the Biodiversity Conservation Strategy) must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority:

- A description of the use or development, including:
  - A plan showing the project footprint and any associated site facilities or works.
  - A description of the project.
  - A description of any operational and maintenance requirements.
  - Commencement and completion dates, including any project staging.

- A description of the design measures, construction techniques and environmental controls proposed to be implemented to avoid, minimise and manage the impacts of the construction or operation of the use or development on the biodiversity and other environmental values of the land, including any proposals for revegetation and soil stabilisation.

- An explanation of why the use or development is necessary and whether alternative options to the development that do not require removal of native vegetation or habitat or cultural heritage values have been considered.

- A description of the consistency of the use or development with the Conservation Area Concept Plans contained in the Donnybrook-Woodstock Precinct Structure Plan, October 2017 and any management plan for the conservation of the land applying under an agreement under section 69 of the Conservation Forests and Lands Act 1987 or approved by a public land manager having responsibility for the care or management of the land.

- A description of the impacts of the use or development on:
  - Native vegetation, including the amount and quality proposed to be removed.
  - Flora and fauna listed under the Flora and Fauna Guarantee Act 1988 and matters of national environmental significance listed under the Environment Protection and Biodiversity Conservation Act 1999 (Cth), including the amount and quality of ecological communities and habitat and number of individuals of species proposed to be removed.
  - Other environmental values of the land, including soil, wetlands and waterways.
A flora and fauna survey conducted by a suitably qualified and experienced person. If in the opinion of the Secretary to the Department of Environment, Land Water and Planning a survey is not required for the assessment of an application, the responsible authority may waive the requirement.

**Conditions**

Any permit for subdivision must contain the following conditions:

**Kangaroo Management Plan**

Before the certification of the plan of subdivision, a Kangaroo Management Plan must be approved by the Secretary to the Department of Environment, Land, Water and Planning. Once approved the plan will be endorsed by the responsible authority and form part of the permit.

The endorsed Kangaroo Management Plan must be implemented to the satisfaction of the responsible authority.

**Environmental Management Plans**

A planning permit for subdivision or buildings or works on land shown as a conservation area in the incorporated *Donnybrook-Woodstock Precinct Structure Plan, October 2017* must include the following condition:

- Prior to certification of the plan of subdivision or the commencement of buildings or works an Environmental Management Plan for the relevant works must be approved to the satisfaction of the Department of Environment, Land, Water and Planning and Responsible Authority, unless otherwise agreed by the Department of Environment, Land, Water and Planning and Responsible Authority.

**Protection of conservation areas and native vegetation during construction**

A permit granted to subdivide land where construction or works are required to carry out the subdivision, or a permit granted to construct a building or carry out works, on land including or abutting a conservation area or patch of native vegetation or scattered tree identified for retention in the incorporated *Donnybrook-Woodstock Precinct Structure Plan, October 2017* must ensure that:

- Prior to the commencement of works in or around a conservation area, scattered native tree or patch of native vegetation, the developer of the land must erect a protective fence that is:
  - Highly visible;
  - At least two metres in height;
  - Sturdy and strong enough to withstand knocks from construction vehicles;
  - Kept in place for the whole period of construction; and
  - Located the following minimum distance from the element to be protected:

<table>
<thead>
<tr>
<th>Element</th>
<th>Minimum distance from element</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation area</td>
<td>2 metres from the edge of the area</td>
</tr>
<tr>
<td>Scattered tree</td>
<td>The distance as shown in the incorporated precinct structure plan (Section 4.6)</td>
</tr>
<tr>
<td>Patch of native vegetation</td>
<td>2 metres from the edge of the patch</td>
</tr>
</tbody>
</table>

- Construction stockpiles, fill, machinery, excavation and works or other activities associated with the buildings or works must:
  - Be located not less than 15 metres from a waterway
- Be located outside the required protective fence;
- Be constructed and designed to ensure that the conservation area, scattered tree or patches of native vegetation are protected from adverse impacts during construction; and
- Not be undertaken if the qualified ecologist or arborist who is familiar with the requirements of the incorporated precinct structure plan is of the opinion that the various activities presents a risk to any vegetation within a conservation area.

**Land Management Cooperative Agreement**

A permit to subdivide land shown in a Conservation Area Concept Plan (CACP) in the incorporated Donnybrook-Woodstock Precinct Structure Plan, October 2017 (the incorporated PSP) as including a conservation area must ensure that, the owner of the land:

- Enters into a *Land Management Cooperative Agreement* (LMCA) with the Secretary to the Department of Environment, Land, Water and Planning (DELWP) under section 69 of the *Conservation, Forests and Lands Act 1987*, which:
  - Must provide for the conservation and management of that part of the land shown as a conservation area in the incorporated PSP (a conservation area); and
  - May include any matter that such an agreement may contain under the *Conservation, Forests and Lands Act 1987*.
  - Makes application to the Registrar of Titles to register the agreement on the title to the land.
  - Pays the reasonable costs of the Secretary to the DELWP in the preparation, execution and registration of the agreement.

The requirement for a LMCA in this condition does not apply to land or any lot or part of a lot within a conservation area that:

- Is identified in the incorporated PSP as public open space and is vested, or will be vested, in the council as a reserve for the purposes of public open space; or
- Is identified in the incorporated PSP as a drainage reserve and is vested, or will be vested, in Melbourne Water Corporation or the council as a drainage reserve; or
- Is within a Conservation Area identified in the incorporated PSP for nature conservation and is vested, or is subject of an agreement with the Secretary to the DELWP to be vested, in the Secretary to the DELWP for conservation purposes; or
- Is the subject of an agreement with the Secretary to the DELWP to transfer or gift that land to:
  - The Secretary to the DELWP;
  - The Minister administering the Conservation, Forests and Lands Act, 1987; or
  - Another statutory authority.
- to the satisfaction of the Secretary to the DELWP.

The LMCA must be entered into:

- In relation to land containing Nature Conservation or Open Space conservation area, prior to the commencement of works for; or
- In relation to land containing Growling Grass Frog conservation area, before the issue of a statement of compliance for the last stage of the subdivision.

**Decision guidelines**

Before deciding on an application to remove, destroy or lop vegetation the responsible authority must consider as appropriate:
Any endorsed program report applying to the land under Part 10 of the Environmental Protection and Biodiversity Conservation Act 1999 (Cth).

The Donnybrook-Woodstock Precinct Structure Plan, October 2017.

5.0
03/11/2017
GC28

Preparation of the incorporated plan

None specified.

Note: Operation of Commonwealth Environmental Laws. On 5 September 2013 an approval under the Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act) was issued by the Commonwealth Minister for Environment, Heritage and Water. The approval applies to all actions associated with urban development in growth corridors in the expanded Melbourne 2010 Urban Growth Boundary as described in page 4 in the Biodiversity Strategy for Melbourne’s Growth Corridors (Department of Environment and Primary Industries, 2013). The Commonwealth approval has effect until 31 December 2060. The approval is subject to conditions specified at Annexure 1 of the approval. Provided the conditions of the EPBC Act approval are satisfied individual assessment and approval under the EPBC is not required.
DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.
To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.

Objectives

A schedule to this overlay may specify objectives to be achieved for the area affected by the overlay.

Requirement before a permit is granted

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.
This does not apply if a schedule to this overlay specifically states that a permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority.

A permit granted must:

- Be generally in accordance with the development plan.
- Include any conditions or requirements specified in a schedule to this overlay.

Exemption from notice and review

If a development plan has been prepared to the satisfaction of the responsible authority, an application under any provision of this planning scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Preparation of the development plan

The development plan may consist of plans or other documents and may, with the agreement of the responsible authority, be prepared and implemented in stages.

A development plan that provides for residential subdivision in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone, Township Zone, Comprehensive Development Zone and Priority Development Zone must meet the requirements of Clause 56 as specified in the zone.

The development plan must describe:

- The land to which the plan applies.
- The proposed use and development of each part of the land.
- Any other requirements specified for the plan in a schedule to this overlay.

The development plan may be amended to the satisfaction of the responsible authority.
SCHEDULE 1 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO1.

RESIDENTIAL 1 ZONE

1.0

Requirement before a permit is granted

Before any planning permit is granted for any use or development of land that the Development Plan Overlay 1 applies to, the responsible authority must consider and be satisfied that the following decision guidelines and performance measures are met:

- The proposed use and/or development is consistent with any approved Development Plan and this overlay schedule
- Road, footpath, drainage and stormwater provision
- Reticulated water and sewerage provision
- Underground electricity, street lighting and telecommunications provision
- A requirement for public open space land or monetary contribution for recreation purposes when a contribution is required in accordance with the Subdivision Act
- The proposal incorporates and meets the following residential urban design principles:
  - Urban design and layout principles to meet ResCode objectives and standards;
  - A site assessment and design response that provides layout and development that is compatible with the site, adjoining land and general area;
  - A range of lot sizes and housing types to meet a variety of housing needs, and cater for a range of different residential users;
  - A strong sense of place created by attractive built form, compact neighbourhood design, quality landscape and community safety;
  - Retention and enhancement (‘net gain’) of biodiversity and existing native vegetation to implement the objective of the Victorian Native Vegetation Management – A Framework for Action;
  - Pedestrian and vehicular provision, accessibility and safety;
  - Accessibility and linkages to open space, and consideration of how to enhance existing linkages and open space;
  - When additional open space is to be provided rather than a monetary contribution, provision of open space that is centrally located, accessible, safe and usable for recreational purposes;
  - Quality urban environmental standards, including water sensitive urban stormwater and drainage design and treatment, energy efficiency, landscaping, and protection and incorporation of natural features;
  - Adequate reticulated urban servicing for residential development to Mitchell Shire Council and service authority standards

2.0

Requirements for development plan

Any development plan for this land must outline and assess:

- Proposed future subdivision and development to allow for the full development and servicing of the land in accordance with the Residential 1 Zone and ResCode
- Site analysis and response, including natural features, slope, orientation, views, drainage lines, native vegetation, and impact on neighbouring and nearby land
- Proposed lot layout and density, including building envelopes if appropriate
- Internal road layout and external road access, including future road linkages, street lighting, and proposed road surfacing and standards
- All servicing, including water, sewerage, drainage and stormwater, electricity and telecommunications
- Existing and future open space, including linkages to and between areas of open space
- Landscaping, existing native vegetation and streetscape treatment
- Relationship, effect and linkages of proposed use and development of the land to uses and developments on adjoining land and nearby land
- The stages, if any, in which the land is to be subdivided and developed
- Any adopted strategic plan or urban design framework for the relevant area or town

Any development plan that is prepared and approved must include:
- Processes for making changes to the development plan, including a public consultation period and a requirement that the responsible authority approve any changes to the development plan
SCHEDULE 2 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO2.

WANDONG DRY CREEK ROAD

1.0

Objectives

None specified.

2.0

Requirement before a permit is granted

A permit may be granted to use or to subdivide land, construct a building or to construct or carry out works before a development plan has been prepared to the satisfaction of the Responsible Authority.

3.0

Conditions and requirements for permits

None specified.

4.0

Requirements for development plan

A development plan must include the following requirements:

Generally in accordance with the Wandong-Heathcote Junction Structure Plan, August 2016 and Map 1 including:

- Response to topography, high points, key views and vistas.
- The development and use of each part of the land.
- The local street road layout.
- The location of community infrastructure and trunk services to the land.
- Surrounding land uses and interfaces.
- Subdivision layout including building envelopes or exclusion areas, and effluent disposal envelopes, if appropriate.

The Development Plan must be accompanied by, and demonstrate consistency with, the following:

Planning Assessment and Design Response Report

- A Planning Assessment Report which provides:
  - Analysis of how the proposed Development Plan satisfies the Precinct I Design Guidelines of Section 4 of the Wandong-Heathcote Junction Structure Plan, August 2016.
  - A site analysis and design response plan including a written explanation that responds to the supporting information requirements.

Traffic Impact Assessment Report

- A Traffic Impact Assessment report which reviews projected internal and as required external traffic and movement network impacts to the satisfaction of the responsible authority and identifies costs for developer contributions where the impact is deemed outside the developable area. The following must be considered within the assessment report:
  - The distribution, hierarchy and characteristics of vehicular and pedestrian circulation networks.
  - The ability to achieve safe access to the surrounding road network.
Flora and Fauna Assessment and Response

- A Flora and Fauna Assessment and where necessary an Arboriculture Assessment, which identifies existing vegetation (including native grasses), fauna and natural drainage lines required to be protected and enhanced in the subdivision design. The assessment must include appropriate management recommendations in accordance with Victoria’s *Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017)*.

Servicing and Drainage Strategy

- A Civil Infrastructure and Drainage Report that addresses the capacity of infrastructure to service the development (including drainage and sewerage), the treatment and retardation of stormwater and responds to the principles of water sensitive urban design and environmental functions of waterways. The report should have regard to the policies and guidelines of servicing authorities.

Heritage Survey

- A preliminary desktop Heritage Study which considers both aboriginal archaeological sites and post-contact heritage assessment and whether a cultural heritage management plan is required pursuant to the *Aboriginal Heritage Act 2006* is required.

Infrastructure Delivery Strategy

- An Infrastructure Delivery Strategy which identifies the anticipated staging and timing of the provision of infrastructure on and off the subject site. The infrastructure plan should address as appropriate:
  - The provision, staging and timing of stormwater drainage and flood management works.
  - The provision, staging and timing of internal and external roadworks.
  - Any other infrastructure related matter reasonably requested by the responsible authority associated with the subdivision of the land.
Map 1 to Schedule 2 to Clause 43.04: Wandong Dry Creek Road Rural Living
SCHEDULE 3 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO3.

INDUSTRIAL DEVELOPMENT PLAN

1.0

Requirement before a permit is granted

A Development Plan is required to be submitted with a planning permit application or before a planning permit is granted to subdivide land into two or more lots.

2.0

Conditions and requirements for permits

All Industrial development must be serviced with reticulated water and sewerage.

All Industrial development must be serviced with sealed roads.

3.0

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;

- 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 Highways, major roads and urban 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 4 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO4.

WALLAN

1.0

Requirement before a permit is granted

Prior to the development of any stage a detailed development plan must be submitted to and approved by the responsible authority.

The objective of this Development Plan Overlay is:

• To provide for a mix of uses including residential, business and light industrial development.
• To establish appropriate buffers between non-compatible uses such as residential and industrial.
• To establish open space that provides for a variety of recreational activities.
• To provide integrated pedestrian access throughout the site and to the Wallan East railway station.
• Enhance the amenity of the locality

2.0

Conditions and requirements for permits

Any development must comply with any approved Development Agreement

The owner may enter into an Agreement with the responsible authority under Section 173 of the Planning Environment Act 1987. The Agreement must cover:

• Engineering standards including required road widths and infrastructure/services provision
• Design guidelines for major land uses
• Car parking requirements for specified uses
• The construction and management of the flood mitigation and drainage system
• Any other issue agreed by the responsible authority and the owner

Commencement

The use of any building or part of the site must not commence until all landscaping, car parks and other works approved as a stage of an approved development plan have been completed to the satisfaction of the responsible authority.

Staging

The land must be developed in accordance with the provisions of an approved Development Plan. Each stage of development set out in an approved development plan must be completed to the satisfaction of the responsible authority.

In determining whether or not to adopt a subsequent stage, the responsible authority must consider the following measures to ensure that any stage does not create a burden on the community or the responsible authority:

• The rate of allotment take-up
• The rate of dwelling commencement
• The resident profile
• General market forces
**Consideration of applications**

In considering any application within the area covered by an approved development plan, the responsible authority must consider:

- The purpose of the zone
- The amenity of the area
- The purposes of the precincts
- The provision of efficient and safe vehicular access
- Advice of the Environment Protection Authority; Department of Civil Aviation, all relevant water authority(s), Roads Corporation and any other relevant statutory authority
- The proposed means of drainage, the likely impact of the development on the flow of water across the site and on the quality of water entering the Merri Creek drainage system
- The safe operation of the airfield and minimisation of adverse effects from the operation of the airfield on surrounding land
- The appearance of development from within the precinct from any nearby road, and from the Hume Freeway
- Any matter which the responsible authority considers will enhance the character of the area
- Any other matter which, in the opinion of the responsible authority, is necessary to be considered in the interests of the residents of the area and the community generally

**Subdivision requirements**

A permit is required to subdivide land.

Applications must meet the following requirements:

- Compliance with any relevant concept development or stage development plan incorporated or approved by the responsible authority
- Each lot must be provided with a reticulated supply of water
- Each lot must be provided with a reticulated supply of electricity located underground unless special circumstances exist such as existing overhead electricity supply
- Each lot must be connected to a reticulated sewerage system and a drainage system
- Each lot must have access to a road constructed to the satisfaction of the responsible authority in accordance with its engineering guidelines

In its approval of any subdivision, the responsible authority may include any conditions considered necessary including a development impact fee calculated to contribute towards the cost of community services, physical infrastructure and open space required by the subdivision. Any approval for subdivision may include a Section 173 agreement under the Planning and Environment Act 1987.

**Requirements for development plan**

- The detailed development plan must show:
- Road reservations, widths and alignments
- The number and size of allotments to be created
- The nature and use of all lots
- A comprehensive landscape plan
SCHEDULE 5 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO5.

KILMORE NORTH, WEST AND SOUTH-EAST GROWTH PRECINCTS

1.0

Objectives

None specified.

2.0

Requirement before a permit is granted

A permit may be granted to use or subdivide land, construct a building or to construct or carry out works before a development plan has been prepared to the satisfaction of the responsible authority.

3.0

Conditions and requirements for permits

None specified.

4.0

Requirements for a development plan

A development plan must include the following requirements:

Generally in accordance with the Kilmore Structure Plan, August 2016 and Maps 1, 2 or 3 below as appropriate including:

- Response to topography, high points, key views and vistas.
- The development and use of each part of the land.
- The local street road layout.
- A permeable connector and local road system that facilitates access both within the precinct and to broader areas of Kilmore.
- The location of community infrastructure and trunk services to the land.
- Surrounding land uses and interfaces.

The Development Plan must be accompanied by, and demonstrate consistency with, the following:

Planning Assessment and Design Response Report

- A Planning Assessment Report and Design Response Report which provides analysis of how the Development Plan satisfies:
  - The vision and elements of the Kilmore Structure Plan, August 2016, including sections 4.6.2 (West Growth Precinct), 4.7.2 (South-East Growth Precinct) or 4.8.2 (North Growth Precinct) as relevant and general consistency with the relevant maps within this clause.
  - A site analysis and design response plan including a written explanation that responds to the supporting information requirements.

Traffic Impact Assessment Report

- A Traffic Impact Assessment Report which reviews projected internal and external traffic and movement network impacts, to the satisfaction of the responsible authority, and identifies costs for developer contributions where the impact is deemed outside the developable area. The following must be considered within the assessment report:
  - The distribution, hierarchy and characteristics of vehicular and pedestrian and shared path circulation networks.
  - Traffic management devices.
- The ability to achieve safe access to the surrounding road network.
- A road hierarchy plan and cross-sections for all street typologies.
- Consideration of any known relevant VicRoads infrastructure projects.

Local Street Level Concept Plan
- A Local Street Level Concept Plan which:
  - Responds to the topography of the land, key site features such as vegetation, significant view lines, waterways, and places of cultural heritage significance.
  - Shows the development and use of each part of the land including employment and residential areas.
  - Provides a road layout that facilitates access within the precinct and to broader areas of Kilmore.
  - Shows the location, configuration and size of any public reserve, including encumbered and unencumbered reserves for the purpose of drainage and passive open space.
  - Shows the location of community infrastructure.
  - Surrounding land uses and interfaces.

Flora and Fauna Assessment
- A Flora and Fauna Assessment, and where necessary an Arboriculture Assessment, which identifies existing vegetation (including grasses), fauna and natural drainage lines required to be protected and enhanced in the subdivision design. The assessment must include appropriate management recommendations in accordance with Victoria’s *Guidelines for the removal, destruction or lopping of native vegetation* (DELWP, 2017).

Servicing and Drainage Strategy
- A Civil Infrastructure and Drainage Report that addresses and demonstrates:
  - The capacity of infrastructure to service the development including upgrades required to trunk and reticulated services.
  - Regard to the holistic drainage outcomes to support development.
  - The treatment and retardation of stormwater.
  - Improved environmental and waterway health outcomes, where feasible.
  - The policies and guidelines of servicing authorities and an appropriate response to the principles of water sensitive urban design.

Heritage Survey
- A preliminary desktop Heritage Study which considers both aboriginal archaeological sites and post-contact heritage assessment and whether a cultural heritage management plan is required pursuant to the *Aboriginal Heritage Act 2006* is required.

Infrastructure Delivery Strategy
- An Infrastructure Delivery Strategy which identifies the anticipated staging and timing of the provision of infrastructure on and off the subject site. The infrastructure plan should address as appropriate:
  - The provision, staging and timing of stormwater drainage and flood management works.
  - The provision, staging and timing of internal and external roadworks and upgrades.
- Any other infrastructure related matter reasonably requested by the responsible authority associated with the subdivision of the land.
- Infrastructure requirements as nominated in the Kilmore Infrastructure Framework, 2017.

Map 1 to Schedule 5 to Clause 43.04: Kilmore West Growth Precinct
Support development of Key Gateway Site that demonstrates a high quality architectural and landscape presence to Tootle Street and Northern Highway intersection and has regard to access constraints.
Map 3 to Schedule 5 to Clause 43.04: North Growth Area Precinct
SCHEDULE 6 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO6.

LAND IN THE VICINITY OF THE STATE MOTORCYCLE SPORTS COMPLEX

1.0

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 submitted with a planning application and approved by the responsible authority.

2.0

Conditions and requirements for permits

In considering whether or not to grant a permit, the responsible authority must consider the development plan for the State Motorcycle Sports Complex.

SP1 Area

The construction of dwellings on land which is within the area marked SP1 on the plan attached to this schedule will be strongly discouraged, as it is likely that dwellings constructed within this area will be severely affected by noise from the use of the State Motorcycle Sports Complex.

SP2 Area

On the land which is within the area marked SP2 on the plan attached to this schedule, a permit is required to construct any buildings or carry out any works except repair and routine maintenance of an existing building or works.

Prior to the construction of any dwellings within this area, the Mitchell Shire Council and Motorcycling Australia Victoria (MAV) must have prepared an overall acoustic assessment showing the necessary measures to ensure that the construction of dwellings is compatible with relevant environmental standards.

3.0

Requirements for development plan

An application for a permit must be accompanied by a development plan for the land.

The development plan must contain:

- details about the overall use and development of the land.
- a detailed acoustic assessment of the likely noise levels as a result of the use of the State Motorcycle Sports Complex directly impacting on the land of the permit applicant. The acoustic assessment must be made on a calculation basis assuming a maximum vehicle noise emission levels of 95 db(A) from the circuit or use directly impacting on the land of the permit applicant allowing for neutral weather influence. Such assessment to be carried out by an accredited and appropriately qualified acoustic consultant.
- siting details including a building envelope within which any dwelling may be constructed and details of design of buildings having regard to noise impact as a result of operations from the State Motorcycle Sports Complex.
- details of what additional measures are to be taken to minimise the likelihood of noise impact from the State Motorcycle Sports Complex activity or use directly impacting on the land of the permit applicant.
- one half of the reasonable cost of providing such a plan shall be borne by the State Motorcycle Sports Complex.
Map 1 to Schedule 6 to Clause 43.04

LEGEND

OVERLAY CONTROL

SP1 OVERLAY CONTROL CATEGORY SP1

SP2 OVERLAY CONTROL CATEGORY SP2

NORTH

NOT TO SCALE
SCHEDULE 7 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO7.

KILMORE RURAL LIVING AND LOW DENSITY AREAS

1.0

Objectives
None specified.

2.0

Requirement before a permit is granted
A permit may be granted to use or to subdivide land, construct a building or to construct or carry out works before a development plan has been prepared to the satisfaction of the Responsible Authority.

3.0

Conditions and requirements for permits
The following conditions and/or requirements apply to permits:

- If not already resolved via a suitable form of agreement, a permit must contain requirements which implement the offsite (external) developer contribution obligations, as identified within the required Infrastructure Delivery Strategy and in accordance with the Kilmore Structure Plan, August 2016.

4.0

Requirements for development plan
A development plan must include the following requirements:

- Generally in accordance with the Kilmore Structure Plan, August 2016 as appropriate including:
  - Response to topography, high points, key views and vistas.
  - The development and use of each part of the land.
  - The local street road layout.
  - The location of community infrastructure and trunk services to the land.
  - Surrounding land uses and interfaces.
  - Subdivision layout including building envelopes or exclusion areas, and effluent disposal envelopes, if appropriate.
  - For the site bordered by Kellys Lane and the Northern Highway provision of an east-west road link.
  - For the site fronting Hunts Road provision of a road network that avoids court bowls.

The Development Plan must be accompanied by, and demonstrate consistency with, the following;

Planning Report

- A written and pln-based Planning Report to the Design and Development Objectives contained within Section 4.5.2 of the Kilmore Structure Plan, August 2016 and provides a response to each of the assessments as required.
- A site analysis and design response plan with written explanation that responds to the supporting information requirements.
Traffic Impact Assessment Report

- A Traffic Impact Assessment Report which reviews projected internal and as required external traffic and movement network impacts, to the satisfaction of the responsible authority and identifies costs for developer contributions where the impact is deemed outside the developable area. The following must be considered within the assessment report:
  - The distribution, hierarchy and characteristics of vehicular and pedestrian circulation networks.
  - The ability to achieve safe access to the surrounding road network.
  - Consideration of any known relevant VicRoads infrastructure projects.

Flora and Fauna Assessment and Response

- A Flora and Fauna Assessment and where necessary an Arboriculture Assessment, which identifies existing vegetation (including native grasses), fauna and natural drainage lines required to be protected and enhanced in the subdivision design. The assessment must include appropriate management recommendations in accordance with Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017). For the site bordered by Kellys Lane and the Northern Highway where appropriate a 30 metre vegetation buffer and 30 metre minimum building setback from the waterway is recommended.

Servicing and Drainage Strategy

- A Civil Infrastructure and Drainage Report (Servicing and Drainage Strategy) that addresses the capacity of infrastructure to service the development (including drainage and sewerage), the treatment and retardation of stormwater and responds to the principles of water sensitive urban design and environmental functions of waterways. The report should have regard to the policies and guidelines of servicing authorities.

Heritage Survey

- A preliminary desktop Heritage Study which considers both aboriginal archaeological sites and post-contact heritage assessment and whether a cultural heritage management plan is required pursuant to the Aboriginal Heritage Act 2006 is required.

Infrastructure Delivery Strategy

- An Infrastructure Delivery Strategy which identifies the anticipated staging and timing of the provision of infrastructure on and off the subject sit). The Infrastructure Delivery Strategy should address as appropriate:
  - The provision, staging and timing of stormwater drainage and flood management works.
  - The provision, staging and timing of internal and external roadworks.
  - Any other infrastructure related matter reasonably requested by the responsible authority associated with the subdivision of the land.
  - Infrastructure requirements as nominated in the Kilmore Infrastructure Framework, August 2017.
SCHEDULE 8 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO8**.

WALLAN PART CROWN PORTION A, 625 NORTHERN HIGHWAY, WALLAN DEVELOPMENT PLAN

1.0

**Requirement before a permit is granted**

Prior to the development of any stage, a detailed development plan must be submitted to and approved by the responsible authority.

The objectives of the Development Plan Overlay 8 are:

- Protect significant ridgelines and viewscapes especially the significant Pretty Sally hill
- Maximise the accessibility of pedestrian and cycle routes that provide links to the town centre and adjacent residential areas
- Provide Public Open Space in convenient and prominent positions that contribute to the quality and character of key arterial routes, promotes informal surveillance, and assists with improved site drainage management
- Provide a range of allotment size, and to locate the various sized allotments in positions that are consistent with their performance capability
- Graduate allotment size from the south end and generally increase allotment size with increased distance from the township residential area
- Establish and maintain a tree reserve a minimum of 20 metres wide along the frontage to Northern Highway to screen views of dwelling sites along approach routes, and generally upgrade the quality of township entrances
- Provide for higher density allotments around the Public Open Space, and along the access route from Northern Highway
- Provide similar sized allotments along the existing edge of the residential area to the south

2.0

**Conditions and requirements for permits**

Any development must comply with any approved Development Plan.

**Commencement**

Except with the prior written consent of the responsible authority, the use of any building or part of the site must not commence until all landscaping, car parks and other works approved as part of the staged development plan have been completed to the satisfaction of the responsible authority.

**Staging**

The land must be developed in accordance with the provisions of an approved Development Plan. Each stage of development set out in the approved development plan must be completed to the satisfaction of the responsible authority.

- In determining whether or not to adopt a subsequent stage, the responsible authority must consider the following measures to ensure that any stage does not create a burden on the community or the responsible authority:
  - The rate of allotment take-up
  - The rate of dwelling commencement
  - The resident profile
  - General market forces
Consideration of applications

In considering any application within the area covered by this incorporated plan, the responsible authority must consider:

- The purpose of the zone
- The amenity of the area
- Any approved Development Plan
- The provision of efficient and safe vehicular access
- Advice of the Environment Protection Authority, relevant water authority, Department of Natural Resources and Environment, Goulburn Broken Catchment Management Authority (Floodplain Management Unit), Roads Corporation and any other relevant statutory authority
- The proposed means of drainage, the likely impact of the development on the flow of water across the site and on the quality of water entering the Merri Creek drainage system
- The appearance of development from within the precinct and from any nearby road
- Any matter which the responsible authority considers will effect the character of the area
- Any other matter which, in the opinion of the responsible authority, is necessary to be considered in the interests of the residents of the area and the community generally

Subdivision requirements

A permit is required to subdivide land. Applications must meet the following requirements:

- Compliance a Development Plan approved by the responsible authority
- Each lot must be provided with a reticulated supply of water
- Each lot must be provided with a reticulated supply of electricity located underground unless special circumstances exist such as existing overhead electricity supply
- Each lot must be connected to a reticulated sewerage system and a drainage system
- Each lot must have access to a road constructed to the satisfaction of the responsible authority in accordance with its engineering guidelines

In its approval of any subdivision, the responsible authority may include any conditions considered necessary including a development contributions fee calculated to contribute towards the cost of community services, physical infrastructure and open space required by the subdivision and located either in the DPO8 area or elsewhere in the Wallan Township area. Any approval for subdivision may include a Section 173 agreement under the Planning and Environment Act 1987.

Requirements for Development Plan

The detailed development plan must show:

- Road reservations, widths and alignments
- The number and size of allotments to be created
- The nature and use of all lots
- A comprehensive landscape plan

The responsible authority may approve a staged development plan which varies from an approved Development Plan provided that the variation:

- Is consistent with the Development Plan’s general principles and the purpose of the zone
- Does not adversely affect the Development Plan’s implementation
- In the opinion of the responsible authority, does not have an adverse environmental social or economic impact on the area or Wallan township
SCHEDULE 9 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO9.

WALLAN SOUTH WEST DEVELOPMENT PLAN

1.0

Requirement before a permit is granted

The responsible authority may consider an application to construct a building or construct or carry out works prior to the approval of a development plan, provided the buildings or works do not prejudice the preparation and approval of the development plan.

The objectives of the Development Plan Overlay 9 are:

- Maximise the accessibility of pedestrian and cycle routes in providing links to the town centre and adjacent residential areas
- Locate public open space in convenient and prominent positions that contribute to the quality and character of key arterial routes, and promotes informal surveillance
- Provide a range of allotment sizes and to locate the various sized allotments in positions that are consistent with their performance capability
- Create high quality residential boulevards along the main access routes between the north and south and east and west
- Ensure the development integrates appropriately with the surrounding and adjoining land uses including future road networks

2.0

Conditions and requirements for permits

Commencement

Except with the prior written consent of the responsible authority, the use of any building or part of the site must not commence until all landscaping, car parks and other works approved as part of the staged development plan have been completed to the satisfaction of the responsible authority.

Staging

The land must be developed in accordance with the provisions of an approved development plan. Each stage of development set out in an approved development plan must be completed to the satisfaction of the responsible authority.

In determining whether or not to approve a subsequent stage, the responsible authority must consider the following measures to ensure that any stage does not create a burden on the community or the responsible authority:

- The rate of allotment take-up
- The rate of dwelling commencement
- The resident profile
- General market forces

Consideration of applications

In considering any application within the area covered by this development plan, the responsible authority must consider:

- The purpose of the zone
- The amenity of the area
- Any approved development plan
- The provision of efficient and safe vehicular access
• Advice of the Environment Protection Authority, relevant water authority, Goulburn Broken Catchment Management Authority (Floodplain Management Unit), Roads Corporation and any other relevant statutory authority

• The proposed means of drainage, the likely impact of the development on the flow of water across the site and on the quality of water entering the Merri Creek drainage system

• The appearance of development from within the precinct from any nearby road, and from the Hume Freeway

• Any matter which the responsible authority considers will effect the character of the area

• Any other matter which, in the opinion of the responsible authority, is necessary to be considered in the interests of the residents of the area and the community generally

Subdivision requirements
A permit is required to subdivide land. Applications must meet the following requirements:

• Compliance with a development plan approved by the responsible authority

• Each lot must be provided with a reticulated supply of water

• Each lot must be provided with a reticulated supply of electricity located underground unless special circumstances exist such as existing overhead electricity supply

• Each lot must be connected to a reticulated sewerage system and a drainage system

• Each lot must have access to a road constructed to the satisfaction of the responsible authority in accordance with its engineering guidelines

In its approval of any subdivision, the responsible authority may include any conditions considered necessary including a development contributions fee calculated to contribute towards the cost of community services, physical infrastructure and open space required by the subdivision and located either in the DPO9 area or elsewhere in the Wallan Township area. Any approval for subdivision may include a Section 173 agreement under the Planning and Environment Act 1987.

Requirements for Development Plan
The detailed development plan must show:

• Road reservations, widths and alignments

• The number and size of allotments to be created

• The nature and use of all lots

• A comprehensive landscape plan

• An interface design response to the adjoining land that includes consideration of:
  - The relationship to existing or proposed land uses on adjoining land
  - Consideration of sensitive residential interfaces within adjoining low density residential land, where appropriate
  - Integration with existing vegetation, where appropriate
  - Future road networks surrounding the land and likely access arrangements
  - Active frontages to any proposed future roads surrounding the land and orientation of lots to avoid dwellings backing on to roads where possible

The responsible authority may approve a staged development plan which varies from an approved development plan provided that the variation:

• Is consistent with the general principles of the development plan and the purpose of the zone
- Does not adversely affect the implementation of the development plan
- In the opinion of the responsible authority, does not have an adverse environmental social or economic impact on the area or Wallan township
SCHEDULE 10 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO10**.

KILMORE STRATEGIC DEVELOPMENT SITES

1.0  
Objectives  
None specified.

2.0  
Requirement before a permit is granted  
A permit may be granted to use or to subdivide land, construct a building or to construct or carry out works before a development plan has been prepared to the satisfaction of the Responsible Authority.

3.0  
Conditions and requirements for permits  
The following conditions and/or requirements apply to permits:

- If not already resolved via a suitable form of agreement, a permit must contain requirements which implement the offsite (external) developer contribution obligations, as identified within the required Infrastructure Delivery Strategy and in accordance with the Kilmore Structure Plan, August 2016 and Kilmore Infrastructure Framework, August 2017.

4.0  
Requirements for a development plan  
A development plan must include the following requirements:

Generally in accordance with the *Kilmore Structure Plan, August 2016* as appropriate including:

- Response to topography, high points, key views and vistas.
- The development and use of each part of the land.
- The local street road layout.
- A permeable movement network including connector and local road and path system that facilitates access both within the precinct and to broader areas of Kilmore.
- The location and upgrade of community infrastructure and trunk services to the land that may be required.
- Surrounding land uses and interfaces.
- Subdivision layout demonstrating a diversity of residential lot sizes where appropriate.

The Development Plan must be accompanied by, and demonstrate consistency with, the following;

**Planning Assessment and Design Reponse Report**

- A Planning Assessment and Design Response Report which provides:
  - A written and plan-based response to the Design and Development Objectives contained within Section 4.5.2 of the *Kilmore Structure Plan, August 2016* and provides a response to each of the assessments required.
  - A site analysis and design response plan with written explanation that responds to the supporting information requirements.
Traffic Impact Assessment Report

- A Traffic Impact Assessment Report which reviews projected internal and as required external traffic and movement network impacts, and to the satisfaction of the responsible authority, and identifies costs for developer contributions where the impact is deemed outside the developable area. The following must be considered within the assessment report:
  - The distribution, hierarchy and characteristics of vehicular and pedestrian circulation networks.
  - The ability to achieve safe access to the surrounding road network.
  - Consideration of any known relevant VicRoads infrastructure projects.

Local Street Level Concept Plan

- A Local Street Level Concept Plan showing a pedestrian walkway and cycle path plan which identifies as appropriate:
  - Responds to the topography of the land, key site features such as vegetation, significant view lines, waterways and places of cultural heritage significance.
  - The interfaces with and proposed connections to existing or shared planned pathways within the surrounding shared pathway network.
  - Shared path connectivity in accordance with the Kilmore Structure Plan, August 2016.

Flora and Fauna Assessment and Response

- A Flora and Fauna Assessment and where necessary an Arboriculture Assessment, which identifies existing vegetation (including native grasses), fauna and natural drainage lines required to be protected and enhanced in the subdivision design. The assessment must include appropriate management recommendations in accordance with Victoria’s Guidelines for the removal, destruction or lopping of native vegetation (DELWP, 2017).

Servicing and Drainage Strategy

- A Service and Drainage Strategy including a civil infrastructure and drainage report that addresses the capacity of infrastructure to service the development (including drainage and sewerage), the treatment and retardation of stormwater and responds to the principles of water sensitive urban design and environmental functions of waterways. The report should have regard to the policies and guidelines of servicing authorities.

Heritage Survey

- A preliminary desktop Heritage Study which considers both aboriginal archaeological sites and post-contact heritage assessment and whether a cultural heritage management plan is required pursuant to the Aboriginal Heritage Act 2006 is required.

Infrastructure Delivery Strategy

- An Infrastructure Delivery Strategy which identifies the anticipated staging and timing of the provision of infrastructure (on and off the subject site). The Infrastructure Delivery Strategy should address as appropriate:
  - The provision, staging and timing of stormwater drainage and flood management works.
  - The provision, staging and timing of internal and external roadworks.
  - Any other infrastructure related matter reasonably requested by the responsible authority associated with the subdivision of the land.
  - Infrastructure requirements as nominated in the Kilmore Infrastructure Framework, August 2017.
SCHEDULE 12 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO12.

KILMORE INDUSTRIAL AREAS DEVELOPMENT PLAN

This schedule applies to the southern part of the land at 15 and 45 Costellos Road, and to the land at 75 and 105 Willowmavin Road and Lot 7 on PS332594P Highgate Road, Kilmore.

1.0

Requirement before a permit is granted

Any application to subdivide the land must be in general accordance with the approved Development Plan.

Any planning permit application must be in accordance with the approved Development Plan. Where a Development Plan has not been approved, the Responsible Authority may grant a permit to construct a building or carry out works, provided it is satisfied that the buildings or works will not prejudice the preparation of the Development Plan.

2.0

Conditions and requirements for permits

Conditions will be imposed on permits to subdivide land to ensure compliance and to facilitate construction of works identified in the approved development plan.

3.0

Requirements for development plan

The Development Plan must:

- Describe the relationship of uses proposed on the land to existing and proposed uses on adjoining land and provide for buffer areas which will provide for appropriate screening of development from sensitive land uses including the Northern Highway where applicable;

- 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 sealed linkages between major roads and urban areas;

- Provide extension and linkages between existing roads where possible;

- Ensure development doesn’t encroach on prominent ridgelines;

- Provide adequate provisions for safe pedestrian and cycle movement;

- Provide a drainage report with all applications to demonstrate the capacity of infrastructure to service the development, treat and retard stormwater and reduce any impacts to soil and water downstream of the development. Drainage design should comply with the principles of Water Sensitive Urban Design to the satisfaction of the responsible authority.
SCHEDULE 13 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO13.

GEHREYS LANE DEVELOPMENT PLAN

1.0  
Requirement before a permit is granted
The responsible authority may grant a permit for the use or development of land before the approval of a development plan provided that the responsible authority is satisfied that the use or development will not prejudice the future use or development of the land for the purpose of the zone, any overlay objectives or any other aspect of the Municipal Planning Strategy.

2.0  
Conditions and requirements for permits
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;
- that soil type and environmental conditions within the catchment can treat the number of proposed effluent disposal systems both from the site and those within the surrounding area.

Conditions will be imposed on permits to subdivide land to ensure compliance with the approved development plan and to facilitate construction of works identified in the approved development plan.

3.0  
Requirements for development plan
The development plan must:

- Identify a lot layout which shows an average allotment size of 1 hectare for the entire area included within Development Plan Overlay - Schedule 13.
- Include a traffic impact assessment which reviews internal and external traffic and movement impact. The assessment must include consideration of the impacts on the intersection of Northern Highway and Mill Road and must provide for:
  - The construction of Curry Road and Gehreys Lane to a sealed standard approved by the responsible authority and extending to and connecting with the existing sealed road network;
  - The provision of a link road between Gehreys Lane and Curry Road; and
  - The construction of Butlers Road as a continuous road between Curry Road and Kilmore-Lancefield Road.
- Identify building envelopes on each proposed allotment. The identified building envelopes must:
  - Be located below the ridge line so to ensure that any future dwellings or associated buildings will not protrude above the nearby ridgeline;
  - Identify a minimum building setback of 30 metres from Butlers Road; and
  - Avoid remnant vegetation.
- Identify the staging and anticipated timing of development;
- Identify external works (including but not limited to works identified in the traffic impact assessment) to be carried out as part of each stage. The identified external works applicable to individual stages are to be identified to the satisfaction of the responsible authority. The construction of these works is to be distributed between the identified stages so as to ensure that later stages are not overloaded with external works;
- Include appropriate arrangements for the provision and funding of necessary physical and social infrastructure;
- Include the preparation of a flora and fauna assessment report;
- Avoid the removal of native vegetation wherever possible;
- Include the overall scheme of landscaping and any necessary arrangements for the preservation or regeneration of existing vegetation;
- Provide safe linkages between the site and road, for bicycle and pedestrian transport facilities to urban areas;
- Include a drainage report with all applications to demonstrate the capacity of infrastructure to service the development, treat and retard stormwater and reduce any impacts to soil and water downstream of the development. Drainage design should comply with the principles of Water Sensitive Urban Design to the satisfaction of the responsible authority;
- Preparation of a Land Capability Assessment to satisfactorily dispose of waste water generated on each allotment.

4.0
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Decision guidelines
Before approving a Development Plan, the responsible authority must consider, as appropriate:
- The views of all relevant service authorities

Before approval of a Development Plan, the responsible authority must place the Development Plan on exhibition for comment by interested parties.
SCHEDULE 14 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO14.

KING AND QUEEN STREETS (WALLAN) DEVELOPMENT PLAN

This schedule ensures the area generally bounded by William Street to the north, Queen Street to the south between Windham Street and the Mittagong creek, as well as the area between Wallan Community Park and the Mittagong creek, is developed in a coordinated and orderly way for residential purposes.

The King and Queen Streets (Wallan) Structure Plan 2014 provides the basis for the development of this area. A development plan or series of development plans should implement the following key principles:

- Minimise the possible negative impact new development may have on the existing township by improving safety and connections for all transportation methods within the local road network.
- Encourage appropriate development sequencing and incremental development in a coherent and holistic manner.
- Ensure that the existing wetland on Watson Street (Wallan Community Park) and the Mittagong and Merri creeks form a linear open space and wildlife corridor.
- Ensure fair and equitable apportionment of developer contributions.

Requirements before a permit is granted

The Responsible Authority may grant a permit to use or subdivide land, construct a building or construct or carry out works before a development plan has been prepared to the satisfaction of the Responsible Authority provided that the Responsible Authority is satisfied that the proposal will not prejudice the future use or development of the land for the purpose of the zone or any other aspect of the Municipal Planning Strategy.

Conditions and requirements for permits

A permit must contain conditions or requirements which give effect to the provisions and requirements of the approved development plan.

A permit must contain a requirement which will implement the developer contribution obligations relating to community infrastructure and which are identified within the King and Queen Streets (Wallan) Structure Plan 2014.

If not already resolved via a suitable form of agreement, a permit must contain requirements which implement the offsite (external) developer contribution obligations, as identified within the required traffic impact assessment report and pedestrian walkway and cycle path plan.

Requirements for development plan

A development plan for the entire area or for part of the area may be approved to the satisfaction of the Responsible Authority. Any development plan must not unduly constrain the future development of remaining undeveloped lots and must demonstrate that undeveloped lots can achieve the following minimum requirements.

A development plan for residential land use on land which fronts King, Queen or William Streets must meet all of the following minimum requirements to the satisfaction of the Responsible Authority:

- Consist of four existing and adjacent lots with a minimum total area of 2.4 hectares.
- Have street frontages of two existing streets being either King and Queen streets or King and William streets.
- Provide a minimum frontage of 80 metres to both existing streets.
• Have an equal length of frontage to both existing streets.
• Provide a new public local street created by connecting King and William Streets, or King and Queen Streets. Each local street created must be at intervals of approximately 160 metres.

The minimum site and design requirements may not be applicable to development areas which create an eastern extension of King and Queen Streets, provided the development demonstrates that it will occur in a manner consistent with the King and Queen Streets (Wallan) Structure Plan 2014.

A development plan must show and include, as appropriate, the following to the satisfaction of the Responsible Authority:

• The development and use of each part of the land.
• Proposed subdivision layout demonstrating a diversity of residential lot sizes.
• The staging of development.
• Retention of existing dwellings, where appropriate.

A transport impact assessment report (TIAR), which reviews internal and external traffic and movement network impacts, prepared in consultation with VicRoads and to the satisfaction of the Responsible Authority, and identifies costs for developer contributions where the impact is outside the developable area. The following must be considered within the assessment report:

- The provision (including appropriate apportionment of construction costs) of a north south connector street between William Street and Wallan-Whittlesea Road (Watson Street) and any related intersection requirements.
- The provision of appropriately apportioned developer contributions for the upgrading of King and Queen Streets in a manner which is consistent with the ‘Green Link Local Street’ as identified within the King and Queen Streets (Wallan) Structure Plan 2014.
- The appropriateness of direct vehicle access to William Street from individual residential allotments.
- The suitable location and alignment for north south local streets which extend between William Street and Wallan-Whittlesea Road (Watson Street) and are required by the King and Queen Streets (Wallan) Structure Plan 2014.
- The suitable location for any future public bus route that may service the King and Queen Streets Development Plan area.
- Impacts on Wallan-Whittlesea Road (Watson Street) and any intersection, traffic mitigation or traffic calming works required.

A noise attenuation plan must be prepared by a suitably qualified acoustic consultant to the satisfaction of VicRoads, where required. The plan must provide recommendations for noise attenuation treatment necessary to protect noise sensitive uses from traffic noise from the Hume Freeway road reserve in accordance with VicRoads’ Noise Policy.

A pedestrian walkway and cycle path plan which identifies:

- The interfaces with and proposed connections to existing pathways (cycle and pedestrian) within the surrounding street network.
- Contiguous pedestrian and cycle connectivity between the development area and the Wallan Activity Centre and Hadfield Park.
- The location of new pedestrian walkways and cycle paths which are both internal and external to the developable area, any new paths must be consistent with the relevant requirements within the King and Queen Streets (Wallan) Structure Plan 2014.
Where appropriate the plan must include consideration of the requirement (as identified within the King and Queen Streets (Wallan) Structure Plan 2014 to construct a shared path network which links the Wallan Community Park to the proposed Mittagong Creek and links Wallan-Whittlesea Road (Watson Street) to William Street via the Mittagong Creek reserve area.

- The timing, method and security of payment for the provision of any physical and community infrastructure.
- An assessment consistent with the requirements of the Permitted clearing of native vegetation: biodiversity assessment guidelines (Department of Environment and Primary Industries, September 2013).
- A landscape plan which identifies the following:
  - The landscape treatments for any public reserve, including reserves for the purpose of draining, public open space and carriageway/road.
  - The proposed species and plant spacing of street trees, this must include consideration of existing street tree planting patterns and species within the surrounding area.
  - The location of existing native vegetation which is to be protected or where native vegetation is to be regenerated, in accordance with the Permitted clearing of native vegetation: biodiversity assessment guidelines (Department of Environment and Primary Industries, September 2013).
- A civil infrastructure and drainage report that addresses the capacity of infrastructure to service the development (including drainage and sewerage), the treatment and retardation of stormwater and responds to the principles of water sensitive urban design and environmental functions of waterways. The report should have regard to the policies and guidelines of servicing authorities, as appropriate, and include evidence of early pre-planning consultation with Melbourne Water and Yarra Valley Water.
- Connection between Mittagong and Wallan Community Park that is consistent King and Queen Streets (Wallan) Structure Plan 2014 and includes:
  - Protection and enhancement of the Wallan Creek and Mittagong Creek corridors.
  - A shared path of at least 2.5 metres that provides a link between Mittagong and Wallan creeks. Any pathways must meet Melbourne Water’s Shared Pathway Guidelines (i.e. the location of any pathways must be in addition to the setback from the top of creek bank for the protection of waterway values).
  - Fences of a maximum 1.5 metres that allow direct access and encourage a visual connection between dwellings and Wallan-Whittlesea Road (Watson Street).
  - Landscaping to provide a visual buffer between the road reserve and development.
- An interface treatment plan for the Mittagong Creek that is consistent with King and Queen Streets (Wallan) Structure Plan 2014 and has been prepared in consultation with Melbourne Water and which addresses both drainage and open space requirements, including:
  - A reserve width of at least 25 metres including:
    - At least 15 metres for drainage purposes.
    - At least 5 metres either side of drainage area to provide a buffer for maintenance, environment and recreation.
    - A 2.5 metre shared path for walking and cycling that provides a continuous connection from Hidden Valley through to Wallan Community Park.
    - Landscaping that responds to the creek environment and integrates with the surrounding development.
Decision Guidelines

Before deciding to approve a development plan, the Responsible Authority must consider:

- How the development plan has addressed the key elements and achieved the principles and strategies of the King and Queen Streets (Wallan) Structure Plan 2014.

- The views of Yarra Valley Water, VicRoads, Public Transport Victoria, Metropolitan Planning Authority, Melbourne Water, Country Fire Authority and Department of Environment and Primary Industries.

- Impact of the development on the external road network and (including but not limited to works identified in the transport impact assessment report) and any related developer contributions.

- Arrangements for the provision and contribution for any necessary physical and social infrastructure as a result of development.

- How the development plan has addressed and achieved the principals and objectives of the North Growth Corridor, Growth Areas Authority 2012 (or as subsequently approved or renamed).
SCHEDULE 15 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO15.

WATSON STREET SOUTH, WALLAN

This schedule aims to ensure the coordinated development of two residential infill locations within the Wallan Township. Each infill location is south of Watson Street and connects to existing residential neighbourhoods.

The western infill area is bound by Windham Street (west) and Duke Street (south) and existing development to the north and east. The eastern infill area adjoins the Hume Freeway reservation and is accessed from McCarthy Court and Butler Court.

1.0

Requirement before a permit is granted

The responsible authority may grant a permit to use or subdivide land, construct a building or construct or carry out works before a development plan has been prepared to the satisfaction of the responsible authority, provided that the responsible authority is satisfied that the proposal will not prejudice the future use or development of other land within the relevant infill area or reduce the opportunities for a coordinated and master planned development outcome.

2.0

Conditions and requirements for permits

A permit must contain conditions or requirements which give effect to the provisions and requirements of the approved development plan.

If not already resolved via a suitable form of agreement, a permit must contain requirements which implement the offsite (external) developer contribution obligations, as identified within the required traffic impact assessment report, pedestrian walkway and cycle path plan and community infrastructure and open space needs assessment.

3.0

Requirements for development plan

Any development plan must (unless otherwise agreed with the responsible authority) relate to the entire relevant residential infill area, being either the eastern or western infill area. Development plans may be prepared separately for the eastern (accessed from Eden Place) and western (accessed from McCarthy Court/Kirribilli Crescent) infill areas. Any development plan must not unduly constrain the future development of remaining undeveloped lots and must demonstrate that undeveloped lots can achieve a coordinated development outcome.

A development plan must show and include, as appropriate, the following to the satisfaction of the responsible authority:

- The development and use of each part of the land.
- Proposed subdivision layout demonstrating a diversity of residential lot sizes.
- The staging of development.
- Multiple vehicle entry and exit points to facilitate connectivity and linkages as well as safety in the event of fires, accidents or other unforeseen emergencies.
- A traffic impact assessment report which reviews internal and external traffic and movement network impacts, prepared in consultation with VicRoads and to the satisfaction of the responsible authority, and identifies costs for developer contributions where the impact is outside the developable area. The following must be considered within the assessment report:
  - The distribution, hierarchy and characteristics of vehicular and pedestrian circulation networks.
- The impact of additional development on the intersection of Watson Street and McCarthy Court and appropriately apportioned developer contributions for any required upgrade works to this intersection.
- The need to construct Duke Street adjoining the western infill area and the appropriately apportioned developer contributions for its construction.
- The suitable location for any future public bus route.

- Any development plan for the eastern infill area must include a noise attenuation report prepared by a suitably qualified acoustic consultant to the satisfaction of VicRoads. The report must provide recommendations for noise attenuation treatment necessary to protect noise sensitive uses from traffic noise from the Hume Freeway road reserve in accordance with relevant VicRoads’ Noise Policy.

- A pedestrian walkway and cycle path plan which identifies:
  - The interfaces with and proposed connections to existing pathways (cycle and pedestrian) within the surrounding street network.
  - Contiguous pedestrian and cycle connectivity between the development area and the Wallan activity centre and Hadfield Park.
  - The provision of developer contributions for footpath construction within Eden Place, McCarthy Court and Butler Court.

- An assessment of the community infrastructure and open space needs generated by any subdivision or development of the land. The assessment must identify the costs for developer contributions and appropriate apportionment for the provision of community infrastructure and passive and active open space.

- An assessment consistent with the requirements of the *Permitted clearing of native vegetation: biodiversity assessment guidelines* (Department of Environment and Primary Industries, September 2013).

- A landscape plan which identifies the following:
  - The landscape treatments for any public reserve, including reserves for the purpose of draining, public open space and carriageway/road.
  - The proposed species and plant spacing of street trees, this must include consideration of existing street tree planting patterns and species within the surrounding area.

- A civil infrastructure and drainage report that addresses the capacity of infrastructure to service the development (including drainage and sewerage), the treatment and retardation of stormwater and responds to the principles of water sensitive urban design and environmental functions of waterways. The report should have regard to the policies and guidelines of servicing authorities.

### Decision Guidelines

Before deciding on an application for a permit or a request to approve a development plan or a request to amend an approved development plan, the responsible authority must consider, as appropriate:

- How the development plan has addressed the Key Directions and Strategies of the *WALLAN Structure Plan, December 2015*.
- How the development plan provides for a coordinated development outcome for the entire relevant residential infill area.
- In the case of a proposal that is lodged prior to a development plan being approved, that the proposal will not prejudice a coordinated development outcome for the entire residential infill area (either eastern or western portions).
- The views of Yarra Valley Water, VicRoads, Melbourne Water, Country Fire Authority and other relevant State Government departments/authorities, as determined by the responsible authority.

- Impact of the development on the external road network and (including but not limited to works identified in the transport impact assessment report) and any related developer contributions.

- Arrangements for the provision and contribution for any necessary physical and social infrastructure as a result of development.
SCHEDULE 16 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO16.

DARRAWEIT ROAD AND ROWES LANE, WALLAN

This schedule aims to ensure the coordinated development in a residential infill location within the Wallan Township.

The land is approximately 9.1 hectares in size and consists of three lots located near the intersection of Darraweit Road and Rowes Lane.

1.0 Requirement before a permit is granted

The responsible authority may grant a permit to use or subdivide land, construct a building or construct or carry out works before a development plan has been prepared to the satisfaction of the responsible authority, provided that the responsible authority is satisfied that the proposal will not prejudice the future use or development of other land within the relevant infill area or reduce the opportunities for a coordinated and master planned development outcome.

2.0 Conditions and requirements for permits

A permit must contain conditions or requirements which give effect to the provisions and requirements of the approved development plan.

If not already resolved via a suitable form of agreement, a permit must contain requirements which implement the offsite (external) developer contribution obligations, as identified within the required traffic impact assessment report, pedestrian walkway and cycle path plan and community infrastructure needs assessment.

3.0 Requirements for development plan

Any development plan must (unless otherwise agreed with the responsible authority) relate to all of the land located within DPO16. Any development plan must not unduly constrain the future development of remaining undeveloped lots and must demonstrate that undeveloped lots can achieve a coordinated development outcome.

A development plan must show and include, as appropriate, the following to the satisfaction of the responsible authority:

- The development and use of each part of the land.
- Proposed subdivision layout demonstrating a diversity of residential lot sizes.
- Multiple vehicle entry and exit points to facilitate connectivity and linkages as well as safety in the event of fires, accidents or other unforeseen emergencies.
- The staging of development.
- Consideration of land topography and an appropriate design response.
- A traffic impact assessment report which reviews internal and external traffic and movement network impacts, prepared in consultation with VicRoads and to the satisfaction of the responsible authority, and identifies costs for developer contributions where the impact is outside the developable area. The following must be considered within the assessment report:
  - The distribution, hierarchy and characteristics of vehicular and pedestrian circulation networks.
  - The impact of additional development on Darraweit Road and Rowes Lane and appropriately apportioned developer contributions for any required road construction and/or upgrade works to the intersection.
  - The ability to achieve safe access to the surrounding road network.
- The suitable location for any future public bus route that may service the area.

- A pedestrian walkway and cycle path plan which identifies:
  - The interfaces with and proposed connections to existing or planned pathways (cycle and pedestrian) within the surrounding street network.
  - Contiguous pedestrian and cycle connectivity between the development area and the Wallan Activity Centre and any existing or planned local recreational space.
  - The provision of adequate footpath construction within the proposed subdivision.

- An assessment of the community infrastructure and open space needs generated by any subdivision or development of the land. The assessment must identify the costs for developer contributions and appropriate apportionment for the provision of community infrastructure and passive and active open space.

- An assessment consistent with the requirements of the *Permitted clearing of native vegetation: biodiversity assessment guidelines* (Department of Environment and Primary Industries, September 2013).

- A landscape plan which identifies the following:
  - The landscape treatments for any public reserve, including reserves for the purpose of draining, public open space and carriageway/road.
  - The proposed species and plant spacing of street trees, this must include consideration of existing street tree planting patterns and species within the surrounding area.
  - An arborist report detailing the location of any existing native vegetation which is to be protected or where native vegetation is to be regenerated, in accordance with the *Permitted clearing of native vegetation: biodiversity assessment guidelines* (Department of Environment and Primary Industries, September 2013).

- A civil infrastructure and drainage report that addresses the capacity of infrastructure to service the development (including drainage and sewerage), the treatment and retardation of stormwater and responds to the principles of water sensitive urban design and environmental functions of waterways. The report should have regard to the policies and guidelines of servicing authorities.

**Decision Guidelines**

Before deciding on an application for a permit or a request to approve a development plan or a request to amend an approved development plan, the responsible authority must consider, as appropriate:

- How the development plan has addressed the Key Directions and Strategies of the *Wallan Structure Plan, December 2015.*

- How the development plan provides for a coordinated development outcome for the entire relevant residential infill area.

- In the case of a proposal that is lodged prior to a development plan being approved, that the proposal will not prejudice a coordinated development outcome for the entire DPO16 area.

- The views of Yarra Valley Water, VicRoads, Melbourne Water, Country Fire Authority and other relevant State Government Departments/Authorities, as determined by the responsible authority.

- Impact of the development on the external road network and (including but not limited to works identified in the transport impact assessment report) and any related developer contributions.

- Arrangements for the provision and contribution for any necessary physical and social infrastructure as a result of development.
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>
<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 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>
<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 on a roadside of a public road managed by the relevant responsible road authority, and carried out by, or on behalf of that authority in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the Road Management Act 2004.</td>
</tr>
<tr>
<td></td>
<td><strong>Note:</strong> 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 an operation plan approved under the Geothermal Energy Resources Act 2005.</td>
</tr>
<tr>
<td><strong>Greenhouse gas sequestration and exploration</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008.</td>
</tr>
<tr>
<td><strong>Land management 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:

<table>
<thead>
<tr>
<th><strong>Category</strong></th>
<th><strong>Details</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Noxious weeds</strong></td>
<td>Vegetation that is a noxious weed subject of a declaration under section 58 or section 58A of the Catchment and Land Protection Act 1994. This exemption does not apply to Australian Dodder (<em>Cuscuta australis</em>).</td>
</tr>
<tr>
<td><strong>Pest animal burrows</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the removal of pest animal burrows. 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><strong>Planted vegetation</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped that was either planted or grown as a result of direct seeding for Crop raising or Grazing animal production.</td>
</tr>
<tr>
<td><strong>Railways</strong></td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to maintain the safe and efficient function of an existing railway, or railway access road, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>).</td>
</tr>
</tbody>
</table>
| **Regrowth**                  | Vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established vegetation, and is:  
  - bracken (*Pteridium esculentum*); or  
  - within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.  
  This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster. |
| **Road safety**               | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| **Stone exploration**         | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration. The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:  
  - 1 hectare of vegetation which does not include a tree.  
  - 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.  
  - 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.  
  This exemption does not apply to costeaining 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: |

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.
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 CLAUSE 44.01 EROSION MANAGEMENT OVERLAY

Shown on the planning scheme map as EMO.

1.0

Erosion management objectives to be achieved

None specified.

2.0

Statement of risk

None specified.

3.0

Permit requirement

No planning permit is required for:

- Any agricultural development or activity, including cultivation, dam, fencing, water tanks and water bores
- Power lines of less than 220,000 volts
- Low impact telecommunications infrastructure or facility
- Any buildings, works or removal, destruction or lopping of any vegetation by any government department, public authority or Mitchell Shire Council for the purposes of any public or local government utility, service, facility, stream improvement or other works
- The carrying out of any works required by or approved by the Department of Sustainability and Environment, a water authority, a Catchment Management Authority or the responsible authority for conservation purposes, including prevention of soil erosion, regulation of water flow in a watercourse, construction or redirection of a watercourse, or regulation of flooding
- Development of an outbuilding of less than 120m² in floor area (and where the total floor area of all outbuildings does not exceed 200m²), the slope of the land is less than 15 percent, no removal of native trees or shrubs is required, earthworks are less than 2,000 square metres and the development site is not within 100 metres of a waterway, to the satisfaction of the responsible authority
- Any alterations or additions to an existing dwelling or outbuilding, provided the proposed building is not within 100 metres of a waterway, the slope of the land is less than 15 percent, the proposed floor area is not greater than 100 percent of the existing floor area, there is no increase in building height, all external building materials are of non-reflective materials, no removal of native trees or shrubs is required, and earthworks are less than 2,000 square metres, to the satisfaction of the responsible authority
- Any sign
- A swimming pool associated with a dwelling
- Extensions or alterations to existing caravans, annexes and on site cabins used in conjunction with an existing ‘camping and caravan park’
- Works associated with timber production
Any development or works in accordance with any approved management plan adopted by the responsible authority or the Department of Sustainability and Environment
- Removal, destruction or lopping of dead vegetation, exotic vegetation or native vegetation if seedlings or regrowth are less than 10 years old and the land is being re-established or maintained for cultivation or pasture, the minimum extent of native vegetation necessary for the construction, operation or maintenance of a fence, or the removal, destruction or lopping of native vegetation as a result of grazing domestic stock or moving stock along a road
No planning permit is required to develop or to construct or carry out work to construct, use or maintain the Broadford Water Supply Project in accordance with an approved Project Impact Assessment and environmental management plan and native vegetation offset plan.

No planning permit is required to remove, destroy or lop any vegetation to the minimum extent necessary to construct, use or maintain the Broadford Water Supply Project, in accordance with an approved Project Impact Assessment, environmental management plan and native vegetation offset plan.

4.0

**Application requirements**

None specified.

5.0

**Decision guidelines**

None specified.
SALINITY MANAGEMENT OVERLAY

Shown on the planning scheme map as SMO with a number (if shown).

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify areas subject to saline ground water discharge or high ground water recharge.
To facilitate the stabilisation of areas affected by salinity.
To encourage revegetation of areas which contribute to salinity.
To encourage development to be undertaken in a manner which brings about a reduction in salinity recharge.
To ensure development is compatible with site capability and the retention of vegetation, and complies with the objectives of any salinity management plan for the area.
To prevent damage to buildings and infrastructure from saline discharge and high watertable.

Salinity management objectives and statement of risk

A schedule to this overlay may contain:

- Salinity 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. This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To salinity management works carried out in accordance with any Regional Catchment Strategy and associated plan applying to the land.
- To an alteration to an existing building where there is no increase in floor area and no increase in waste water disposal. This exemption does not apply to alterations required as part of remedial works for salt or high water table damage.
- To a building used for agriculture with a floor area of less than 100 square metres where there is no increase in waste water disposal.

VicSmart applications

Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
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</thead>
<tbody>
<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>The buildings and works must be associated with a dwelling.</td>
</tr>
</tbody>
</table>

Subdivision

A permit is required to subdivide land.
**Removal of vegetation**

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 44.02-5 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>
<thead>
<tr>
<th>Table of exemptions</th>
</tr>
</thead>
</table>

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 work; or</td>
</tr>
<tr>
<td></td>
<td>• where it presents an immediate risk of personal injury or damage to property and only the 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 <em>Conservation, Forests and Lands Act 1987</em>);</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 <em>Forests Act 1958</em>; or</td>
</tr>
<tr>
<td></td>
<td>• Section 41 of the <em>Country Fire Authority Act 1958</em>.</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 <em>Electricity Safety Act 1998</em>;</td>
</tr>
<tr>
<td></td>
<td>• minimise 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 <em>Conservation, Forests and Lands Act 1987</em>). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the <em>Road Management Act 2004</em>.</td>
</tr>
</tbody>
</table>

*Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.*

<table>
<thead>
<tr>
<th>Geothermal energy exploration and extraction</th>
<th>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <em>Geothermal Energy Resources Act 2005</em>.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greenhouse gas sequestration and exploration</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the <em>Greenhouse Gas Geological Sequestration Act 2008</em>.</td>
</tr>
<tr>
<td>Land management or directions notice</td>
<td>Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the <em>Catchment and Land Protection Act 1994</em>.</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Land use conditions</th>
<th>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.</th>
</tr>
</thead>
</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.  
  This exemption does not apply to land on which vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster. |
| Road safety | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by and on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing public road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). |
| Stone exploration | Vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of the Stone exploration.  
  The maximum extent of vegetation removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:  
  - 1 hectare of vegetation which does not include a tree.  
  - 15 trees with a trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.  
  - 5 trees with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.  
  This exemption does not apply to costeanning and bulk sampling activities. |
The requirement to obtain a permit does not apply to:

### 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).

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**Application requirements**

An application must be accompanied by the following information, as appropriate:

- The source of water supply.

- Water use requirements and effluent or water disposal provision.

- Any existing vegetation proposed to be removed.

- Details of the species, location and density of any proposed landscaping.

- The water balance under the current land use and any proposed land use.

- Title and ownership details.

- Topographic information including natural contours of the land, highlighting significant ridges, hill tops and crests, slopes in excess of 25 percent (1:4), low lying areas, drainage lines, waterways, springs, dams, lakes, wetlands and other environmental features on or in close proximity to the subject area.

- Geology types.

- Location and area of outcropping bedrock.

- Soil types.

- Size and location of high recharge areas and discharge areas from the site inspection, soil types, soil depth, and soil percolation rates/infiltration.

- Size and location of discharge areas and areas of high salinity risk from the site inspection, including the identification of shallow watertable within 3 metres of the surface (depth to watertable), and soil salinity from soil tests or vegetative indicators.

- Area of land and the proportion of the development site identified as high recharge or discharge areas.

- Location, species and condition of existing vegetation (both native and exotic species).

- Existing degraded areas and recommendations for land management practices and remedial works required to overcome any existing or potential land degradation.

- 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 section 52(1)(a), (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 under this overlay and any site capability report must be referred to the specified referral authority in accordance with 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 referral 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 State Environmental Protection Policy, (Waters of Victoria).
- The Regional Landcare Plan applicable to the catchment.
- The Catchment Salinity Management Plan to the particular catchment.
- The need to remove, destroy or lop vegetation to a create defendable space to reduce the risk of bushfire to life and property.
- The need to augment tree planting and the establishment of deep-rooted, high water-use pasture species to reduce rainfall accessions to the watertable in high recharge areas.
- The need for planting of salt-tolerant species to stabilise and lower ground water levels in discharge areas.
- The need for stock-proof fencing of discharge and high discharge areas to enable effective stock management for site stabilisation.
- Any proposed landscaping and the need to preserve existing vegetation, particularly in high recharge and high discharge areas.
- Any land management plan, works program, or farm plan applicable to the land.
- The design, siting and servicing of the development and the extent of earthworks.
- The appropriateness of the proposed use or development having regard to the sensitivity and constraints of the land and the capability of the land to accommodate the use or development.
- Any other matters specified in a schedule to this overlay.
SCHEDULE TO CLAUSE 44.02 SALINITY MANAGEMENT OVERLAY

Shown on the planning scheme map as SMO.

1.0
27/05/2019
C141mith

Salinity management objectives to be achieved

None specified.

2.0
27/05/2019
C141mith

Statement of risk

None specified.

3.0
27/05/2019
C141mith

Permit requirement

A permit is not required to construct and carry out the following works for:

- An extension to an existing building used for agriculture provided the total floor area of the building does not exceed 200 m2;

4.0
27/05/2019
C141mith

Application requirements

None specified.

5.0
27/05/2019
C141mith

Decision guidelines

None specified.
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 flood plain health.

**Floodway objectives and statement of risk**

A schedule to this overlay may contain:

- Floodway management objectives to be achieved.
- A statement of risk.

**Buildings and works**

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.
- A dependent person’s unit.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To flood mitigation works carried out by the responsible authority or floodplain management authority.
To the following works in accordance with plans prepared to the satisfaction of the responsible authority:

- The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
- The erection of telephone or power lines provided they do not involve the construction of towers or poles.

To post and wire and post and rail fencing.

**Subdivision**

A permit is required to subdivide land. A permit may only be granted to subdivide land if the following apply:

- The subdivision does not create any new lots, which are entirely within this overlay. This does not apply if the subdivision creates a lot, which by agreement between the owner and the relevant floodplain management authority, is to be transferred to an authority for a public purpose.
- The subdivision is the resubdivision of existing lots and the number of lots is not increased, unless a local floodplain development plan incorporated into this scheme specifically provides otherwise.

**Application requirements**

**Local floodplain development plan**

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

**Flood risk report**

If a local floodplain development plan for the area has not been incorporated into this scheme, an application must be accompanied by a flood risk report to the satisfaction of the responsible authority, which must consider the following, where applicable:

- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
- The effects of the development on river health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality and sites of scientific significance.
- An application must be accompanied by any information specified in a schedule to this overlay.

**Exemption from notice and review**

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Referral of applications**

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The local floodplain development plan or flood risk report.
- Any comments of the relevant floodplain management authority.
- The Victorian River Health Strategy (2002) and any relevant regional river health strategy and associated wetland plan.
- Any other matters specified in a schedule to this overlay.
SCHEDULE TO CLAUSE 44.03 FLOODWAY OVERLAY

Shown on the planning scheme map as FO.

Permit Requirement

A permit is not required to construct or carry out the following buildings or works:

- an extension to a industrial, retail or office building, provided that the ground floor area of the building is not more than 100 m²;
- a single or multiple dwelling extension where the combined ground floor area of the extension since 26th March 1999 is not greater than 20 m²;
- an upper storey extension to an existing building within the existing building footprint;
- a pergola, veranda, decking, garage, carport or domestic shed associated with an existing dwelling;
- an in-ground swimming pool with open style security fencing associated to an existing dwelling;
- a pump shed;
- a wooden or metal paling fence or cyclone mesh fence in a residential, business or industrial zone (not including a brick, masonry, or concrete wall);
- an agricultural shed (other than one used for industrial, retail or office purposes) for the storage of farm machinery, farm vehicles and workshop associated with a rural use in a rural zone with a floor area not more than 100 m²;
- a sportsground, racecourse or recreation area (with no permanent grandstand or raised viewing area), pathways and trails constructed at general natural surface elevation, playground, open picnic shelter, picnic table, drinking tap, rubbish bin, barbecue, works associated with an apiary or underground infrastructure;
- an outdoor sign/structure;
- a mast, antenna or telecommunications tower;
- an accessway constructed at general natural surface elevations; and
- roadworks carried out by a public authority;

Decision guidelines – Mitchell Local Floodplain Development Plan

In addition to the decision guidelines in Clause 44.03-7, before deciding on an application, the responsible authority must consider the following relevant local floodplain development plan, which has been incorporated at Clause 72.04 of this scheme, as indicated on the attached map: *Mitchell Local Floodplain Development Plan, Goulburn River Precinct, September 2003.*

Referral of applications

An application is not required to be referred to the floodplain management authority pursuant to Section 55 of the *Planning and Environment Act 1987* if the application is in accordance with a local floodplain development plan which has been incorporated at Clause 72.04 of this scheme.
**LAND SUBJECT TO INUNDATION OVERLAY**

Shown on the planning scheme map as **LSIO** with a number (if shown).

**Purpose**

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.

To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.

To reflect any declaration under Division 4 of Part 10 of the *Water Act, 1989* where a declaration has been made.

To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

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**Land subject to inundation objectives and statement of risk**

A schedule to this overlay may contain:

- Land subject to inundation management objectives to be achieved.
- A statement of risk.

**Buildings and works**

A permit is required to construct a building or to construct or carry out works, including:

- A fence.
- Roadworks, if the water flow path is redirected or obstructed.
- Bicycle pathways and trails.
- Public toilets.
- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- Rainwater tank with a capacity of not more than 10,000 litres.
- A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
- A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- A non-domestic disabled access ramp.
- A dependent person’s unit.

This does not apply:

- If a schedule to this overlay specifically states that a permit is not required.
- To flood mitigation works carried out by the responsible authority or floodplain management authority.
To the following works in accordance with plans prepared to the satisfaction of the responsible authority:

- The laying of underground sewerage, water and gas mains, oil pipelines, underground telephone lines and underground power lines provided they do not alter the topography of the land.
- The erection of telephone or power lines provided they do not involve the construction of towers or poles.

- To post and wire and post and rail fencing.

**Subdivision**

A permit is required to subdivide land.

**Application requirements**

An application must be accompanied by any information specified in a schedule to this overlay.

**Local floodplain development plan**

If a local floodplain development plan has been developed for the area and has been incorporated into this scheme, an application must be consistent with the plan.

**Exemption from notice and review**

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

**Referral of applications**

An application must be referred to the relevant floodplain management authority under Section 55 of the Act unless in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the floodplain management authority.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any local floodplain development plan.
- Any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The potential flood risk to life, health and safety associated with the development. Flood risk factors to consider include:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessway.
  - The flood warning time available.
- The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.

- The effect of the development on redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.

- The effect of the development on river health values including wetlands, natural habitat, stream stability, erosion, environmental flows, water quality and sites of scientific significance.

- Any other matters specified in a schedule to this overlay.
SCHEDULE TO CLAUSE 44.04 LAND SUBJECT TO INUNDATION OVERLAY

Shown on the planning scheme map as LSIO.

1.0 Permit requirement

A permit is not required to construct or carry out the following buildings or works:

- a new dwelling within Residential 1 Zone (R1Z) within Seymour where the floor level is at least 300 millimetres above the declared 100-year ARI flood level as shown on Goulburn Broken CMA Plan No. 540220, or a higher level set by the responsible authority;
- a new industrial, retail, or office building within any industrial or business zone within Seymour where the floor level is at least 300 millimetres above the declared 100-year ARI flood level as shown on Goulburn Broken CMA Plan No. 540220, or a higher level set by the responsible authority;
- a replacement dwelling where the floor level is at least 300 mm above the 100-year ARI flood level, or a higher level set by the responsible authority;
- a single or multiple dwelling extension where the combined ground floor area of the extension since 26th March 1999 is not greater than 20 m²;
- an upper storey extension to an existing building within the existing building footprint;
- a pergola, veranda, decking, garage, carport, domestic shed or swimming pool associated with an existing dwelling;
- an extension to an existing industrial, retail or office building provided that the total ground floor area of the building is less than 130 m²;
- a fence in a residential, business or industrial zone;
- open type fencing (not including solid fences such as wooden or metal paling fences, cyclone mesh fences or brick, stone or concrete wall);
- an outdoor sign/structure;
- a pump shed;
- a hay shed with open sides;
- an agricultural shed (other than one used for industrial, retail or office purposes) for the storage of farm machinery, farm vehicles and workshop associated with a rural use in a rural zone with a floor area not more than 130 m²;
- a sportsground, racecourse or recreation area (with no permanent grandstand or raised viewing area), pathways and trails constructed at general natural surface elevation, playground, open picnic shelter, picnic table, drinking tap, rubbish bin, barbecue, works associated with an apiary or underground infrastructure;
- a mast, antenna or telecommunications tower;
- roadworks carried out by a public authority;
- an accessway constructed at general natural surface elevations; and
- roadworks carried out by a public authority.

2.0 Decision guidelines – Mitchell Local Floodplain Development Plan

In addition to the decision guidelines in Clause 44.04-7, before deciding on an application, the responsible authority must consider the following relevant local floodplain development plan, which has been incorporated at Clause 72.04 of this scheme, as indicated on the attached plan.

* Mitchell Local Floodplain Development Plan, Goulburn River Precinct, September 2003.*
Referral of applications

An application is not required to be referred to the floodplain management authority pursuant to Section 55 of the Planning and Environment Act 1987 if the application is in accordance with a local floodplain development plan which has been incorporated at Clause 72.04 of this scheme.
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)
- Child care centre
- 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 Class10c 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.

BROADFORD, HEATHCOTE JUNCTION, KILMORE, SEYMOUR, WALLAN, WANDONG 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 53.02 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 53.02 with the following variation:
  - The canopy of trees must be separated by at least 2 metres.
- A static water supply must be provided in accordance with Clause 53.02, and
- Vehicle access must be provided in accordance with Clause 53.02.

If these requirements are not met, the requirements of Clause 53.02 apply.

5.0

Substitute approved measures for Clause 53.02

None specified.

6.0

Additional alternative measures for Clause 53.02

None specified.
7.0  
27/05/2019  
C141smith  
Mandatory Condition  
An application must include the mandatory conditions as specified in Clause 44.06-5.

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.
SCHEDULE 2 TO CLAUSE 44.06 BUSHFIRE MANAGEMENT OVERLAY

Shown on the planning scheme map as BMO2.

HEATHCOTE JUNCTION, WANDONG BAL-29 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 53.02 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-29
- Defendable space is to be provided for a distance of 30 metres around the dwelling or to the property boundary, whichever is the lesser and maintained in accordance with the vegetation management requirements of Clause 53.02 with the following variation:
  - The canopy of trees must be separated by at least 5 metres.
- A static water supply must be provided in accordance with Clause 53.02, and
- Vehicle access must be provided in accordance with Clause 53.02.

If these requirements are not met, the requirements of Clause 53.02 apply.

5.0

Substitute approved measures for Clause 53.02

None specified.

6.0

Additional alternative measures for Clause 53.02

None specified.

7.0

Mandatory Condition

An application must include the mandatory conditions as specified in Clause 44.06-5.
8.0  
03/10/2017  
GC13  

Referral of application not required

An application for a single dwelling on a lot meeting all of the required bushfire protection measures is not required to be referred under Section 55 of the Act to the person or body specified as the referral authority in Clause 66.03.

9.0  
03/10/2017  
GC13  

Notice and review

None specified.

10.0  
03/10/2017  
GC13  

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider whether all of the bushfire protection measures in this schedule have been met.
PUBLIC ACQUISITION OVERLAY

Shown on the planning scheme map as PAO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify land which is proposed to be acquired by a Minister, public authority or municipal council.

To reserve land for a public purpose and to ensure that changes to the use or development of the land do not prejudice the purpose for which the land is to be acquired.

To designate a Minister, public authority or municipal council as an acquiring authority for land reserved for a public purpose.

Permit required

A permit is required to:

- Use land for any Section 1 or Section 2 use in the zone.
- Construct a building or construct or carry out works, including:
  - A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
  - A pergola or verandah, including an open-sided pergola or verandah to a dwelling with a finished floor level not more than 800mm above ground level and a maximum building height of 3 metres above ground level.
  - A deck, including a deck to a dwelling with a finished floor level not more than 800mm above ground level.
- Damage, demolish or remove a building or works.
- Damage, remove, destroy or lop any vegetation. This does not apply:
  - If the vegetation has been planted for pasture, timber production or any other crop.
  - To any action which is necessary to keep the whole or any part of a tree clear of an electric line provided the action is carried out in accordance with a code of practice prepared under Section 86 of the Electricity Safety Act 1998.
  - If the vegetation presents an immediate risk of personal injury or damage to property.
- Subdivide land.

This does not apply:

- To the acquiring authority for the land if the land has been acquired and any of the above matters for which a permit is required is consistent with the purpose for which the land was acquired.
- To an authority or a municipal council if the responsible authority, after consulting with the acquiring authority for the land, is satisfied that any of the above matters for which a permit is required is consistent with the purpose for which the land is to be acquired.

Exemption from notice and review

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.
Referral of applications

An application must be referred under Section 55 of the Act to the acquiring authority for the land.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The effect of the proposed use or development on the purpose for which the land is to be acquired as specified in the schedule to this overlay.

A permit granted under this clause may be conditional on:

- The extent of alterations and extensions to an existing building and works, and the materials that may be used.
- The location, dimensions, design and material or a new building or works.
- The demolition, removal or alteration of any buildings or works.
- The demolition or removal of buildings or works constructed or carried out in accordance with a permit under this clause.
- No compensation being payable for the demolition or removal of any buildings or works constructed under the permit.

Land not to be spoiled or wasted

Land must not be spoiled or wasted so as to adversely affect the use of the land for the purpose for which it is to be acquired.

Reservation for public purpose

Any land included in a Public Acquisition Overlay is reserved for a public purpose within the meaning of the Planning and Environment Act 1987, the Land Acquisition and Compensation Act 1986 or any other act.

Acquiring authority

An acquiring authority is the Minister, public authority or municipal council specified in the schedule to this overlay as the acquiring authority for the land.
## Public acquisition

<table>
<thead>
<tr>
<th>PS map ref</th>
<th>Acquiring Authority</th>
<th>Purpose of acquisition</th>
</tr>
</thead>
<tbody>
<tr>
<td>PAO5</td>
<td>Roads Corporation</td>
<td>Road construction and widening</td>
</tr>
<tr>
<td>PAO6</td>
<td>Coliban Region Water Corporation</td>
<td>Acquire the land for the Tooborac Water Storage Facility and associated easements</td>
</tr>
<tr>
<td>PAO7</td>
<td>Roads Corporation</td>
<td>Outer Metropolitan Ring / E6 Transport Corridor</td>
</tr>
<tr>
<td>PAO8</td>
<td>Director of Public Transport</td>
<td>Outer Metropolitan Ring / E6 Transport Corridor – Rail Connections</td>
</tr>
<tr>
<td>PAO9</td>
<td>Yarra Valley Water</td>
<td>Amaroo and Lockerbie Main Sewer Project</td>
</tr>
<tr>
<td>PAO10</td>
<td>Goulburn Valley Region Water Corporation</td>
<td>Acquire the land for a water infrastructure facility</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.
ROAD CLOSURE OVERLAY

Shown on the planning scheme map as RXO.

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify a road that is closed by an amendment to this planning scheme.

Road closure
A road included in this overlay is closed on the date notice of approval of the amendment is published in the Government Gazette.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- That the road is closed.
RESTRICTURE OVERLAY

Shown on the planning scheme map as RO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify old and inappropriate subdivisions which are to be restructured.
To preserve and enhance the amenity of the area and reduce the environmental impacts of dwellings and other development.

Subdivision

A permit is required to subdivide land.

A subdivision must be in accordance with a restructure plan for the land listed in the schedule to this overlay. This does not apply if the subdivision is for one of the following purposes and no additional lots or subdivision potential is created:

- To realign boundaries between lots that have been consolidated in accordance with the restructure plan.
- To consolidate a restructure lot with a section of closed road or other land not included in a proposed restructure lot.

Each lot must be provided with reticulated sewerage if available. If reticulated sewerage is not available, the application must be accompanied by:

- A land assessment report which demonstrates that each lot is capable of treating and retaining all waste water in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- A plan which indicates the building envelope and effluent disposal area for each lot.

Before deciding on an application to subdivide land into residential lots, the responsible authority must consider Clause 56.

Dwellings and other buildings

A permit is required to construct or extend a dwelling or other building.

A permit must be in accordance with a restructure plan for the land listed in a schedule to this overlay. This does not apply if:

- No restructure plan is listed in the schedule and the permit is required to extend an existing dwelling or other building.
- The land is a lot for which a permit has been granted under Clause 45.05-1.

Exemption from notice and review

An application under this overlay is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The objectives of the restructure plan for the area.
- Appropriate measures to cope with any environmental hazard or constraint affecting the land, including slope, drainage, salinity and erosion.

- The protection and enhancement of the natural environment and the character of the area including the retention of vegetation and fauna habitats and the need to revegetate along waterways, gullies, ridge lines and property boundaries.

- The availability of utility services, including sewerage, water, drainage, electricity, gas and telecommunications.

- The relationship of the intended use and development to the existing or likely use and development of adjoining and nearby land.

- The effect on surrounding uses, especially agricultural uses and nearby public land.

- The design of buildings.
SCHEDULE TO CLAUSE 45.05 RESTRUCTURE OVERLAY

Restructure plan

<table>
<thead>
<tr>
<th>Ps map ref</th>
<th>Land</th>
<th>Title of restructure plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>RO</td>
<td>Telegraph Road, Seymour</td>
<td>Restructure Plan, Telegraph Road, Seymour, Mitchell Planning Scheme, May 2013</td>
</tr>
</tbody>
</table>
DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.

Development contributions plan

A permit must not be granted to subdivide land, construct a building or construct or carry out works until a development contributions plan has been incorporated into this scheme.

This does not apply to the construction of a building, the construction or carrying out of works or a subdivision specifically excluded by a schedule to this overlay.

A permit granted must:

- Be consistent with the provisions of the relevant development contributions plan.
- Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.

Preparation of a development contributions plan

The development contributions plan may consist of plans or other documents and may, with the agreement of the planning authority, be prepared and implemented in stages.

The development contributions plan must:

- Specify the area to which the plan applies.
- Set out the works, services and facilities to be funded through the plan, including the staging of the provision of those works, services and facilities.
- Relate the need for the works, services or facilities to the proposed development of land in the area.
- Specify the estimated costs of each of the works, services and facilities.
- Specify the proportion of the total estimated costs of the works, services and facilities which is to be funded by a development infrastructure levy or community infrastructure levy or both.
- Specify the land in the area and the types of development in respect of which a levy is payable and the method for determining the levy payable in respect of any development of land.
- Provide for the procedures for the collection of a development infrastructure levy in respect to any development for which a permit is not required.

The development contributions plan may:

- Exempt certain land or certain types of development from payment of a development infrastructure levy or community infrastructure levy or both.
- Provide for different rates or amounts of levy to be payable in respect of different types of development of land or different parts of the area.
SCHEDULE 1 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO1.

LOCKERBIE DEVELOPMENT CONTRIBUTIONS PLAN

1.0

Area covered by this development contributions plan

All land within the Lockerbie Precinct Structure Plan area as shown on the Planning Scheme Maps as DCPO1.

2.0

Summary of costs

All Infrastructure

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads, Bridges, Intersections</td>
<td>99,613,714</td>
<td>Refer to DCP</td>
<td>95,498,597</td>
<td>96%</td>
</tr>
<tr>
<td>Outdoor Active Recreation</td>
<td>77,657,000</td>
<td>Refer to DCP</td>
<td>70,190,000</td>
<td>90%</td>
</tr>
<tr>
<td>Community Facilities</td>
<td>27,495,000</td>
<td>Refer to DCP</td>
<td>27,495,000</td>
<td>100%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>204,765,714</strong></td>
<td></td>
<td><strong>193,183,597</strong></td>
<td><strong>94%</strong></td>
</tr>
</tbody>
</table>

3.0

Summary of contributions

<table>
<thead>
<tr>
<th>Facility</th>
<th>LEVIES PAYABLE BY THE DEVELOPMENT</th>
<th>Development Infrastructure</th>
<th>Community infrastructure</th>
<th>All infrastructure</th>
<th>All development per NDA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads, bridges &amp; Intersections</td>
<td>$138,371.68</td>
<td>-</td>
<td>-</td>
<td>$138,371.68</td>
<td></td>
</tr>
<tr>
<td>Outdoor Active Recreation</td>
<td>$101,701.05</td>
<td>-</td>
<td>-</td>
<td>$101,701.05</td>
<td></td>
</tr>
<tr>
<td>Community Facilities</td>
<td>$39,838.59</td>
<td>-</td>
<td>-</td>
<td>$39,838.59</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>$279,911.32</td>
<td>$1,150 per dwelling</td>
<td>$279,911.32 plus $1,150 per dwelling</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as publicised in the latest edition of Rawlinsons Australian Construction Handbook on 1st January and 1st July each year.

The land values for each infrastructure item, where applicable, will be adjusted on 1 July each year following site specific land valuations undertaken by a registered valuer.

The Community Infrastructure Levy (CIL) payable under this Development Contributions Plan (DCP)

Section 46L of the Planning and Environment Act 1987 sets the maximum CIL amount that can be collected under an approved DCP.
If the maximum amount of the CIL which may be collected under an approved DCP is varied under section 46L of the *Planning and Environment Act 1987*, the collecting agency may adjust the amount of the CIL payable under this DCP in accordance with section 46L of the *Planning and Environment Act 1987*.

If the collecting agency adjusts the amount of the CIL payment under this DCP, the collecting agency will publish the adjusted amount of the CIL payable under this DCP on its website.

### 4.0

**28/06/2012**  
C81  

#### Land or development excluded from development contributions plan

Land required for the following as set out in the *Lockerbie Precinct Structure Plan* is excluded from the Net Developable Area:

- Arterial roads, community facilities, government and non government schools.
- Encumbered Land
- Active and Passive Open space.
- Development directly related to the provision of public transport.

*Notes: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details*
SCHEDULE 2 TO CLAUSE 45.06 DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY

Shown on the planning scheme map as DCPO2.

LOCKERBIE NORTH DEVELOPMENT CONTRIBUTIONS PLAN

Area covered by this development contributions plan

All land within the Lockerbie North Precinct Structure Plan area as shown on the Planning Scheme Maps as DCPO2.

Summary of costs

<table>
<thead>
<tr>
<th>Facility</th>
<th>Total cost $</th>
<th>Time of provision</th>
<th>Actual cost contribution attributable to development $</th>
<th>Proportion of cost attributable to development %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads, Bridges, Intersections</td>
<td>29,437,873</td>
<td>Refer to DCP</td>
<td>26,718,384</td>
<td>91%</td>
</tr>
<tr>
<td>Outdoor Active Recreation</td>
<td>48,800,000</td>
<td>Refer to DCP</td>
<td>38,465,600</td>
<td>79%</td>
</tr>
<tr>
<td>Community Facilities</td>
<td>17,438,000</td>
<td>Refer to DCP</td>
<td>14,282,925</td>
<td>82%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>95,675,873</td>
<td></td>
<td>79,466,909</td>
<td>83%</td>
</tr>
</tbody>
</table>

Summary of contributions

<table>
<thead>
<tr>
<th>Facility</th>
<th>LEVIES PAYABLE BY THE DEVELOPMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Development Infrastructure</td>
</tr>
<tr>
<td></td>
<td>All development per NDA</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Roads, bridges &amp; Intersections</td>
<td>$90,116</td>
</tr>
<tr>
<td>Outdoor Active Recreation</td>
<td>$116,569</td>
</tr>
<tr>
<td>Community Facilities</td>
<td>$48,173</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$254,858</td>
</tr>
</tbody>
</table>

The capital cost for each infrastructure item will be adjusted by applying the Building Price Index, as publicised in the latest edition of Rawlinsons Australian Construction Handbook on 1st January and 1st July each year;

The land values for each infrastructure item, where applicable, will be adjusted on 1 July each year following site specific land valuations undertaken by a registered valuer.

The Community Infrastructure Levy (CIL) payable under this Development Contributions Plan (DCP)

Section 46L of the Planning and Environment Act 1987 sets the maximum CIL amount that can be collected under an approved DCP.
If the maximum amount of the CIL which may be collected under an approved DCP is varied under section 46L of the Planning and Environment Act 1987, the collecting agency may adjust the amount of the CIL payable under this DCP in accordance with section 46L of the Planning and Environment Act 1987.

If the collecting agency adjusts the amount of the CIL payment under this DCP, the collecting agency will publish the adjusted amount of the CIL payable under this DCP on its website.

### 4.0

28/06/2012

C82

**Land or development excluded from development contributions plan**

Land required for the following as set out in the Lockerbie North Precinct Structure Plan is excluded from the Net Developable Area:

- Arterial roads, community facilities and government and non-government schools.
- Encumbered Land.
- Active and Passive open space.

*Note: This schedule sets out a summary of the costs and contributions prescribed in the development contributions plan. Refer to the incorporated development contributions plan for full details*
INFRASTRUCTURE CONTRIBUTIONS OVERLAY

Shown on the planning scheme map as ICO with a number.

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.
To identify the area where an infrastructure contributions plan applies for the purpose of imposing contributions for the provision of infrastructure.
To identify the infrastructure contribution imposed for the development of land.

Infrastructure contributions plan

A schedule to this overlay must specify the name of the infrastructure contributions plan to which it applies.

The requirements of the relevant infrastructure contributions plan incorporated into this scheme apply to the development of land covered by this overlay.

Permit requirement

A permit must not be granted to subdivide land, construct a building or construct or carry out works until an infrastructure contributions plan has been incorporated into this scheme.

This does not apply to the construction of a building, the construction or carrying out of works or a subdivision specifically excluded by a schedule to this overlay.

A permit granted must:

- Be consistent with the provisions of the relevant infrastructure contributions plan.
- Include any conditions required to give effect to any levies set out in the relevant schedule to this overlay.

Monetary component

A schedule to this overlay must specify, if applicable:

- The standard levy rate payable.
- The supplementary levy rate payable.

Land component

A schedule to this overlay must specify, if applicable:

- The infrastructure contributions plan land contribution percentage for each class of development.
- The parcel contribution percentage for each parcel of land in the infrastructure contributions plan area.
- The land credit amount or land equalisation amount in respect of each parcel of land in the infrastructure contributions plan area.

Indexation

A schedule to this overlay must specify:

- The method and timing of indexation to be applied to the standard levy rate and any supplementary levy rate of the monetary component.
- The method and timing of adjustment to be applied to the land credit amounts and land equalisation amounts of the land component.
Land or development exempt from infrastructure contributions

The following land or development of land is exempt from an infrastructure contribution:

- A non-government school.
- Housing provided by or on behalf of the Department of Health and Human Services.
- For any other land or development of land specified in a schedule to this overlay.
SCHEDULE 1 TO CLAUSE 45.11 INFRASTRUCTURE CONTRIBUTIONS OVERLAY

Shown on the planning scheme map as ICO1.

DONNYBROOK-WOODSTOCK INFRASTRUCTURE CONTRIBUTIONS PLAN, JULY 2018 (AMENDED SEPTEMBER 2018)

1. Permit requirement

None specified.

2. Monetary component – Standard levy

<table>
<thead>
<tr>
<th>Class of development</th>
<th>Infrastructure category</th>
<th>Levy rate payable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Community and recreation construction</td>
<td>$86,627</td>
</tr>
<tr>
<td></td>
<td>Transport construction</td>
<td>$114,062</td>
</tr>
<tr>
<td></td>
<td>Total standard levy rate payable</td>
<td>$200,689</td>
</tr>
<tr>
<td>Commercial and</td>
<td>Community and recreation construction</td>
<td>$0</td>
</tr>
<tr>
<td>industrial development</td>
<td>Transport construction</td>
<td>$0</td>
</tr>
<tr>
<td></td>
<td>Total standard levy rate payable</td>
<td>$0</td>
</tr>
</tbody>
</table>

3. Monetary component – Supplementary levy

<table>
<thead>
<tr>
<th>Class of development</th>
<th>Infrastructure category</th>
<th>Levy rate payable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>Community and recreation construction</td>
<td>$0</td>
</tr>
<tr>
<td></td>
<td>Transport construction</td>
<td>$810.42</td>
</tr>
<tr>
<td></td>
<td>Total supplementary levy rate payable</td>
<td>$810.42</td>
</tr>
<tr>
<td>Commercial and</td>
<td>Community and recreation construction</td>
<td>$0</td>
</tr>
<tr>
<td>industrial development</td>
<td>Transport construction</td>
<td>$0</td>
</tr>
<tr>
<td></td>
<td>Total supplementary levy rate payable</td>
<td>$0</td>
</tr>
</tbody>
</table>

4. Infrastructure Contribution Plan (ICP) land contribution percentage

<table>
<thead>
<tr>
<th>Class of development</th>
<th>ICP land contribution percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>15.05%</td>
</tr>
<tr>
<td>Commercial and</td>
<td>0.00%</td>
</tr>
<tr>
<td>industrial development</td>
<td></td>
</tr>
</tbody>
</table>

5. Land component

<table>
<thead>
<tr>
<th>Precinct Structure Plan (PSP) parcel ID</th>
<th>Class of development</th>
<th>Parcel contribution percentage</th>
<th>Land credit amount</th>
<th>Land equalisation amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>2</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>Precinct Structure Plan (PSP) parcel ID</td>
<td>Class of development</td>
<td>Parcel contribution percentage</td>
<td>Land credit amount</td>
<td>Land equalisation amount</td>
</tr>
<tr>
<td>---------------------------------------</td>
<td>----------------------</td>
<td>--------------------------------</td>
<td>--------------------</td>
<td>-------------------------</td>
</tr>
<tr>
<td>3</td>
<td>Residential</td>
<td>19.44%</td>
<td>$6,073,522.55</td>
<td>$0.00</td>
</tr>
<tr>
<td>4</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>5</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>6</td>
<td>Residential</td>
<td>14.01%</td>
<td>$365,004.15</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Residential</td>
<td>26.34%</td>
<td>$10,208,268.33</td>
<td>$0.00</td>
</tr>
<tr>
<td>8</td>
<td>Residential</td>
<td>11.75%</td>
<td>$6,970,929.49</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Residential</td>
<td>29.62%</td>
<td>$14,182,086.87</td>
<td>$0.00</td>
</tr>
<tr>
<td>10</td>
<td>Residential</td>
<td>9.05%</td>
<td>$7,954,194.30</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Residential</td>
<td>3.53%</td>
<td>$4,075,453.23</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Residential</td>
<td>0.00%</td>
<td>$371,178.31</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Residential</td>
<td>0.00%</td>
<td>$1,348,543.54</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Residential</td>
<td>3.25%</td>
<td>$224,710.36</td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Residential</td>
<td>3.80%</td>
<td>$4,681,624.43</td>
<td></td>
</tr>
<tr>
<td>16</td>
<td>Residential</td>
<td>2.71%</td>
<td>$8,641,554.67</td>
<td></td>
</tr>
<tr>
<td>17</td>
<td>Residential</td>
<td>14.88%</td>
<td>$240,495.62</td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Residential</td>
<td>2.12%</td>
<td>$358,171.74</td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Residential</td>
<td>16.23%</td>
<td>$2,044,976.69</td>
<td>$0.00</td>
</tr>
<tr>
<td>20</td>
<td>Residential</td>
<td>22.73%</td>
<td>$15,822,527.95</td>
<td>$0.00</td>
</tr>
<tr>
<td>21</td>
<td>Residential</td>
<td>0.00%</td>
<td>$739,847.91</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>23</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>24</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>25</td>
<td>Residential</td>
<td>20.28%</td>
<td>$7,470,927.77</td>
<td>$0.00</td>
</tr>
<tr>
<td>26</td>
<td>Residential</td>
<td>6.12%</td>
<td>$1,814,161.52</td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>28</td>
<td>Residential</td>
<td>2.42%</td>
<td>$3,245,630.51</td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>Residential</td>
<td>0.52%</td>
<td>$4,587,602.37</td>
<td></td>
</tr>
<tr>
<td>30A</td>
<td>Residential</td>
<td>2.20%</td>
<td>$2,684,377.88</td>
<td></td>
</tr>
<tr>
<td>30B</td>
<td>Residential</td>
<td>17.99%</td>
<td>$5,387,686.44</td>
<td>$0.00</td>
</tr>
<tr>
<td>31</td>
<td>Residential</td>
<td>4.44%</td>
<td>$9,617,929.75</td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>Residential</td>
<td>16.36%</td>
<td>$2,151,233.92</td>
<td>$0.00</td>
</tr>
<tr>
<td>33</td>
<td>Residential</td>
<td>14.20%</td>
<td>$1,603,766.35</td>
<td></td>
</tr>
<tr>
<td>34</td>
<td>Residential</td>
<td>0.00%</td>
<td>$153,879.51</td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>Residential</td>
<td>0.00%</td>
<td>$245,557.24</td>
<td></td>
</tr>
<tr>
<td>36</td>
<td>Residential</td>
<td>4.15%</td>
<td>$6,935,732.54</td>
<td></td>
</tr>
</tbody>
</table>
### Land equalisation

<table>
<thead>
<tr>
<th>Precinct Structure Plan (PSP) parcel ID</th>
<th>Class of development</th>
<th>Parcel contribution percentage</th>
<th>Land credit amount</th>
<th>Land equalisation amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>37</td>
<td>Residential</td>
<td>10.67%</td>
<td>$0.00</td>
<td>$4,127,435.49</td>
</tr>
<tr>
<td>38</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$974,054.81</td>
</tr>
<tr>
<td>39</td>
<td>Residential</td>
<td>9.93%</td>
<td>$0.00</td>
<td>$94,751.83</td>
</tr>
<tr>
<td>40</td>
<td>Residential</td>
<td>49.96%</td>
<td>$2,126,091.84</td>
<td>$0.00</td>
</tr>
<tr>
<td>41</td>
<td>Residential</td>
<td>17.52%</td>
<td>$133,492.84</td>
<td>$0.00</td>
</tr>
<tr>
<td>42</td>
<td>Residential</td>
<td>32.95%</td>
<td>$809,625.51</td>
<td>$0.00</td>
</tr>
<tr>
<td>43</td>
<td>Residential</td>
<td>34.30%</td>
<td>$1,740,571.28</td>
<td>$0.00</td>
</tr>
<tr>
<td>44</td>
<td>Residential</td>
<td>0.25%</td>
<td>$0.00</td>
<td>$1,765,076.36</td>
</tr>
<tr>
<td>45</td>
<td>Residential</td>
<td>8.41%</td>
<td>$0.00</td>
<td>$483,010.05</td>
</tr>
<tr>
<td>46</td>
<td>Residential</td>
<td>0.49%</td>
<td>$0.00</td>
<td>$1,174,629.38</td>
</tr>
<tr>
<td>47</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$1,244,855.10</td>
</tr>
<tr>
<td>48</td>
<td>Residential</td>
<td>0.00%</td>
<td>$0.00</td>
<td>$1,295,806.74</td>
</tr>
<tr>
<td>49</td>
<td>Residential</td>
<td>24.41%</td>
<td>$965,338.18</td>
<td>$0.00</td>
</tr>
<tr>
<td>50</td>
<td>Residential</td>
<td>9.80%</td>
<td>$0.00</td>
<td>$436,439.40</td>
</tr>
<tr>
<td>51</td>
<td>Residential</td>
<td>65.51%</td>
<td>$2,489,708.31</td>
<td>$0.00</td>
</tr>
<tr>
<td>52</td>
<td>Residential</td>
<td>91.85%</td>
<td>$3,034,221.82</td>
<td>$0.00</td>
</tr>
<tr>
<td>53</td>
<td>Residential</td>
<td>95.84%</td>
<td>$2,530,750.16</td>
<td>$0.00</td>
</tr>
<tr>
<td>54</td>
<td>Residential</td>
<td>52.48%</td>
<td>$1,763,566.74</td>
<td>$0.00</td>
</tr>
</tbody>
</table>

**Note:** Refer to Plan 5 of the incorporated Donnybrook-Woodstock Infrastructure Contributions Plan for PSP parcel ID numbers.

### Method and timing of indexation – Standard levy rate

<table>
<thead>
<tr>
<th>Infrastructure category</th>
<th>Indexation method</th>
<th>Timing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community and recreation construction</td>
<td>Producer Price Index Numbers for Non-Residential Building Construction – Victoria published by the Australian Bureau of Statistics (Catalogue 6427.0, Table 17, Output of the Construction Industries, subdivision and class index numbers).</td>
<td>1 July each year</td>
</tr>
<tr>
<td>Transport construction</td>
<td>Producer Price Index Numbers for Road and Bridge Construction – Victoria published by the Australian Bureau of Statistics (Catalogue 6427.0, Table 17, Output of the Construction Industries, subdivision and class index numbers).</td>
<td>1 July each year</td>
</tr>
</tbody>
</table>

### Method and timing of indexation – Supplementary levy rate

<table>
<thead>
<tr>
<th>Infrastructure category</th>
<th>Indexation method</th>
<th>Timing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community and recreation construction</td>
<td>Australian Bureau of Statistics Producer Price Indexes Non-Residential Building Construction Index, Victoria (Catalogue 6427.0, Table 17 Output of the Construction Industries).</td>
<td>1 July each year</td>
</tr>
<tr>
<td>Infrastructure category</td>
<td>Indexation method</td>
<td>Timing</td>
</tr>
<tr>
<td>-------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------------------------------------------</td>
</tr>
<tr>
<td>Transport construction</td>
<td>Australian Bureau of Statistics Producer Price Indexes, Road &amp; Bridge Construction Index, Victoria (Catalogue 6427.0, Table 17 Output of the Construction Industries).</td>
<td>1 July each year</td>
</tr>
</tbody>
</table>

### Method and timing of adjustment – Land component

<table>
<thead>
<tr>
<th>Adjustment method</th>
<th>Timing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Index prepared by the Valuer-General Victoria as specified in the Ministerial Direction on the Preparation and Content on Infrastructure Contributions Plans</td>
<td>1 July each year</td>
</tr>
<tr>
<td>Revised estimate of inner public purpose land as specified in the Ministerial Direction on the Preparation and Content on Infrastructure Contributions Plans</td>
<td>Each subsequent third financial year after the commencement date of the infrastructure contributions plan</td>
</tr>
</tbody>
</table>

### Land or development exempt from payment of an infrastructure contribution

- Use and development for a non government school.
- Use and development associated with a dwelling that is existing or approved at the approval date of this provision.

Notes: This schedule sets out the levies prescribed in the infrastructure contributions plan. Refer to the incorporated infrastructure contributions plan for full details.
SCHEDULE 2 TO CLAUSE 45.11 INFRASTRUCTURE CONTRIBUTIONS OVERLAY

Shown on the planning scheme map as ICO2.

NO CONTENT
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>Land within and adjacent to the Amaroo and Lockerbie Main Sewer Project alignment the extent of which is shown on the project locality maps in the incorporated document.</td>
<td>Amaroo and Lockerbie Main Sewer Project, October 2014</td>
</tr>
<tr>
<td>The land identified by: Certificate of Title Volume 9967 Folio 345 (7 High Street, Wallan), Certificate of Title Volume 9967 Folio 346 (9 High Street, Wallan); and Certificate of Title Volume 9967 Folio 347 (11 High St Wallan).</td>
<td>Nexus Primary Health GP Super Clinic, October 2012</td>
</tr>
</tbody>
</table>
[NO CONTENT]
EASEMENTS, RESTRICTIONS AND RESERVES

Purpose

To enable the removal and variation of an easement or restrictions to enable a use or development that complies with the planning scheme after the interests of affected people are considered.

Permit requirement

A permit is required before a person proceeds:

- Under Section 23 of the Subdivision Act 1988 to create, vary or remove an easement or restriction or vary or remove a condition in the nature of an easement in a Crown grant.
- Under Section 36 of the Subdivision Act 1988 to acquire or remove an easement or remove a right of way.

This does not apply:

- If the action is required or authorised by the schedule to this clause.
- In the circumstances set out in Section 6A(3) of the Planning and Environment Act 1987.
- If the person proceeds under Section 362A of the Land Act 1958.
- In the case of a person proceeding under Section 36 of the Subdivision Act 1988, if the council or a referral authority gives a written statement in accordance with Section 36(1)(a) or (b) of the Subdivision Act 1988.

In this clause, restriction has the same meaning as in the Subdivision Act 1988.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider the interests of affected people.

Note: Section 23 of the Subdivision Act 1988 provides that either the council or the person benefiting from the direction must lodge a certified plan at the Titles Office for registration.
## SCHEDULE TO CLAUSE 52.02 EASEMENTS, RESTRICTIONS AND RESERVES

### Under Section 23 of the Subdivision Act 1988

<table>
<thead>
<tr>
<th>Land</th>
<th>Easement or restriction</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Under Section 24A of the Subdivision Act 1988

<table>
<thead>
<tr>
<th>Land</th>
<th>Person</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Under Section 36 of the Subdivision Act 1988

<table>
<thead>
<tr>
<th>Land</th>
<th>Easement or right of way</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**SATELLITE DISH**

**Purpose**

To provide an opportunity to consider the impact of a satellite dish attached to a building or structure listed in a schedule to the Heritage Overlay.

To provide an opportunity to consider the effect of a satellite dish on the amenity of residential areas.

**Application**

This clause applies to:

- A building or structure listed in a schedule to the Heritage Overlay.
- Land in a Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Low Density Residential Zone, Mixed Use Zone or Township Zone.

**Permit requirement**

A permit is required to use land or to construct or install or carry out works for a satellite dish (whether or not it forms part of a network) even if it is ancillary to another use on the land.

This does not apply to a satellite dish with a diameter:

- Less than 1.2 metres.
- Between 1.2 metres and 2.4 metres provided:
  - The dish is not visible from the street (other than a lane) or a public park,
  - The dish is setback from the side or rear boundary 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, and
  - The dish is setback at least 3 metres from the boundary where it is opposite an existing habitable room window.

**Decision guidelines**

Before deciding on an application, in addition to Clause 15.01-2S and the decision guidelines in clause 65, the responsible authority must consider the effect of the satellite dish on the visual amenity of nearby land.
SIGNS

Purpose
To regulate the development of land for signs and associated structures.
To ensure signs are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
To ensure signs do not contribute to excessive visual clutter or visual disorder.
To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

Application
This clause applies to the development of land for signs.

Requirements
Sign categories
Clauses 52.05-11 to 52.05-14 specify categories of sign control. The zone provisions specify which category of sign control applies to the zone.
Each category is divided into three sections.
If a sign can be interpreted in more than one way, the most restrictive requirement must be met.

Section 1
A sign in Section 1 of the category may be constructed or put up for display without a permit, but all the conditions opposite the sign must be met. If the conditions are not met, the sign is in Section 2.
Some overlays require a permit for Section 1 signs.

Section 2
A permit is required to construct or put up for display a sign in Section 2.
This does not apply to a sign specified in Clause 52.05-10.
All the conditions opposite the sign must be met. If the conditions are not met, the sign is prohibited.

Section 3
A sign in Section 3 is prohibited and must not be constructed or put up for display.

VicSmart applications
Subject to Clause 71.06, an application under this clause for a development specified in Column 1 is a class of VicSmart application and must be assessed against the provision specified in Column 2.

<table>
<thead>
<tr>
<th>Class of application</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construct or put up for display a sign in an industrial zone, commercial zone,</td>
<td>Clause 59.09</td>
</tr>
<tr>
<td>Special Use Zone, Comprehensive Development Zone, Docklands Zone,</td>
<td></td>
</tr>
<tr>
<td>Priority Development Zone or Activity Centre Zone if:</td>
<td></td>
</tr>
<tr>
<td>• The sign is not within 30 metres of land (not a road) which is in a residential</td>
<td></td>
</tr>
<tr>
<td>zone.</td>
<td></td>
</tr>
</tbody>
</table>
**Class of application**

- The sign is not a pole sign, a sky sign, a reflective sign, internally illuminated sign, floodlit sign, electronic sign or animated sign.
- The display area of the sign does not exceed 10 square metres.

---

**Referral of applications**

An application to construct or put up for display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the *Road Management Act 2004* must be referred in accordance with section 55 of the Act to the referral authority specified in Clause 66.03 or a schedule to that clause.

---

**Expiry of permits**

A permit for a sign other than a major promotion sign expires on the date specified in the permit. If no date is specified, the expiry date is 15 years from the date of issue of the permit.

---

**Existing signs**

A sign that was lawfully displayed on the approval date or that was being constructed or put up for display on that date may be displayed or continue to be displayed and may be repaired and maintained.

The content of a lawfully displayed sign may be renewed or replaced. However, a permit is required if:

- The display area is to be increased.
- The renewal or replacement would result in a different type of sign.

A sign that is reconstructed must meet the relevant sign requirements.

A major promotion sign displayed in accordance with a permit granted between 19 September 1995 and 18 September 1997 may continue to be displayed:

- until 31 December 2008; or
- where a permit application seeking permission to display the sign is lodged before 31 December 2008, until the permit application is finally determined.

---

**Application requirements**

An application must be accompanied by the following information, as appropriate:

**Site context**

- A site context report, using a site plan, photographs or other methods to accurately describe:
  - The location of the proposed sign on the site or building and distance from property boundaries.
  - The location and size of existing signage on the site including details of any signs to be retained or removed.
  - The location and form of existing signage on abutting properties and in the locality.
  - The location of closest traffic control signs.
  - Identification of any view lines or vistas that could be affected by the proposed sign.
Sign details

- The location, dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width, depth of the total sign structure including method of support and any associated structures such as safety devices and service platforms.
- Details of associated on-site works.
- Details of any form of illumination, including details of baffles and the times at which the sign would be illuminated.
- The colour, lettering style and materials of the proposed sign.
- The size of the display (total display area, including all sides of a multi-sided sign).
- The location of any logo box and proportion of display area occupied by such a logo box.
- For animated or electronic signs, a report addressing the decision guidelines at Clause 52.05-8 relating to road safety.
- Any landscaping details.

Signs with a display area of 18 square metres or more

- For a sign with a display area of 18 square metres or more:
  - A description of the existing character of the area including built form and landscapes.
  - The location of any other signs over 18 square metres, or scrolling, electronic or animated signs within 200 metres of the site.
  - Any existing identifiable advertising theme in the area.
  - Photo montages or a streetscape perspective of the proposed sign.
  - Level of illumination including:
    - Lux levels for any sign on or within 60 metres of a Road Zone or a residential zone or public land zone.
    - The dwell and change time for any non-static images.
  - The relationship to any significant or prominent views and vistas.

Exemption from notice and review

An application for a sign is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act provided the sign:

- Is to be constructed or displayed on land specified in the schedule to this clause.
- Meets any condition specified in the schedule to this clause.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

All signs

- The character of the area including:
  - The sensitivity of the area in terms of the natural environment, heritage values, waterways and open space, rural landscape or residential character.
- The compatibility of the proposed sign with the existing or desired future character of the area in which it is proposed to be located.
- The cumulative impact of signs on the character of an area or route, including the need to avoid visual disorder or clutter of signs.
- The consistency with any identifiable outdoor advertising theme in the area.

**Impacts on views and vistas:**
- The potential to obscure or compromise important views from the public realm.
- The potential to dominate the skyline.
- The potential to impact on the quality of significant public views.
- The potential to impede views to existing signs.

**The relationship to the streetscape, setting or landscape:**
- The proportion, scale and form of the proposed sign relative to the streetscape, setting or landscape.
- The position of the sign, including the extent to which it protrudes above existing buildings or landscape and natural elements.
- The ability to screen unsightly built or other elements.
- The ability to reduce the number of signs by rationalising or simplifying signs.
- The ability to include landscaping to reduce the visual impact of parts of the sign structure.

**The relationship to the site and building:**
- The scale and form of the sign relative to the scale, proportion and any other significant characteristics of the host site and host building.
- The extent to which the sign displays innovation relative to the host site and host building.
- The extent to which the sign requires the removal of vegetation or includes new landscaping.

**The impact of structures associated with the sign:**
- The extent to which associated structures integrate with the sign.
- The potential of associated structures to impact any important or significant features of the building, site, streetscape, setting or landscape, views and vistas or area.

**The impact of any illumination:**
- The impact of glare and illumination on the safety of pedestrians and vehicles.
- The impact of illumination on the amenity of nearby residents and the amenity of the area.
- The potential to control illumination temporally or in terms of intensity.

**The impact of any logo box associated with the sign:**
- The extent to which the logo box forms an integral part of the sign through its position, lighting and any structures used to attach the logo box to the sign.
- The suitability of the size of the logo box in relation to its identification purpose and the size of the sign.

**The need for identification and the opportunities for adequate identification on the site or locality.**

**The impact on road safety. A sign is a safety hazard if the sign:**
- Obstructs a driver’s line of sight at an intersection, curve or point of egress from an adjacent property.

- Obstructs a driver’s view of a traffic control device, or is likely to create a confusing or dominating background that may reduce the clarity or effectiveness of a traffic control device.

- Could dazzle or distract drivers due to its size, design or colouring, or it being illuminated, reflective, animated or flashing.

- Is at a location where particular concentration is required, such as a high pedestrian volume intersection.

- Is likely to be mistaken for a traffic control device, because it contains red, green or yellow lighting, or has red circles, octagons, crosses, triangles or arrows.

- Requires close study from a moving or stationary vehicle in a location where the vehicle would be unprotected from passing traffic.

- Invites drivers to turn where there is fast moving traffic or the sign is so close to the turning point that there is no time to signal and turn safely.

- Is within 100 metres of a rural railway crossing.

- Has insufficient clearance from vehicles on the carriageway.

- Could mislead drivers or be mistaken as an instruction to drivers.

**Major promotion signs**

- The effect of the proposed major promotion sign on:
  - Significant streetscapes, buildings and skylines.
  - The visual appearance of a significant view corridor, viewline, gateway location or landmark site identified in a framework plan or local policy.
  - Residential areas and heritage places.
  - Open space and waterways.

- When determining the effect of a proposed major promotion sign, the following locational principles must be taken into account:
  - Major promotion signs are encouraged in commercial and industrial locations in a manner that complements or enhances the character of the area.
  - Major promotion signs are discouraged along forest and tourist roads, scenic routes or landscaped sections of freeways.
  - Major promotion signs are discouraged within open space reserves or corridors and around waterways.
  - Major promotion signs are discouraged where they will form a dominant visual element from residential areas, within a heritage place or where they will obstruct significant viewlines.
  - In areas with a strong built form character, major promotion signs are encouraged only where they are not a dominant element in the streetscape and except for transparent feature signs (such as neon signs), are discouraged from being erected on the roof of a building.
**Mandatory conditions**

**All signs**

A permit for a sign that includes an expiry date must include a condition that provides that on expiry of the permit the sign and structures built specifically to support and illuminate it must be removed.

**Major promotion signs**

A permit for a major promotion sign must include conditions that specify:

- That the sign must not:
  - Dazzle or distract drivers due to its colouring.
  - Be able to be mistaken for a traffic signal because it has, for example, red circles, octagons, crosses or triangles.
  - Be able to be mistaken as an instruction to drivers.

- An expiry date that is 15 years from the date the permit is issued unless otherwise specified in this clause. This does not apply to a permit for major promotion sign for a special event or temporary building shrouding.

A permit for a major promotion sign may specify an expiry date other than 15 years, but the date must not be less than 10 years or more than 25 years from the date the permit is issued. Before deciding to alter the specified expiry date of 15 years, the responsible authority must consider, as appropriate:

- The purpose of the sign.
- The existing or desired character of the area.
- The Municipal Planning Strategy and the Planning Policy Framework in terms of the extent to which the proposed sign is consistent with any relevant policy direction and the extent to which the area may be expected to change over time.
- The extent to which the signage is physically and visually integrated into the architecture of the building.

**Signs not requiring a permit**

Despite any provision in a zone, overlay, or other particular provision of this scheme, a permit is not required to construct or put up for display any of the following signs:

- A sign identifying the functions or property of a government department, public authority or municipal council, but not a promotion sign displayed at the direction of any of these bodies.

- A sign controlling traffic on a public road, railway, tramway, water or in the air, provided it is displayed at the direction of a government department, public authority or municipal council.

- A sign at a hospital that gives direction to emergency facilities.

- A sign in a road reserve that gives direction or guidance about a tourist attraction, service or facility of interest to road users. The sign must be displayed to the satisfaction of the road authority.

- A sign required by statute or regulation, provided it is strictly in accordance with the requirement.

- A sign at a railway station or bus terminal that provides information or direction for people using the station or terminal.

- A sign on a showground, on a motor racing track or on a major sports and recreation facility, provided the sign’s display cannot be seen from nearby land.
- A sign with a display area not exceeding 1 square metre to each premises that provides information about a place of worship. It must not be an animated or internally illuminated sign.

- A sign inside a building that cannot generally be seen outside.

- A sign with a display area not exceeding 2 square metres concerning construction work on the land. Only one sign may be displayed, it must not be an animated or internally illuminated sign and it must be removed when the work is completed.

- A sign with a display area not exceeding 5 square metres publicising a local educational, cultural, political, religious, social or recreational event not held for commercial purposes. Only one sign may be displayed on the land, it must not be an animated or internally illuminated sign and it must not be displayed longer than 14 days after the event is held or 3 months, whichever is sooner. A sign publicising a local political event may include information about a candidate for an election.

- A sign publicising a special event on the land or in the building on which it is displayed, provided no more than 8 signs are displayed in a calendar year and the total number of days the signs are displayed does not exceed 28 in that calendar year. The sign must be removed when the event is finished.

- A sign with a display area not exceeding 2 square metres publicising the sale of goods or livestock on the land or in the building on which it is displayed, provided the land or building is not normally used for that purpose. Only one sign may be displayed, it must not be an animated or internally illuminated sign and it must not be displayed longer than 3 months without a permit.

- A sign with an display area not exceeding 10 square metres publicising the sale or letting of the property on which it is displayed. Only one sign may be displayed, it must not be an animated sign and it must not be displayed longer than 7 days after the sale date. A permit may be granted for:
  - The display area to exceed 10 square metres if the sign concerns more than 20 lots.
  - The sign to be displayed on land excised from the subdivision and transferred to the municipal council.
  - The sign to be displayed longer than 7 days after the sale date.

No permit is required to fly the Australian flag or to display the flag on a building, painted or otherwise represented, provided it is correctly dimensioned and coloured in accordance with the Flags Act 1953.

### Category 1 - Commercial areas

**Minimum limitation**

**Purpose**
To provide for identification and promotion signs and signs that add vitality and colour to commercial areas.

**Section 1 - Permit not required**

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>The total display area of all signs to each premises must not exceed 8 sqm. This does not include a sign with a display area not exceeding 1.5 sqm that is below a verandah or, if no verandah, that is less than 3.7 m above pavement level.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td></td>
</tr>
<tr>
<td>Home based business sign</td>
<td></td>
</tr>
<tr>
<td>Promotion sign</td>
<td></td>
</tr>
</tbody>
</table>
### Section 1 - Permit Not Required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direction sign</td>
<td>None specified</td>
</tr>
<tr>
<td><strong>Internally illuminated sign</strong></td>
<td>The total display area to each premises must not exceed 1.5 sqm.</td>
</tr>
<tr>
<td></td>
<td>No part of the sign may be above a verandah or, if no verandah, more than 3.7 m above pavement level.</td>
</tr>
<tr>
<td></td>
<td>The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.</td>
</tr>
</tbody>
</table>

### Section 2 - Permit Required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Section 1</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Category 2 - Office and Industrial

#### Purpose

To provide for adequate identification signs and signs that are appropriate to office and industrial areas.

#### Section 1 - Permit Not Required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>The total display area of all signs to each premises must not exceed 8 sqm. This does not include a direction sign.</td>
</tr>
<tr>
<td>Business identification sign</td>
<td></td>
</tr>
<tr>
<td>Home based business sign</td>
<td></td>
</tr>
<tr>
<td>Pole sign</td>
<td></td>
</tr>
<tr>
<td>Direction sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td><strong>Internally illuminated sign</strong></td>
<td>The display area must not exceed 1.5 sqm. The sign must be more than 30 m from a residential zone or pedestrian or traffic lights.</td>
</tr>
</tbody>
</table>

#### Section 2 - Permit Required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Section 1</td>
<td>None specified</td>
</tr>
</tbody>
</table>
Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nil</td>
<td>None specified</td>
</tr>
</tbody>
</table>

52.05-13
31/07/2018
VC148

Category 3 - High amenity areas
Medium limitation

Purpose
To ensure that signs in high-amenity areas are orderly, of good design and do not detract from the appearance of the building on which a sign is displayed or the surrounding area.

Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td>Home based business sign</td>
<td>The display area must not exceed 0.2 sqm.</td>
</tr>
<tr>
<td>Direction sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Above-verandah sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Business identification sign</td>
<td>The display area must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Electronic sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>None specified</td>
</tr>
<tr>
<td>High-wall sign</td>
<td>Must be a business logo or street number.</td>
</tr>
<tr>
<td>Internally illuminated sign</td>
<td>None specified</td>
</tr>
<tr>
<td>Pole sign</td>
<td></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>

52.05-14
31/07/2018
VC148

Category 4 - Sensitive areas
Maximum limitation

Purpose
To provide for unobtrusive signs in areas requiring strong amenity control.
### Section 1 - Permit not required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bed and breakfast sign</td>
<td>Only one to each premises.</td>
</tr>
<tr>
<td>Home based business sign</td>
<td>The display area must not exceed 0.2 sqm.</td>
</tr>
<tr>
<td>Direction sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Section 2 - Permit required

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Business identification sign</td>
<td>The total display area to each premises must not exceed 3 sqm.</td>
</tr>
<tr>
<td>Floodlit sign</td>
<td>None specified</td>
</tr>
</tbody>
</table>

### Section 3 - Prohibited

<table>
<thead>
<tr>
<th>Sign</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any sign not in Sections 1 or 2</td>
<td>None specified</td>
</tr>
</tbody>
</table>
SCHEDULE TO CLAUSE 52.05 SIGNS

Exemption from notice and review

<table>
<thead>
<tr>
<th>Land</th>
<th>Conditions</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
CAR PARKING

Purpose
To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.
To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
To support sustainable transport alternatives to the motor car.
To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
To ensure that car parking does not adversely affect the amenity of the locality.
To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Scope
Clause 52.06 applies to:

- a new use; or
- an increase in the floor area or site area of an existing use; or
- an increase to an existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

Clause 52.06 does not apply to:

- the extension of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone; or
- the construction and use of one dwelling on a lot in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone unless the zone or a schedule to the zone specifies that a permit is required to construct or extend one dwelling on a lot.

Provision of car parking spaces
Before:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use,

the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be provided to the satisfaction of the responsible authority in one or more of the following ways:

- on the land; or
- in accordance with a permit issued under Clause 52.06-3; or
- in accordance with a financial contribution requirement specified in a schedule to the Parking Overlay.

If a schedule to the Parking Overlay specifies a maximum parking provision, the maximum provision must not be exceeded except in accordance with a permit issued under Clause 52.06-3.

Permit requirement
A permit is required to:
- Reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.

- Provide some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay on another site.

- Provide more than the maximum parking provision specified in a schedule to the Parking Overlay.

A permit is not required if a schedule to the Parking Overlay specifies that a permit is not required under this clause.

A permit is not required to reduce the number of car parking spaces required for a new use of land if the following requirements are met:

- The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the new use is less than or equal to the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay for the existing use of the land.

- The number of car parking spaces currently provided in connection with the existing use is not reduced after the new use commences.

A permit is not required to reduce the required number of car parking spaces for a new use of an existing building if the following requirements are met:

- The building is in the Commercial 1 Zone, Commercial 2 Zone, Commercial 3 Zone or Activity Centre Zone.

- The gross floor area of the building is not increased.

- The reduction does not exceed 10 car parking spaces.

- The building is not in a Parking Overlay with a schedule that allows a financial contribution to be paid in lieu of the provision of the required car parking spaces for the use.

**VicSmart applications**

Subject to Clause 71.06, an application under this clause to reduce the required number of car parking spaces by no more than 10 car parking spaces is a class of VicSmart application and must be assessed against Clause 59.10.

**Exemption from notice and review**

An application under Clause 52.06-3 is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if:

- the application is only for a permit under Clause 52.06-3; or

- the application is also for a permit under another provision of the planning scheme and in respect of all other permissions sought, the application is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

**Number of car parking spaces required under Table 1**

Table 1 of this clause sets out the car parking requirement that applies to a use listed in the Table. A car parking requirement in Table 1 may be calculated as either:

- a number of car parking spaces; or

- a percentage of the total site area that must be set aside for car parking.
A car parking requirement in Table 1 is calculated by multiplying the figure in Column A or Column B (whichever applies) by the measure (for example square metres, number of patrons or number of bedrooms) in Column C.

Column A applies unless Column B applies.

Column B applies if:

- any part of the land is identified as being within the Principal Public Transport Network Area as shown on the *Principal Public Transport Network Area Maps* (State Government of Victoria, August 2018); or
- a schedule to the Parking Overlay or another provision of the planning scheme specifies that Column B applies.

Where an existing use is increased by the measure specified in Column C of Table 1 for that use, the car parking requirement only applies to the increase, provided the existing number of car parking spaces currently being provided in connection with the existing use is not reduced.

If in calculating the number of car parking spaces the result is not a whole number, the required number of car parking spaces is to be rounded down to the nearest whole number.

Where the car parking requirement specified in Table 1 is calculated as a percentage of the total site area, the area to be provided for car parking includes an accessway that directly abuts any car parking spaces, but does not include any accessway or portion of an accessway that does not directly abut any car parking spaces.

The car parking requirement specified in Table 1 includes disabled car parking spaces. The proportion of spaces to be allocated as disabled spaces must be in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia.

The car parking requirement specified for a use listed in Table 1 does not apply if:

- a car parking requirement for the use is specified under another provision of the planning scheme; or
- a schedule to the Parking Overlay specifies the number of car parking spaces required for the use.

**Table 1: Car parking requirement**

<table>
<thead>
<tr>
<th>Use</th>
<th>Rate Column A</th>
<th>Rate Column B</th>
<th>Car Parking Measure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Art &amp; craft centre</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>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 complex</td>
<td>0.3</td>
<td>0.3</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>0.3</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Convenience shop if the leasable floor area exceeds 80 sq m</td>
<td>10</td>
<td></td>
<td>To each premises</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Use</td>
<td>Rate Column A</td>
<td>Rate Column B</td>
<td>Car Parking Measure</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>---------------</td>
<td>---------------</td>
<td>-------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Display home</td>
<td>5</td>
<td></td>
<td>To each dwelling for five or fewer contiguous dwellings, plus</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td></td>
<td>To each additional contiguous dwelling</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of floor area</td>
</tr>
<tr>
<td>Dwelling</td>
<td>1</td>
<td>2</td>
<td>To each one or two bedroom dwelling, plus</td>
</tr>
<tr>
<td></td>
<td></td>
<td></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 &amp; 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 &amp; cool storage,</td>
<td>1.5</td>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Fuel depot</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Funeral Parlour</td>
<td>0.3</td>
<td>0.3</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Gambling premises other than listed in this table</td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Golf course</td>
<td>4</td>
<td>4</td>
<td>To each hole plus 50 per cent of the relevant requirement of any ancillary uses.</td>
</tr>
<tr>
<td>Home based business</td>
<td>1</td>
<td>0</td>
<td>To each employee not a resident of the dwelling</td>
</tr>
<tr>
<td>Hotel</td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Industry other than listed in this table</td>
<td>2.9</td>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Landscape gardening supplies</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Mail centre</td>
<td>3.5</td>
<td>3</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Manufacturing sales</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Market</td>
<td>8</td>
<td>3.5</td>
<td>To each 100 sq m of site area</td>
</tr>
<tr>
<td>Materials recycling</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Medical centre</td>
<td>5</td>
<td></td>
<td>To the first person providing health services plus</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td></td>
<td>To every other person providing health services</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Milk depot</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>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>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></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 except amusement parlour</td>
<td>0.3</td>
<td>0.3</td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Postal agency</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Primary school</td>
<td>1</td>
<td>1</td>
<td>To each employee that is part of the maximum number of employees on the site at any time</td>
</tr>
<tr>
<td>Research and development centre</td>
<td>3.5</td>
<td>3</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td>0.3</td>
<td>0.3</td>
<td>To each lodging room</td>
</tr>
<tr>
<td>Residential village</td>
<td>1</td>
<td>1</td>
<td>To each one or two bedroom dwelling plus</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>2</td>
<td>To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>0</td>
<td>For visitors to every five dwellings for developments of five or more dwellings</td>
</tr>
<tr>
<td>Retirement village</td>
<td>1</td>
<td>1</td>
<td>To each one or two bedroom dwelling plus</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>2</td>
<td>To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedrooms) plus</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>0</td>
<td>For visitors to every five dwellings for developments of five or more dwellings</td>
</tr>
<tr>
<td>Restaurant</td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td></td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td>3</td>
<td>2.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Rooming house</td>
<td>1</td>
<td>1</td>
<td>To each four bedrooms</td>
</tr>
<tr>
<td>Saleyard</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Secondary school</td>
<td>1.2</td>
<td>1.2</td>
<td>To each employee that is part of the maximum number of employees on the site at any time</td>
</tr>
<tr>
<td>Shop other than listed in this table</td>
<td>4</td>
<td>3.5</td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Squash court – other than in conjunction with a dwelling</td>
<td>3</td>
<td>3</td>
<td>To each court plus 50 per cent of the relevant requirement of any ancillary use</td>
</tr>
<tr>
<td>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>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>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>Tavern</td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td>Tennis court – other than in conjunction with a dwelling</td>
<td>4</td>
<td>4</td>
<td>To each court plus 50% of the requirement of any ancillary use</td>
</tr>
<tr>
<td>Trade supplies</td>
<td>10</td>
<td>10</td>
<td>Per cent of site area</td>
</tr>
<tr>
<td>Veterinary centre</td>
<td>5</td>
<td></td>
<td>To the first person providing animal health services plus</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td></td>
<td>To every other person providing animal health services</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
<tr>
<td>Warehouse other than listed in this table</td>
<td>2</td>
<td>2</td>
<td>To each premises plus</td>
</tr>
<tr>
<td></td>
<td>1.5</td>
<td>1</td>
<td>To each 100 sq m of net floor area</td>
</tr>
<tr>
<td>Winery</td>
<td>0.4</td>
<td></td>
<td>To each patron permitted</td>
</tr>
<tr>
<td></td>
<td>3.5</td>
<td></td>
<td>To each 100 sq m of leasable floor area</td>
</tr>
</tbody>
</table>

**Number of car parking spaces required for other uses**

Where a use of land is not specified in Table 1 or where a car parking requirement is not specified for the use in another provision of the planning scheme or in a schedule to the Parking Overlay, before a new use commences or the floor area or site area of an existing use is increased, car parking spaces must be provided to the satisfaction of the responsible authority. This does not apply to the use of land for a temporary portable land sales office located on the land for sale.

**Application requirements and decision guidelines for permit applications**

**For applications to reduce the car parking requirement**

An application to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed:

- new use; or
- increase in the floor areas or site area of the existing use; or
- increase to the existing use by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
- The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
- Any empirical assessment or case study.

Before granting a permit to reduce the number of spaces, the responsible authority must consider the following, as appropriate:

- The Car Parking Demand Assessment.
- Any relevant local planning policy or incorporated plan.
- The availability of alternative car parking in the locality of the land, including:
  - Efficiencies gained from the consolidation of shared car parking spaces.
  - Public car parks intended to serve the land.
  - On street parking in non residential zones.
  - Streets in residential zones specifically managed for non-residential parking.
- On street parking in residential zones in the locality of the land that is intended to be for residential use.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- Any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre.
- The future growth and development of any nearby activity centre.
- Any car parking deficiency associated with the existing use of the land.
- Any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.
- Local traffic management in the locality of the land.
- The impact of fewer car parking spaces on local amenity, including pedestrian amenity and the amenity of nearby residential areas.
- The need to create safe, functional and attractive parking areas.
- Access to or provision of alternative transport modes to and from the land.
- The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.
- The character of the surrounding area and whether reducing the car parking provision would result in a quality/positive urban design outcome.
- Any other matter specified in a schedule to the Parking Overlay.
- Any other relevant consideration.
For applications to allow some or all of the required car parking spaces to be provided on another site

Before granting a permit to allow some or all of the car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay to be provided on another site, the responsible authority must consider the following, as appropriate:

- The proximity of the car parking on the alternate site to the subject site.
- The likelihood of the long term provision and availability of the car parking spaces.
- Whether the location of the car parking spaces is consistent with any relevant local policy or incorporated plan.
- Any other matter specified in a schedule to the Parking Overlay.

For applications to provide more than the maximum parking provision specified in a schedule to the Parking Overlay

An application to provide more than the maximum parking provision specified in a schedule to the Parking Overlay must be accompanied by a Car Parking Demand Assessment.

The Car Parking Demand Assessment must assess the car parking demand likely to be generated by the proposed use or increase to the existing use.

The Car Parking Demand Assessment must address the following matters, to the satisfaction of the responsible authority:

- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the proposed use.
- The variation of car parking demand likely to be generated by the proposed use over time.
- The short-stay and long-stay car parking demand likely to be generated by the proposed use.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The provision of bicycle parking and end of trip facilities for cyclists in the locality of the land.
- The anticipated car ownership rates of likely or proposed visitors to or occupants (residents or employees) of the land.
- Any empirical assessment or case study.

Requirement for a car parking plan

Plans must be prepared to the satisfaction of the responsible authority before any of the following occurs:

- a new use commences; or
- the floor area or site area of an existing use is increased; or
- an existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.

The plans must show, as appropriate:

- All car parking spaces that are proposed to be provided (whether on the land or on other land).
- Access lanes, driveways and associated works.
- Allocation of car parking spaces to different uses or tenancies, if applicable.
- Any landscaping and water sensitive urban design treatments.
- Finished levels, if required by the responsible authority.
Any other matter specified in a schedule to the Parking Overlay.

Plans must be provided to the responsible authority under Clause 52.06-8 wherever Clause 52.06 applies, whether or not a permit application is being made under Clause 52.06-3 or any other provision of the planning scheme.

Where an application is being made for a permit under Clause 52.06-3 or another provision of the planning scheme, the information required under Clause 52.06-8 may be included in other plans submitted with the application.

Clause 52.06-8 does not apply where no car parking spaces are proposed to be provided.

### Design standards for car parking

Plans prepared in accordance with Clause 52.06-8 must meet the design standards of Clause 52.06-9, unless the responsible authority agrees otherwise.

Design standards 1, 3, 6 and 7 do not apply to an application to construct one dwelling on a lot.

**Design standard 1 – Accessways**

Accessways must:

- Be at least 3 metres wide.
- Have an internal radius of at least 4 metres at changes of direction or intersection or be at least 4.2 metres wide.
- Allow vehicles parked in the last space of a dead-end accessway in public car parks to exit in a forward direction with one manoeuvre.
- Provide at least 2.1 metres headroom beneath overhead obstructions, calculated for a vehicle with a wheel base of 2.8 metres.
- If the accessway serves four or more car spaces or connects to a road in a Road Zone, the accessway must be designed so that cars can exit the site in a forward direction.
- Provide a passing area at the entrance at least 6.1 metres wide and 7 metres long if the accessway serves ten or more car parking spaces and is either more than 50 metres long or connects to a road in a Road Zone.
- Have a corner splay or area at least 50 per cent clear of visual obstructions extending at least 2 metres along the frontage road from the edge of an exit lane and 2.5 metres along the exit lane from the frontage, to provide a clear view of pedestrians on the footpath of the frontage road. The area clear of visual obstructions may include an adjacent entry or exit lane where more than one lane is provided, or adjacent landscaped areas, provided the landscaping in those areas is less than 900mm in height.

If an accessway to four or more car parking spaces is from land in a Road Zone, the access to the car spaces must be at least 6 metres from the road carriageway.

If entry to the car space is from a road, the width of the accessway may include the road.

**Design standard 2 – Car parking spaces**

Car parking spaces and accessways must have the minimum dimensions as outlined in Table 2.

### Table 2: Minimum dimensions of car parking spaces and accessways

<table>
<thead>
<tr>
<th>Angle of car parking spaces to access way</th>
<th>Accessway width</th>
<th>Car space width</th>
<th>Car space length</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parallel</td>
<td>3.6 m</td>
<td>2.3 m</td>
<td>6.7 m</td>
</tr>
<tr>
<td>45°</td>
<td>3.5 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td>Angle of car parking spaces to access way</td>
<td>Accessway width</td>
<td>Car space width</td>
<td>Car space length</td>
</tr>
<tr>
<td>-----------------------------------------</td>
<td>----------------</td>
<td>----------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>60°</td>
<td>4.9 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td>90°</td>
<td>6.4 m</td>
<td>2.6 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>5.8 m</td>
<td>2.8 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>5.2 m</td>
<td>3.0 m</td>
<td>4.9 m</td>
</tr>
<tr>
<td></td>
<td>4.8 m</td>
<td>3.2 m</td>
<td>4.9 m</td>
</tr>
</tbody>
</table>

Note to Table 2: Some dimensions in Table 2 vary from those shown in the Australian Standard AS2890.1-2004 (off street). The dimensions shown in Table 2 allocate more space to aisle widths and less to marked spaces to provide improved operation and access. The dimensions in Table 2 are to be used in preference to the Australian Standard AS2890.1-2004 (off street) except for disabled spaces which must achieve Australian Standard AS2890.6-2009 (disabled).

A wall, fence, column, tree, tree guard or any other structure that abuts a car space must not encroach into the area marked ‘clearance required’ on Diagram 1, other than:

- A column, tree or tree guard, which may project into a space if it is within the area marked ‘tree or column permitted’ on Diagram 1.
- A structure, which may project into the space if it is at least 2.1 metres above the space.

**Diagram 1 Clearance to car parking spaces**

Car spaces in garages or carports must be at least 6 metres long and 3.5 metres wide for a single space and 5.5 metres wide for a double space measured inside the garage or carport.

Where parking spaces are provided in tandem (one space behind the other) an additional 500 mm in length must be provided between each space.

Where two or more car parking spaces are provided for a dwelling, at least one space must be under cover.

Disabled car parking spaces must be designed in accordance with Australian Standard AS2890.6-2009 (disabled) and the Building Code of Australia. Disabled car parking spaces may encroach into an accessway width specified in Table 2 by 500mm.
Design standard 3: Gradients

Accessway grades must not be steeper than 1:10 (10 per cent) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. The design must have regard to the wheelbase of the vehicle being designed for; pedestrian and vehicular traffic volumes; the nature of the car park; and the slope and configuration of the vehicle crossover at the site frontage. This does not apply to accessways serving three dwellings or less.

Ramps (except within 5 metres of the frontage) must have the maximum grades as outlined in Table 3 and be designed for vehicles travelling in a forward direction.

Table 3: Ramp gradients

<table>
<thead>
<tr>
<th>Type of car park</th>
<th>Length of ramp</th>
<th>Maximum grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public car parks</td>
<td>20 metres or less</td>
<td>1:5 (20%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:6 (16.7%)</td>
</tr>
<tr>
<td>Private or residential car parks</td>
<td>20 metres or less</td>
<td>1:4 (25%)</td>
</tr>
<tr>
<td></td>
<td>longer than 20 metres</td>
<td>1:5 (20%)</td>
</tr>
</tbody>
</table>

Where the difference in grade between two sections of ramp or floor is greater than 1:8 (12.5 per cent) for a summit grade change, or greater than 1:6.7 (15 per cent) for a sag grade change, the ramp must include a transition section of at least 2 metres to prevent vehicles scraping or bottoming.

Plans must include an assessment of grade changes of greater than 1:5.6 (18 per cent) or less than 3 metres apart for clearances, to the satisfaction of the responsible authority.

Design standard 4: Mechanical parking

Mechanical parking may be used to meet the car parking requirement provided:

- At least 25 per cent of the mechanical car parking spaces can accommodate a vehicle height of at least 1.8 metres.
- Car parking spaces that require the operation of the system are not allocated to visitors unless used in a valet parking situation.
- The design and operation is to the satisfaction of the responsible authority.

Design standard 5: Urban design

Ground level car parking, garage doors and accessways must not visually dominate public space. Car parking within buildings (including visible portions of partly submerged basements) must be screened or obscured where possible, including through the use of occupied tenancies, landscaping, architectural treatments and artworks.

Design of car parks must take into account their use as entry points to the site.

Design of new internal streets in developments must maximise on street parking opportunities.

Design standard 6: Safety

Car parking must be well lit and clearly signed.

The design of car parks must maximise natural surveillance and pedestrian visibility from adjacent buildings.

Pedestrian access to car parking areas from the street must be convenient.

Pedestrian routes through car parking areas and building entries and other destination points must be clearly marked and separated from traffic in high activity parking areas.
Design standard 7: Landscaping

The layout of car parking areas must provide for water sensitive urban design treatment and landscaping.

Landscaping and trees must be planted to provide shade and shelter, soften the appearance of ground level car parking and aid in the clear identification of pedestrian paths.

Ground level car parking spaces must include trees planted with flush grilles. Spacing of trees must be determined having regard to the expected size of the selected species at maturity.

52.06-10

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.

52.06-11

Construction of car parking

Where a plan is required under Clause 52.06-8, the car parking spaces, access lanes, driveways and associated works and landscaping shown on the plan must be:

- constructed and available for use in accordance with the plan approved by the responsible authority; and
- formed to such levels and drained so that they can be used in accordance with the plan; and
- treated with an all-weather seal or some other durable surface; and
- line-marked or provided with some other adequate means of showing the car parking spaces, before any of the following occurs:
  - the new use commences; or
  - the floor area or site area of the existing use is increased; or
  - the existing use is increased by the measure specified in Column C of Table 1 in Clause 52.06-5 for that use.
EARTH AND ENERGY RESOURCES INDUSTRY

Purpose

To encourage land to be used and developed for exploration and extraction of earth and energy resources in accordance with acceptable environmental standards.

To ensure that mineral extraction, geothermal energy extraction, greenhouse gas sequestration and petroleum extraction are not prohibited land uses.

To ensure that planning controls for the use and development of land for the exploration and extraction of earth and energy resources are consistent with other legislation governing these land uses.

Permit requirement

A permit is required to use and develop land for earth and energy resources industry unless the table to this clause specifically states that a permit is not required.

Table of exemptions

<table>
<thead>
<tr>
<th>No permit is required to use or develop land for earth and energy resources industry if the following conditions are met:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mineral exploration</td>
</tr>
<tr>
<td>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.
[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.
52.12-2 Exemption for vegetation removal along a fenceline

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to:

- The removal, destruction or lopping of any vegetation for a combined maximum width of 4 metres either side of an existing fence on a boundary between properties in different ownership that was constructed before 10 September 2009.

This does not apply to land covered by the Banyule, Bayside, Boroondara, Brimbank, Darebin, Glen Eira, Greater Dandenong, Hobsons Bay, Kingston, Knox, Maribyrnong, Maroondah, Melbourne, Monash, Moonee Valley, Moreland, Port of Melbourne, Port Phillip, Stonnington, Whitehorse and Yarra planning schemes unless the land is included in a Bushfire Management Overlay.

52.12-3 Exemption for buildings and works associated with a community fire refuge

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works does not apply to modifying an existing building to create a community fire refuge in accordance with Ministerial Direction No. 4, Construction Requirements for a Community Fire Refuge (1 August 2012).

52.12-4 Exemption for buildings and works associated with a private bushfire shelter

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works does not apply to buildings and works associated with a private bushfire shelter (a Class 10c building within the meaning of the Building Regulations 2006), provided the total area of all buildings and works does not exceed 30 square metres.

This clause does not apply to land in the Urban Floodway Zone, Erosion Management Overlay, Floodway Overlay, Land Subject to Inundation Overlay, Special Building Overlay or Heritage Overlay.

52.12-5 Exemption to create defendable space for a dwelling approved under Clause 44.06 of this planning scheme

Any requirement of a planning permit, including any condition, which has the effect of prohibiting the removal, destruction or lopping of vegetation, or any requirement of this planning scheme to obtain a planning permit, or any provision of this planning scheme that prohibits the removal, destruction or lopping of vegetation or requires the removal, destruction or lopping of vegetation to be carried out in a particular manner, does not apply to the removal, destruction or lopping of vegetation to construct a dwelling and create its defendable space if all of the following requirements are met:

- Land is in the Bushfire Management Overlay.
- Land is in the General Residential Zone, Residential Growth Zone, Neighbourhood Residential Zone, Urban Growth Zone, Low Density Residential Zone, Township Zone, Rural Living Zone, Farming Zone or Rural Activity Zone.
- The removal, destruction or lopping of vegetation:
  - Does not exceed the distance specified in Table 1 to Clause 53.02-3 of this planning scheme, based on the bushfire attack level determined by a relevant building surveyor in deciding an application for a building permit under the Building Act 1993 for a dwelling or alteration or extension to the dwelling; or
- Is required to be undertaken by a condition in a planning permit issued after 31 July 2014 under Clause 44.06 of this scheme for a dwelling or an alteration or extension to the dwelling.
SCHEDULE TO CLAUSE 52.12 BUSHFIRE PROTECTION: EXEMPTIONS

1.0 Exemptions for vegetation removal

<table>
<thead>
<tr>
<th>Land</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
</tr>
</tbody>
</table>
2009 BUSHFIRE - RECOVERY EXEMPTIONS

Purpose
To support recovery operations following the 2009 Victorian bushfires.

Scope
This clause applies to a use or development specified in Clause 52.13-3 carried out for the purposes of recovery from a bushfire that occurred after 1 January 2009.

Exemptions from planning scheme requirements
Any requirement of the scheme to obtain a permit or any provision in the scheme which prohibits the use or development of land or requires the use or development of land to be carried out in a particular manner does not apply to a use or development specified in Clause 52.13-3 provided the following requirements are met:

- Works must only be constructed or carried out for bushfire recovery or in association with the construction of a building under this provision to be used for temporary accommodation.
- A building constructed under this provision must only be used:
  - To provide temporary accommodation for a person or persons whose normal place of residence was damaged or destroyed by bushfire; or
  - For a use that is directly associated with bushfire recovery.
- A building constructed under this provision to be used for temporary accommodation must be located on the same lot as a building used for accommodation that was damaged or destroyed by bushfire unless the building is being constructed by or on behalf of a municipality, the Victorian Bushfire Reconstruction and Recovery Authority or other public authority.
- The construction of a building or the construction or carrying out of works must be completed prior to 31 March 2011.
- Native vegetation must only be removed, destroyed or lopped:
  - To provide access to, make safe or remove building and demolition rubble from a property; or
  - To enable emergency and bushfire recovery works undertaken by or on behalf of a municipality, the Victorian Bushfire Reconstruction and Recovery Authority, other public authority or a utility service provider in the exercise of any power conferred on them under any Act.
- Native vegetation must not be removed, destroyed or lopped after 31 March 2011.
- Any sign displayed must be directly associated with bushfire recovery.
- Any sign displayed must be removed prior to 31 March 2011.

Use and development
The requirements of Clause 52.13-2 apply to the following types of development:

- Demolition or removal of a building.
- Construction of a building.
- Construction or carrying out of works.
- Removal, destruction or lopping of vegetation.
- Display of a sign.
The requirements of Clause 52.13-2 apply to the following uses:

- Temporary accommodation.
- Any use directly associated with bushfire recovery.

### 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 or 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, preschool 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 flood plain management authority must be obtained prior to the commencement of construction of a building or the construction or carrying out of works.

52.14-5

Decision guidelines

Before deciding on approval of the site plan, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider, as appropriate:

- The extent to which the siting of the building and associated development can reasonably achieve compliance with other relevant requirements of this scheme.
- The extent to which the replacement dwelling or dependent person’s unit can be located on the land to assist the minimisation of risk to life and property from bushfire.
HELIPORT AND HELICOPTER LANDING SITE

Purpose

To ensure the amenity impacts of a heliport and a helicopter landing site on surrounding areas is considered.

Permit requirement

A permit is required to use or develop any land for a heliport or a helicopter landing site even if it is ancillary to another use on the land, unless the table to this Clause specifically states that a permit is not required.

Table of exemptions for use

<table>
<thead>
<tr>
<th>No permit is required to use land for a helicopter landing site if any of the following apply:</th>
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<tbody>
<tr>
<td><strong>Emergency services</strong></td>
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<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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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

<table>
<thead>
<tr>
<th>The requirement to obtain a permit does not apply to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation work</td>
</tr>
<tr>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of conservation work:</td>
</tr>
<tr>
<td>- which provides an overall improvement for biodiversity; and</td>
</tr>
<tr>
<td>- with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Crown land</td>
</tr>
<tr>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land:</td>
</tr>
<tr>
<td>- by or on behalf of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987), or Parks Victoria, and in accordance with the Procedure for the removal, destruction or lopping of native vegetation on Crown land; or</td>
</tr>
<tr>
<td>- with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Emergency works</td>
</tr>
<tr>
<td>Native vegetation that is to be removed, destroyed or lopped:</td>
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<tr>
<td>- in an emergency by or on behalf of a public authority or municipal council to create an emergency access associated with emergency works; or</td>
</tr>
<tr>
<td>- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
<tr>
<td>Fire protection</td>
</tr>
<tr>
<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>- fire fighting;</td>
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<tr>
<td>- planned burning;</td>
</tr>
<tr>
<td>- making or maintenance of a fuelbreak or fire fighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;</td>
</tr>
</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>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Geothermal energy exploration and extraction</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Geothermal Energy Resources Act 2005.</td>
</tr>
<tr>
<td>Greenhouse gas sequestration and exploration</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008.</td>
</tr>
<tr>
<td>Land management or directions notice</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td>Land use conditions</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the Catchment and Land Protection Act 1994.</td>
</tr>
<tr>
<td>Mineral exploration and extraction</td>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by the holder of an exploration mining, prospecting, or retention license issued under the Mineral Resources (Sustainable Development) Act 1990:</td>
</tr>
</tbody>
</table>
  - that is low impact exploration within the meaning of Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990; or
  - in accordance with a work plan approved under Part 3 of the Mineral Resources (Sustainable Development) Act 1990.

Note: Schedule 4A of the Mineral Resources (Sustainable Development) Act 1990 specifies limits on the extent of native vegetation that may be removed as part of low impact exploration.

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>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>
</tbody>
</table>
### The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
</table>
| **Regrowth**         | Native vegetation that is to be removed, destroyed or lopped that has naturally established or regenerated on land lawfully cleared of naturally established native vegetation, and is:  
  - bracken (*Pteridium esculentum*); or  
  - within the boundary of a timber production plantation, as indicated on a Plantation Development Notice or other documented record, and has established after the plantation.  
  This exemption does not apply to land where native vegetation has been destroyed or otherwise damaged as a result of flood, fire or other natural disaster. |
| **Road safety**      | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by or on behalf of a public authority or municipal council to maintain the safe and efficient function of an existing road in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
| **Stone exploration**| Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone exploration.  
  The maximum extent of native vegetation that may be removed, destroyed or lopped under this exemption on contiguous land in the same ownership in a five year period must not exceed any of the following:  
  - 1 hectare of native vegetation which does not include a tree.  
  - 15 native trees with trunk diameter of less than 40 centimetres at a height of 1.3 metres above ground level.  
  - 5 native trees with trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.  
  This exemption does not apply to costeanning and bulk sampling activities. |
| **Stone extraction** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of Stone extraction in accordance with a work plan approved under the *Mineral Resources (Sustainable Development) Act 1990* and authorised by a work authority under that Act. |
| **Surveying**        | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary by, or on behalf of, a licensed surveyor (within the meaning of section 3 of the *Surveying Act 2004*) using hand-held tools to establish a sightline for the measurement of land. |
| **Traditional owners**| Native vegetation that is to be removed, destroyed or lopped by a person acting under, and in accordance with:  
  - a natural resource agreement under Part 6 of the *Traditional Owner Settlement Act 2010*; or  
  - an authorisation order made under sections 82 or 84 of the *Traditional Owner Settlement Act 2010* as those sections were in force immediately before the commencement of section 24 of the *Traditional Owner Settlement Amendment Act in 2016* (1 May 2017). |
| **Utility installations** | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary:  
  - to maintain the safe and efficient function of a Minor utility installation; or  
  - by or on behalf of a utility service provider to maintain or construct a utility installation in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the *Conservation, Forests and Lands Act 1987*). |
SCHEDULE TO CLAUSE 52.16 NATIVE VEGETATION PRECINCT PLAN

Native vegetation precinct plan

<table>
<thead>
<tr>
<th>Name of plan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lockerbie Native Vegetation Precinct Plan, May 2012</td>
</tr>
<tr>
<td>Lockerbie North Native Vegetation Precinct Plan, March 2012</td>
</tr>
</tbody>
</table>
NATIVE VEGETATION

Purpose

To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation. This is achieved by applying the following three step approach in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017) (the Guidelines):

1. Avoid the removal, destruction or lopping of native vegetation.
2. Minimise impacts from the removal, destruction or lopping of native vegetation that cannot be avoided.
3. Provide an offset to compensate for the biodiversity impact if a permit is granted to remove, destroy or lop native vegetation.

To manage the removal, destruction or lopping of native vegetation to minimise land and water degradation.

Permit requirement

A permit is required to remove, destroy or lop native vegetation, including dead native vegetation. This does not apply:

- If the table to Clause 52.17-7 specifically states that a permit is not required.
- If a native vegetation precinct plan corresponding to the land is incorporated into this scheme and listed in the schedule to Clause 52.16.
- To the removal, destruction or lopping of native vegetation specified in the schedule to this clause.

Application requirements

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the Guidelines.

Property vegetation plans

A permit granted to remove, destroy or lop native vegetation in accordance with a property vegetation plan must include the following condition:

“This permit will expire if one of the following circumstances applies:

- The removal, destruction or lopping of native vegetation does not start within two years of the date of this permit.
- The removal, destruction or lopping of native vegetation is not completed within ten years of the date of this permit.”

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider the decision guidelines specified in the Guidelines as appropriate.

Offset requirements

If a permit is required to remove, destroy or lop native vegetation, the biodiversity impacts from the removal, destruction or lopping of native vegetation must be offset, in accordance with the Guidelines. The conditions on the permit for the removal, destruction or lopping of native vegetation must specify the offset requirement and the timing to secure the offset.
Transitional provisions

The requirements of this clause in force immediately before the commencement of Amendment VC138 continue to apply to an application for:

- A permit lodged before that date.
- An amendment to a permit if:
  - the original permit application was lodged before that date; or
  - the original permit application was one that benefited from the following transitional provision.
- A permit lodged within 12 months after that date, if the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987) has stated in writing that a report about the proposed removal, destruction or lopping of native vegetation has been generated by the Department of Environment, Land, Water and Planning’s native vegetation information systems within 12 months before that date.

Table of exemptions

<table>
<thead>
<tr>
<th>The requirement to obtain a permit does not apply to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conservation work</td>
</tr>
<tr>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to enable the carrying out of conservation work:</td>
</tr>
<tr>
<td>- which provides an overall improvement for biodiversity; and</td>
</tr>
<tr>
<td>- with written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Crown land</td>
</tr>
<tr>
<td>Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to manage Crown land:</td>
</tr>
<tr>
<td>- by or on behalf of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987), or Parks Victoria, and in accordance with the Procedure for the removal, destruction or lopping of native vegetation on Crown land; or</td>
</tr>
<tr>
<td>- with written permission from the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987).</td>
</tr>
<tr>
<td>Dead native vegetation</td>
</tr>
<tr>
<td>Native vegetation that is dead. This exemption does not apply to a standing dead tree with a trunk diameter of 40 centimetres or more at a height of 1.3 metres above ground level.</td>
</tr>
<tr>
<td>Emergency works</td>
</tr>
<tr>
<td>Native vegetation that is to be removed, destroyed, or lopped:</td>
</tr>
<tr>
<td>- in an emergency by, or on behalf of, a public authority or municipal council to create an emergency access associated with emergency works; or</td>
</tr>
<tr>
<td>- where it presents an immediate risk of personal injury or damage to property. Only that part of the vegetation that presents the immediate risk may be removed, destroyed or lopped under this exemption.</td>
</tr>
</tbody>
</table>
The requirement to obtain a permit does not apply to:

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
</table>
| Existing buildings | Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the use or maintenance of a building constructed in accordance with a planning or building permit issued before 15 September 2008. This exemption does not apply to:  
  - the operation or maintenance of a fence; or  
  - native vegetation located more than 10 metres measured from the outermost point of the building. |
| Existing buildings and works in the Farming Zone and Rural Activity Zone | Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable the use or maintenance of an existing building or works used for Agricultural production, including a dam, utility service, bore, horticultural trellising and accessway in the Farming Zone or the Rural Activity Zone. This exemption does not apply to:  
  - the use or maintenance of a Dwelling; or  
  - the operation or maintenance of a fence; or  
  - native vegetation located more than 10 metres measured from the outermost point of the building or works. |
| Fences | Native vegetation that is to be removed, destroyed, or lopped to the minimum extent necessary to enable:  
  - the operation or maintenance of an existing fence; or  
  - the construction of a boundary fence between properties in different ownership. The clearing along both sides of the fence when combined must not exceed 4 metres in width, except where land has already been cleared 4 metres or more along one side of the fence, then up to 1 metre can be cleared along the other side of the fence. |
| Fire protection | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to carry out any of the following fire protection activities:  
  - fire fighting;  
  - planned burning;  
  - making or maintenance of a fuelbreak or firefighting access track (or any combination thereof) that does not exceed a combined width of 6 metres;  
  - making a strategic fuelbreak up to 40 metres wide by, or on behalf of, a public authority in accordance with a strategic fuelbreak plan approved by the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987);  
  - in accordance with a fire prevention notice issued under either:  
    - Section 65 of the Forests Act 1958; or  
    - Section 41 of the Country Fire Authority Act 1958.  
  - keeping native vegetation clear of, or minimising the risk of bushfire ignition from, an electric line in accordance with a code of practice prepared under Part 8 of the Electricity Safety Act 1998; |
The requirement to obtain a permit does not apply to:

- minimising the risk to life and property from bushfire on a roadside of a public road managed by the relevant responsible road authority, and carried out by or on behalf of that authority, in accordance with the written agreement of the Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987). In this exemption, roadside, public road and responsible road authority have the same meanings as in section 3 of the Road Management Act 2004.

Note: Additional permit exemptions for bushfire protection are provided at Clause 52.12.

| Geothermal energy exploration and extraction | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Geothermal Energy Resources Act 2005. |
| Grasses | Native grass that is to be mowed or slashed for maintenance only, provided that the grass is: |
| | - located within a lawn, garden or other landscaped area; or |
| | - maintained at a height of at least 10 centimetres above ground level. |
| Grazing | Native vegetation that is to be removed, destroyed or lopped by domestic stock grazing on: |
| | - freehold land; or |
| | - Crown land in accordance with a license, permit or lease granted under applicable legislation. |
| Greenhouse gas sequestration and exploration | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary in accordance with an operation plan approved under the Greenhouse Gas Geological Sequestration Act 2008. |
| Harvesting for timber production – naturally established native vegetation | Naturally established native vegetation that is to be removed, destroyed or lopped to enable timber harvesting operations and associated activities that are in accordance with the Code of Practice for Timber Production 2014 and are: |
| | - undertaken on public land under a licence or permit issued under section 52 of the Forests Act 1958; or |
| Land management or directions notice | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land management notice or directions notice served under the Catchment and Land Protection Act 1994. |
| Land use conditions | Native vegetation that is to be removed, destroyed or lopped to the minimum extent necessary to comply with a land use condition served under the Catchment and Land Protection Act 1994. |
| Lopping and pruning for maintenance | Lopping or pruning native vegetation, for maintenance only, provided no more than 1/3 of the foliage of each individual plant is lopped or pruned. This exemption does not apply to: |
| | - the pruning or lopping of the trunk of a native tree; or |
| | - native vegetation on a roadside or railway reservation. |
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 the construction or operation 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 <em>Conservation, Forests and Lands Act 1987</em>).</td>
</tr>
<tr>
<td><strong>Site area</strong></td>
<td>Native vegetation that is to be removed, destroyed or lopped on land, together with all contiguous land in one ownership, which has an area of less than 0.4 hectares. This exemption does not apply to native vegetation on a roadside or rail reservation.</td>
</tr>
<tr>
<td><strong>Stock movements on roads</strong></td>
<td>Native vegetation that is to be removed, or destroyed by stock being moved along a road. This exemption does not apply to grazing as a result of holding stock in a temporary fence (including an electric fence) on a roadside for the purpose of feeding.</td>
</tr>
<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. 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 <em>Mineral Resources (Sustainable Development) Act 1990</em> 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 <em>Surveying Act 2004</em>) 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 <em>Traditional Owner Settlement Act 2010</em>; or</td>
</tr>
<tr>
<td></td>
<td>- an authorisation order made under sections 82 or 84 of the <em>Traditional Owner Settlement Act 2010</em> as those sections were in force immediately before the commencement of section 24 of the <em>Traditional Owner Settlement Amendment Act in 2016</em> (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>The Goulburn Valley Highway and adjoining land between the Hume Freeway and Mangalore Road as shown shaded on Map 1 to the Schedule</td>
<td>All native vegetation including trees, shrubs, herbs and grasses, to the minimum extent necessary for works undertaken by or on behalf of Goulburn Valley Water required for the construction of the Broadford Water Supply Project in accordance with the Project Impact Assessment, Environmental Management plan, and the native vegetation offset plan approved by the Secretary to the Department of Environment, Land, Water and Planning.</td>
</tr>
<tr>
<td>Broadford Water Supply Project</td>
<td>All native vegetation shown as ‘can be removed’ on Plan 9 in the incorporated Donnybrook-woodstock Precinct Structure Plan, October 2017 where the removal, destruction or lopping which is required for any development that is subject to and carried out in accordance with the following approval made pursuant to section 146B of the Environment Protection and Biodiversity Conservation Act 1999 (Cth): ‘Final approval for urban development in three growth corridors under the Melbourne urban growth program strategic assessment, 5 September 2013.’</td>
</tr>
<tr>
<td>The Hume Freeway and access restoration roads as shown on Drawing No. VR1 included in the Schedule to Clause 72.04.</td>
<td>All native vegetation shown as ‘can be removed’ on Plan 9 in the incorporated Donnybrook-woodstock Precinct Structure Plan, October 2017 where the removal, destruction or lopping which is required for any development that is subject to and carried out in accordance with the following approval made pursuant to section 146B of the Environment Protection and Biodiversity Conservation Act 1999 (Cth): ‘Final approval for urban development in three growth corridors under the Melbourne urban growth program strategic assessment, 5 September 2013.’</td>
</tr>
<tr>
<td>Land shown as UGZ4 or IPO3 on the planning scheme maps.</td>
<td>All native vegetation shown as ‘can be removed’ on Plan 9 in the incorporated Donnybrook-woodstock Precinct Structure Plan, October 2017 where the removal, destruction or lopping which is required for any development that is subject to and carried out in accordance with the following approval made pursuant to section 146B of the Environment Protection and Biodiversity Conservation Act 1999 (Cth): ‘Final approval for urban development in three growth corridors under the Melbourne urban growth program strategic assessment, 5 September 2013.’</td>
</tr>
<tr>
<td>Land shown as UGZ5 on the planning scheme maps.</td>
<td>All native vegetation removal, destruction or lopping of which is required for any development that is subject to and carried out in accordance with the ‘Final approval for urban development in three growth corridors under the Melbourne urban growth program strategic assessment, 5 September 2013’. This does not apply to native vegetation or scattered trees identified as to be retained in a precinct structure plan incorporated in this scheme.</td>
</tr>
</tbody>
</table>

2.0

Scheduled weed

<table>
<thead>
<tr>
<th>Area</th>
<th>Description of weed</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
Map 1 to the Schedule to Clause 52.17
TELECOMMUNICATIONS FACILITY

Purpose
To ensure that telecommunications infrastructure and services are provided in an efficient and cost effective manner to meet community needs.
To facilitate an effective statewide telecommunications network in a manner consistent with orderly and proper planning.
To encourage the provision of telecommunications facilities with minimal impact on the amenity of the area.

Permit requirement
A permit is required to construct a building or construct or carry out works for a Telecommunications facility. This does not apply to buildings and works for:

- A low-impact facility as described in the Telecommunications (Low-impact) Facilities Determination 1997 (Cth).
- The inspection and maintenance of a Telecommunications facility as defined in the Telecommunications Act 1997 (Cth).
- A facility authorised by a Facilities Installation Permit issued under the Telecommunications Act 1997 (Cth).
- A temporary defence facility.
- The connection of a building, structure, caravan or mobile home to a Telecommunications line forming part of a Telecommunications network.
- A Telecommunications facility that complies with the requirements of section 5 of A Code of Practice for Telecommunications Facilities in Victoria, July 2004.
- An activity authorised under clause 6(2) of Division 3 of Schedule 3 of the Telecommunications Act 1997 (Cth).
- An activity carried out by a body listed in sections 46 to 51 (inclusive) of the Telecommunications Act 1997 (Cth) pursuant to legislation applying to that body.

Land in public ownership
An application affecting land in a public land zone must be accompanied by written confirmation from the public land manager that the public land manager consents generally or conditionally:

- To the application being made; or
- To the application being made and to the proposed development.

This requirement does not apply if the applicant is the public land manager.

Exemption from notice and review
An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act unless:

- The Telecommunications facility is a radio communications dish greater than 1.2 metres in diameter; or
- The Telecommunications facility is a Telecommunications tower (other than a low-impact facility described in the Telecommunications (Low-impact Facilities) Determination 1997 (Cth)); or
- The land is located in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, a Design and Development Overlay or an Erosion Management Overlay; or
- The land is public land not in a public land zone and the responsible authority is not the public land manager.

An application under any provision of this scheme to use or develop land for a Telecommunications facility is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the Telecommunications facility is funded, or partly funded, by:
- The Commonwealth through the Mobile Black Spot Program; or
- The State of Victoria.

**Application requirements**

An application must be accompanied by the following information as appropriate to the proposal and the location:

- A site analysis and design response explaining how the proposed facility addresses the principles for the design, siting, construction and operation of telecommunications facilities and the requirements in *A Code of Practice for Telecommunications Facilities in Victoria, July 2004*.
- Site boundaries and dimensions.
- The purpose and location of all buildings and works required in the construction of the facility.
- The location of all existing buildings and works to be retained and demolished.
- The location of all proposed buildings and works including dimensions, elevations, materials, colours and finishes.
- The location and use of all buildings on adjoining properties.
- The location of all adjoining streets and access ways.
- Australian Height Datum levels.
- Natural drainage lines, watercourses, coastal dunes, beach systems and wetlands.
- Proposals for the rehabilitation of the land on which development is to occur.
- Roads and parking areas.
- Materials, landscaping, external lighting, colour and reflectivity.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines of Clause 65, the responsible authority must consider, as appropriate:

- The principles for the design, siting, construction and operation of a Telecommunications facility set out in *A Code of Practice for Telecommunications Facilities in Victoria, July 2004*.
- The effect of the proposal on adjacent land.
- If the Telecommunications facility is located in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, a Design and Development Overlay or an Erosion Management Overlay, the decision guidelines in those overlays and the schedules to those overlays.
PRIVATE TENNIS COURT

Purpose

To ensure that tennis courts used in association with a dwelling are sited and constructed to minimise the effects of the development on nearby properties.

To ensure that the use of tennis courts in association with a dwelling does not cause unreasonable disturbance to adjoining residents or adversely affect the residential amenity of adjoining areas.

Application

This clause applies to any private tennis court which is used in association with a dwelling.

Permit requirement

A permit is not required under any provision of this scheme to construct, use or illuminate a private tennis court if the performance requirements specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999 are met.

A permit is required to construct, use or illuminate a private tennis court:

- If any of the performance requirements specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999 are not met.

- If the land is in an Environmental Significance Overlay, a Vegetation Protection Overlay, a Significant Landscape Overlay, a Heritage Overlay, an Urban Floodway Zone, a Floodway Overlay or a Land Subject to Inundation Overlay and a permit is required for any of the following:
  - To construct a building or construct or carry out works.
  - To remove, destroy, prune or lop a tree or vegetation.

Application requirements

Unless the circumstances do not require, an application under this clause must be accompanied by the following information:

- A copy of title of the land.
- A layout plan to a scale of not less than 1:200.
- The location of dwellings on adjoining land within 10 metres of the court site showing habitable room windows.
- Existing and proposed site levels.
- Location of vegetation to be removed.
- Proposed landscaping.
- Illumination levels and the position and height of light poles and fencing.
- Description of fencing material.
- The location of easements.
- Volume of excavated material to be brought to or removed from the site.
- Means of access to the site.
- Construction method and timing.
**Notice provisions**

An application for a permit to construct, use or illuminate a private tennis court under any provision of this scheme is exempt from the notice requirements of section 52(1)(a), (b) and (d) of the Act. In accordance with section 52(1)(c) of the Act notice of an application to construct, use or illuminate a private tennis court under any provision of this scheme must be given by ordinary post to the owners and occupiers of adjoining and opposite properties.

**Decision guidelines**

Before deciding on an application under this Clause, in addition to the decision guidelines in Clause 65, the responsible authority must consider the relevant objectives and considerations specified in the Code of Practice - Private Tennis Court Development Revision 1 March 1999.
COMMUNITY CARE ACCOMMODATION

Purpose
To facilitate the establishment of community care accommodation.
To support the confidentiality of community care accommodation.

Application
This clause applies to the use and development of land for community care accommodation.

Use exemption
Any requirement in the Activity Centre Zone, Capital City Zone, Commercial 1 Zone, General Residential Zone, Low Density Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone, Rural Living Zone or Township Zone to obtain a permit to use land for community care accommodation does not apply if all of the following requirements are met:

- Any condition opposite the use ‘community care accommodation’ in the table of uses in the zone or schedule to the zone is met.
- The use is funded by, or conducted by or on behalf of, a government department or public authority, including a public authority established for a public purpose under a Commonwealth Act.
- No more than 20 clients are accommodated. This does not include staff.
- No more than 5 persons at any one time who are not residents may access support services provided on the land.

Buildings and works exemption
Any requirement in the General Residential Zone, Low Density Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone, Rural Living Zone or Township Zone to obtain a permit to construct a building or 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 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 LICENSED PREMISES**

### 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 compatibility of the proposal with adjoining and nearby land uses.
- The capability of the site to accommodate the proposal.
- Whether the gaming premises provides a full range of hotel facilities or services to patrons or a full range of club facilities or services to members and patrons.
- Any other matters specified in the schedule to this clause.
SCHEDULE TO CLAUSE 52.28 GAMING

Objectives
None specified.

Prohibition of a gaming machine in a shopping complex
Installation or use of a gaming machine as specified in Clause 52.28-4 is prohibited on land described in Table 1 below.

<table>
<thead>
<tr>
<th>Name of shopping complex and locality</th>
<th>Land description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Seymour Shopping Centre, Seymour</td>
<td>20 Tallarook Street, 2 Bishop Street and 29 Wallis</td>
</tr>
<tr>
<td></td>
<td>Street, Seymour</td>
</tr>
<tr>
<td>Coles Supermarket Complex, Kilmore</td>
<td>97 Clarke Street, Kilmore</td>
</tr>
<tr>
<td>Wellington Square Shopping Complex, Wallan</td>
<td>81-99 High Street, Wallan</td>
</tr>
</tbody>
</table>

Prohibition of a gaming machine in a strip shopping centre
A gaming machine as specified in Clause 52.28-5 is prohibited in all strip shopping centres on land covered by this planning scheme.

Locations for gaming machines
None specified.

Venues for gaming machines
None specified.

Application requirements
None specified.

Decision guidelines
None specified.
LAND ADJACENT TO A ROAD ZONE, CATEGORY 1, OR A PUBLIC ACQUISITION OVERLAY FOR A CATEGORY 1 ROAD

Purpose
To ensure appropriate access to identified roads.
To ensure appropriate subdivision of land adjacent to identified roads.

Application
This clause applies to land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.

Permit requirement
A permit is required to:
- Create or alter access to:
  - A road in a Road Zone, Category 1.
  - Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.
- Subdivide land adjacent to:
  - A road in a Road Zone, Category 1.
  - Land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.

Permit not required
A permit is not required to:
- Realign a boundary.
- Subdivide an existing building, provided the building is already connected to services and no new access is required.
- Subdivide land into two lots, provided no new access is required.

Referral of applications
An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or arterial road under the Road Management Act 2004, land owned by the Roads Corporation for the purpose of a road, or land in a Public Acquisition Overlay if the Roads Corporation is the acquiring authority for the land, must be referred to the Roads Corporation under section 55 of the Act.

Any other application must be referred to the owner of, or the acquiring authority for, the adjacent land in the Road Zone, Category 1, or the Public Acquisition Overlay.

Exemption from notice and review
An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:
- The views of the relevant road authority.
- The effect of the proposal on the operation of the road and on public safety.
- Any policy made by the relevant road authority pursuant to Schedule 2, Clause 3 of the Road Management Act 2004 regarding access between a controlled access road and adjacent land.
WIND ENERGY FACILITY

Purpose
To facilitate the establishment and expansion of wind energy facilities, in appropriate locations, with minimal impact on the amenity of the area.

Application
This clause applies to land used and developed or proposed to be used and developed for a Wind energy facility.

Use and development of land
A permit is required to use and develop land for a Wind energy facility.

The use and development of land for a Wind energy facility is prohibited at a location listed in the table to this clause unless the condition opposite the location specified in the table is met.

Table to Clause 52.32-2

<table>
<thead>
<tr>
<th>Location</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>On land where any turbine (measured from the centre of the tower at ground level) that forms part of the facility is located within one kilometre of an existing dwelling. This does not apply to a Wind energy facility that is located on land in a residential zone, an industrial zone, a commercial zone or a special purpose zone.</td>
<td>Must meet the requirements of clause 52.32-3.</td>
</tr>
<tr>
<td>Land described in a schedule to the National Parks Act 1975</td>
<td>Must be principally used to supply electricity to a facility used in conjunction with conservation, recreation, administration or accommodation use of the land.</td>
</tr>
<tr>
<td>Land declared a Ramsar wetland as defined under section 17 of the Environment Protection and Biodiversity Conservation Act 1999 (Cwth)</td>
<td></td>
</tr>
<tr>
<td>Land listed in a schedule to Clause 52.32-2</td>
<td>Must be on land in a residential zone, industrial zone, commercial zone or special purpose zone and must be integrated as part of the development of the land.</td>
</tr>
</tbody>
</table>

Turbine within one kilometre of a dwelling
An application that includes a proposed turbine within one kilometre of an existing dwelling must be accompanied by:

- A plan showing all dwellings within one kilometre of a proposed turbine (measured from the centre of the tower at ground level).
- Evidence of the written consent of any owner as at the date of that application of an existing dwelling located within one kilometre of a proposed turbine (measured from the centre of the tower at ground level) that forms part of a Wind energy facility. This does not apply to an application to amend such a permit under section 72 or section 97I of the Act unless the amendment of the permit would:
  - increase the number of turbines; or
change the location of a turbine so that the centre of the tower (at ground level) is located
closer to an existing dwelling (within one kilometre of a permitted turbine) than the centre
of the tower (at ground level) of the closest permitted turbine to that dwelling.

This does not apply to a Wind energy facility that is located on land in a residential zone, an
industrial zone, a commercial zone or a special purpose zone.

**Application requirements**

An application must be accompanied by the following information as appropriate:

**Site and context analysis**

A site and context analysis may use a site plan, photographs or other techniques to accurately
describe the site and surrounding area and must include the following information:

- In relation to the site:
  - Site shape, dimensions and size
  - Orientation and contours
  - Current land use
  - The existing use and siting of buildings or works on the land
  - Existing vegetation types, condition and coverage
  - The landscape of the site
  - Species of flora and fauna listed under the *Flora and Fauna Guarantee Act 1988* and the
    *Environment Protection and Biodiversity Conservation Act 1999* (Cwth)
  - Sites of cultural heritage significance
  - Wind characteristics
  - Any other notable features, constraints or other characteristics of the site.

- In relation to the surrounding area:
  - Existing land uses
  - Above-ground utilities
  - Access to infrastructure
  - Direction and distances to nearby dwellings, townships, urban areas, significant conservation
    and recreation areas, water features, tourist routes and walking tracks, major roads, airports,
    aerodromes and existing and proposed wind energy facilities
  - The siting and use of buildings on adjacent properties
  - Views to and from the site, including views from existing dwellings and key vantage points
    including major roads, walking tracks, tourist routes and regional population growth corridors
  - Sites of flora and fauna listed under the *Flora and Fauna Guarantee Act 1988* and
    *Environment Protection and Biodiversity Conservation Act 1999* (Cwth), including significant
    habitat corridors, and movement corridors for these fauna
  - Sites of cultural heritage significance
  - National Parks, State Parks, Coastal Reserves and other land subject to the *National Parks
    Act 1975*
  - Land declared a Ramsar wetland as defined under section 17 of the *Environment Protection
    and Biodiversity Conservation Act 1999* (Cwth)
- Location of any land included in the schedule to clause 52.32-2 of the planning scheme
- Any other notable features or characteristics of the area
- Bushfire risks.

Design response
- Detailed plans of the proposed development.
- Plans and elevations of transmission infrastructure and electricity utility works required to connect the facility to the electricity network, and access road options.
- Accurate visual simulations illustrating the development in the context of the surrounding area and from key public view points.
- A rehabilitation plan for the site.
- A written report(s), including:
  - A description of the proposal.
  - An explanation of how the proposed design derives from and responds to the site analysis.
  - A description of how the proposal responds to any significant landscape features for the area identified in the planning scheme.
  - An assessment of:
    - the visual impact of the proposal on the surrounding landscape.
    - the visual impact on abutting land that is described in a schedule to the National Parks Act 1975 and Ramsar wetlands and coastal areas.
    - the impact of the proposal on any species (including birds and bats) listed under the Flora and Fauna Guarantee Act 1988 or the Environment Protection and Biodiversity Conservation Act 1999 (Cwth).
    - the noise impacts of the proposal prepared in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise, including an assessment of whether a high amenity noise limit is applicable, as assessed under Section 5.3 of the Standard.
    - the impacts upon Aboriginal or non-Aboriginal cultural heritage.
  - A statement of why the site is suitable for the wind energy facility.
  - An environmental management plan including any rehabilitation and monitoring requirements.

If in the opinion of the responsible authority a requirement of the site and context analysis or design response is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

An application must be accompanied by the following information:

Mandatory noise assessment
- A pre-construction (predictive) noise assessment report demonstrating that the proposal can comply with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise, including an assessment of whether a high amenity noise limit is applicable under Section 5.3 of the Standard.
of the pre-construction (predictive) noise assessment report has been conducted in accordance with the New Zealand Standard NZS6808:2010, Acoustics – Wind Farm Noise.

**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

Wind energy facility prohibition

<table>
<thead>
<tr>
<th>Land where a Wind energy facility is prohibited</th>
</tr>
</thead>
<tbody>
<tr>
<td>All land west of the Hume Freeway and the Goulburn Valley Highway.</td>
</tr>
</tbody>
</table>
POST BOXES AND DRY STONE WALLS

Purpose
To conserve historic post boxes and dry stone walls.

Permit requirement
A permit is required to demolish or remove a post box constructed before 1930.
A permit is required to demolish, remove or alter a dry stone wall constructed before 1940 on land specified in the schedule to this provision. This does not apply to:

- Dry stone structures other than walls and fences.
- The demolition or removal of a section of a dry stone wall to install a gate.
- The reconstruction of damaged or collapsing walls which are undertaken to the same specifications and using the same materials as the existing walls.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The significance of the post box or dry stone wall.
- Any applicable heritage study, statement of significance and conservation policy.
- Whether the proposal will adversely affect the significance of the post box or dry stone wall.
- Whether the proposal will adversely affect the significance, character or appearance of the area.
## SCHEDULE TO CLAUSE 52.33 POST BOXES AND DRY STONE WALLS

### 1.0 Permit requirement for dry stone walls

<table>
<thead>
<tr>
<th>Land</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
BICYCLE FACILITIES

Purpose
To encourage cycling as a mode of transport.
To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.

Provision of bicycle facilities
A new use must not commence or the floor area of an existing use must not be increased until the required bicycle facilities and associated signage has been provided on the land.
Where the floor area occupied by an existing use is increased, the requirement for bicycle facilities only applies to the increased floor area of the use.

Permit requirement
A permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6.

Exemption from notice and review
An application is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review right of section 82(1) of the Act.

Decision guidelines
Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the proposed number, location and design of bicycle facilities meets the purpose of this clause.
- The location of the proposed land use and the distance a cyclist would need to travel to reach the land.
- The users of the land and their opportunities for bicycle travel.
- Whether showers and change rooms provided on the land for users other than cyclists are available to cyclists.
- The opportunities for sharing of bicycle facilities by multiple uses, either because of variation of bicycle parking demand over time or because of efficiencies gained from the consolidation of shared bicycle facilities.
- Any relevant bicycle parking strategy or equivalent.

Required bicycle facilities
Tables 1, 2 and 3 to this clause set out the number and type of bicycle facilities required. Bicycle facilities are required if the use is listed in column 1 of the table. The number of bicycle facilities required for a use is the sum of columns 2 and 3 of the tables.
If in calculating the number of bicycle facilities the result is not a whole number, the required number of bicycle facilities is the nearest whole number. If the fraction is one-half, the requirement is the next whole number.
A bicycle space for an employee or resident must be provided either in a bicycle locker or at a bicycle rail in a lockable compound.
A bicycle space for a visitor, shopper or student must be provided at a bicycle rail.

### Table 1 to Clause 52.34-5 Bicycle spaces

<table>
<thead>
<tr>
<th>Use</th>
<th>Employee/Resident</th>
<th>Visitor/Shopper/Student</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amusement parlour</td>
<td>None</td>
<td>2 plus 1 to each 50 sq m of net floor area</td>
</tr>
<tr>
<td>Convenience restaurant</td>
<td>1 to each 25 sq m of floor area available to the public</td>
<td>2</td>
</tr>
<tr>
<td>Dwelling</td>
<td>In developments of four or more storeys, 1 to each 5 dwellings</td>
<td>In developments of four or more storeys, 1 to each 10 dwellings</td>
</tr>
<tr>
<td>Education centre 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 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>
<tr>
<td>Take-away food premises</td>
<td>1 to each 100 sq m of net floor area</td>
<td>1 to each 50 sq m of net floor area</td>
</tr>
</tbody>
</table>
Table 2 to Clause 52.34-5 Showers

<table>
<thead>
<tr>
<th>USE</th>
<th>EMPLOYEE/RESIDENT</th>
<th>VISITOR/SHOPPER/STUDENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use listed in Table 1</td>
<td>If 5 or more employee bicycle spaces are required, 1 shower for the first 5 employee bicycle spaces, plus 1 to each 10 employee bicycle spaces thereafter.</td>
<td>None</td>
</tr>
</tbody>
</table>

Table 3 to Clause 52.34-5 – Change rooms

<table>
<thead>
<tr>
<th>USE</th>
<th>EMPLOYEE/RESIDENT</th>
<th>VISITOR/SHOPPER/STUDENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Any use listed in Table 1</td>
<td>1 change room or direct access to a communal change room to each shower. The change room may be a combined shower and change room.</td>
<td>None</td>
</tr>
</tbody>
</table>

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Design of bicycle spaces

Bicycle spaces should:

- Provide a space for a bicycle of minimum dimensions of 1.7 metres in length, 1.2 metres in height and 0.7 metres in width at the handlebars.
- Be located to allow a bicycle to be ridden to within 30 metres of the bicycle parking space.
- Be located to provide convenient access from surrounding bicycle routes and main building entrances.
- Not interfere with reasonable access to doorways, loading areas, access covers, furniture, services and infrastructure.
- Not cause a hazard.
- Be adequately lit during periods of use.

Bicycle rails

A bicycle rail must:

- Be securely fixed to a wall or to the floor or ground.
- Be in a highly visible location for bicycle security (when not in a compound).
- Be of a shape that allows a cyclist to easily lock the bicycle frame and wheels.
- Be located to allow easy access to park, lock and remove the bicycle.

Bicycle compounds and lockers

A bicycle compound or a bicycle locker must:

- Be located to provide convenient access to other bicycle facilities including showers and change rooms.
- Be fully enclosed.
- Be able to be locked.
- If outside, provide weather protection for the bicycle.

A bicycle locker must provide a bicycle parking space for at least one bicycle.

A bicycle compound must:

- Include wall or floor rails for bicycle parking.
- Provide an internal access path of at least 1.5 metres in width.
**Bicycle signage**

If bicycle facilities are required by this clause, bicycle signage that directs the cyclists to the bicycle facilities must be provided to the satisfaction of the responsible authority.

Bicycle signage should:

- Be at least 0.3 metres wide and 0.45 metres high.
- Display a white bicycle on a blue background on the top half of the sign.
- Display information about the direction of facilities on the bottom half of the sign.
PUBLIC OPEN SPACE CONTRIBUTION AND SUBDIVISION

A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause (being a percentage of the land intended to be used for residential, industrial or commercial purposes, or a percentage of the site value of such land, or a combination of both). If no amount is specified, a contribution for public open space may still be required under section 18 of the Subdivision Act 1988.

Exemption from public open space requirement specified in the scheme

A subdivision is exempt from a public open space requirement specified in this scheme if:

- It is one of the following classes of subdivision:
  - Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.
  - Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.

- It is for the purpose of excising land to be transferred to a public authority, council or a Minister for a utility installation.

- It subdivides land into two lots and the council considers it unlikely that each lot will be further subdivided.

Exemption from public open space requirement under section 18(8)(a) of the Subdivision Act 1988

For the purposes of section 18(8)(a) of the Subdivision Act 1988, the following classes of subdivision are exempt from the public open space requirement:

- Class 1: The subdivision of a building used for residential purposes provided each lot contains part of the building. The building must have been constructed or used for residential purposes immediately before 30 October 1989 or a planning permit must have been issued for the building to be constructed or used for residential purposes immediately before that date.

- Class 2: The subdivision of a commercial or industrial building provided each lot contains part of the building.

Note: Check section 18A of the Subdivision Act 1988 for other requirements that apply to a public open space requirement specified in the planning scheme.
Subdivision and public open space contribution

<table>
<thead>
<tr>
<th>Type or location of subdivision</th>
<th>Amount of contribution for public open space</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land shown as UGZ1 on planning scheme maps (Lockerbie Precinct Structure Plan)</td>
<td>2.03% Land and/or cash contribution requirements must be in accordance with R21 of Section 3.2 in the <em>Lockerbie Precinct Structure Plan, May 2012.</em></td>
</tr>
<tr>
<td>Land shown as UGZ2 on the planning scheme maps (Lockerbie North Precinct Structure Plan).</td>
<td>3.24% Land and/or cash contribution requirements must be in accordance with R17 of Section 3.2 in the <em>Lockerbie North Precinct Structure Plan, March 2012.</em></td>
</tr>
<tr>
<td>Infill development within Kilmore and Kilmore East</td>
<td>4% of site value cash contribution in accordance with the <em>Kilmore Infrastructure Funding Framework, July 2017</em></td>
</tr>
</tbody>
</table>
53.02 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.

53.02-3 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>

53.02-3.1 Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider:

• The Municipal Planning Strategy and the Planning Policy Framework.

• The bushfire hazard site assessment and the bushfire management statement submitted with the application.

• Whether all of the the approved measures have been incorporated into the application.

53.02-4 Bushfire protection objectives

53.02-4.1 Landscape, siting and design objectives

Development is appropriate having regard to the nature of the bushfire risk arising from the surrounding landscape.

Development is sited to minimise the risk from bushfire.

Development is sited to provide safe access for vehicles, including emergency vehicles.

Building design minimises vulnerability to bushfire attack.
## Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AM 2.1</strong></td>
<td>The bushfire risk to the development from the landscape beyond the site can be mitigated to an acceptable level.</td>
</tr>
<tr>
<td><strong>AM 2.2</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 2.3</strong></td>
<td>A building is designed to be responsive to the landscape risk and reduce the impact of bushfire on the building.</td>
</tr>
</tbody>
</table>

### 53.02-4.2

**Defendable space and construction objective**

Defendable space and building construction mitigate the effect of flame contact, radiant heat and embers on buildings.

### Approved measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AM 3.1</strong></td>
<td>A building used for a dwelling (including an extension or alteration to a dwelling), a dependent person’s unit, industry, office or retail premises is provided with defendable space in accordance with:</td>
</tr>
<tr>
<td></td>
<td>• Table 2 Columns A, B or C and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land; or</td>
</tr>
<tr>
<td></td>
<td>• If there are significant siting constraints, Table 2 Column D and Table 6 to Clause 53.02-5.</td>
</tr>
<tr>
<td></td>
<td>The building is constructed to the bushfire attack level that corresponds to the defendable space provided in accordance with Table 2 to Clause 53.02-5.</td>
</tr>
<tr>
<td><strong>AM 3.2</strong></td>
<td>A building used for accommodation (other than a dwelling or dependent person’s unit), a child care centre, an education centre, a hospital, leisure and recreation or a place of assembly is:</td>
</tr>
<tr>
<td></td>
<td>• Provided with defendable space in accordance with Table 3 and Table 6 to Clause 53.02-5 wholly within the title boundaries of the land.</td>
</tr>
<tr>
<td></td>
<td>• Constructed to a bushfire attack level of BAL12.5.</td>
</tr>
</tbody>
</table>

### Alternative measures

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AltM 3.3</strong></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><strong>AltM 3.4</strong></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>
<tbody>
<tr>
<td>AM 4.1</td>
<td>A building used for a dwelling (including an extension or alteration to a dwelling), a dependent person’s unit, industry, office or retail premises is provided with:</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.</td>
</tr>
<tr>
<td></td>
<td>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.</td>
</tr>
<tr>
<td>AM 4.2</td>
<td>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:</td>
</tr>
</tbody>
</table>
Requirement Measure

- A static water supply for fire fighting and property protection purposes of 10,000 litres per 1,500 square metres of floor space up to 40,000 litres.
- Vehicle access that is designed and constructed as specified in Table 5 to Clause 53.02-5.
- An integrated approach to risk management that ensures the water supply and access arrangements will be effective based on the characteristics of the likely future occupants including their age, mobility and capacity to evacuate during a bushfire emergency.

The water supply may be in the same tank as other water supplies provided that a separate outlet is reserved for fire fighting water supplies.

### 53.02-4.4 Subdivision objectives

To provide lots that are capable of being developed in accordance with the objectives of Clause 53.02.

To specify at the subdivision stage bushfire protection measures to develop a lot with a single dwelling on land zoned for residential or rural residential purposes.

<table>
<thead>
<tr>
<th>Measure</th>
<th>Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AM 5.1</td>
<td>An application to subdivide land, other than where AM 5.2 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>AM 5.2</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 AM 2.1.</td>
</tr>
<tr>
<td></td>
<td>- A building envelope for a single dwelling on each lot that complies with AM 2.2 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 AM 4.1.</td>
</tr>
<tr>
<td>AM 5.3</td>
<td>An application to subdivide land to create 10 or more lots provides a perimeter road adjoining the hazardous vegetation to support fire fighting.</td>
</tr>
</tbody>
</table>
A subdivision manages the bushfire risk to future development from existing or proposed landscaping, public open space and communal areas.

Alternative measure

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 assessment, the bushfire hazard site assessment and the bushfire management statement submitted with the application.
- The impact of any State, regional or local bushfire management and prevention actions occurring around the site and in the wider area on the bushfire hazard and the level of risk to the proposed development.
- Whether the proposed development meets the objectives of Clause 53.02-4 regardless of other measures which may be available, including private bushfire shelters, community shelters and the presence of places of last resort.
- Whether the proposed measures can be practically implemented and maintained in conjunction with the ongoing use of the land.
- Whether the use of an alternative measure meets the relevant objective having regard to the bushfire hazard and the nature of any constraint that prevents the applicable approved measure from being implemented.
- If one or more of the objectives in Clause 53.02-4 will not be achieved in the completed development, whether the development will, taking all relevant factors into account, reduce the bushfire risk to a level that warrants it proceeding.
- Whether the risk arising from the broader landscape can be mitigated to an acceptable level or warrants the development not proceeding.
Tables: Defendable space, construction, water supply, vehicle access, vegetation management and outbuilding construction requirements

Table 1 Defendable space and construction

<table>
<thead>
<tr>
<th>Slope</th>
<th>Vegetation Type</th>
<th>Defendable space distance from building facade (metres)</th>
<th>Column A</th>
<th>Column B</th>
<th>Column C</th>
<th>Column D</th>
<th>Column E</th>
</tr>
</thead>
<tbody>
<tr>
<td>All upslopes and flat land (0 degrees)</td>
<td>Forest</td>
<td>48</td>
<td>35</td>
<td>25</td>
<td>19</td>
<td>&lt; 19</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>33</td>
<td>24</td>
<td>16</td>
<td>12</td>
<td>&lt; 12</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>27</td>
<td>19</td>
<td>13</td>
<td>10</td>
<td>&lt; 10</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>19</td>
<td>13</td>
<td>9</td>
<td>7</td>
<td>&lt; 7</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>17</td>
<td>12</td>
<td>8</td>
<td>6</td>
<td>&lt; 6</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>23</td>
<td>16</td>
<td>11</td>
<td>8</td>
<td>&lt; 8</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>19</td>
<td>13</td>
<td>9</td>
<td>6</td>
<td>&lt; 6</td>
<td></td>
</tr>
<tr>
<td>Downslope &gt;0 to 5 degrees</td>
<td>Forest</td>
<td>57</td>
<td>43</td>
<td>32</td>
<td>24</td>
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<tr>
<td></td>
<td>Woodland</td>
<td>41</td>
<td>29</td>
<td>21</td>
<td>15</td>
<td>&lt; 15</td>
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</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>31</td>
<td>22</td>
<td>15</td>
<td>11</td>
<td>&lt; 11</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>22</td>
<td>15</td>
<td>10</td>
<td>7</td>
<td>&lt; 7</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>20</td>
<td>13</td>
<td>9</td>
<td>7</td>
<td>&lt; 7</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rainforest</td>
<td>29</td>
<td>20</td>
<td>14</td>
<td>10</td>
<td>&lt; 10</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>22</td>
<td>15</td>
<td>10</td>
<td>7</td>
<td>&lt; 7</td>
<td></td>
</tr>
<tr>
<td>Downslope &gt;5 to 10 degrees</td>
<td>Forest</td>
<td>69</td>
<td>53</td>
<td>39</td>
<td>31</td>
<td>&lt; 31</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>50</td>
<td>37</td>
<td>26</td>
<td>20</td>
<td>&lt; 20</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Scrub</td>
<td>35</td>
<td>24</td>
<td>17</td>
<td>12</td>
<td>&lt; 12</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>25</td>
<td>17</td>
<td>11</td>
<td>8</td>
<td>&lt; 8</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mallee/ Mulga</td>
<td>23</td>
<td>15</td>
<td>10</td>
<td>7</td>
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<tr>
<td></td>
<td>Rainforest</td>
<td>36</td>
<td>26</td>
<td>18</td>
<td>13</td>
<td>&lt; 13</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Grassland</td>
<td>25</td>
<td>17</td>
<td>11</td>
<td>8</td>
<td>&lt; 8</td>
<td></td>
</tr>
<tr>
<td>Downslope &gt;10 to 15 degrees</td>
<td>Forest</td>
<td>82</td>
<td>64</td>
<td>49</td>
<td>39</td>
<td>&lt; 39</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>60</td>
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<td>33</td>
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<td>&lt; 25</td>
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<td>Scrub</td>
<td>39</td>
<td>28</td>
<td>19</td>
<td>14</td>
<td>&lt; 14</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Shrubland</td>
<td>28</td>
<td>19</td>
<td>13</td>
<td>9</td>
<td>&lt; 9</td>
<td></td>
</tr>
</tbody>
</table>
### Defendable space and the bushfire attack level

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 2 Defendable space and construction

<table>
<thead>
<tr>
<th>Slope</th>
<th>Vegetation</th>
<th>Defendable space distance from building facade (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Column A</td>
</tr>
<tr>
<td>All upslopes and flat land</td>
<td>Forest</td>
<td>48</td>
</tr>
<tr>
<td></td>
<td>Woodland</td>
<td>33</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>
<th>Column A</th>
<th>Column B</th>
<th>Column C</th>
<th>Column D</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
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<td>Column A</td>
<td>Column B</td>
<td>Column C</td>
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<td></td>
<td></td>
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<td>19</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Shrubland</td>
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<td>13</td>
<td>9</td>
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<td></td>
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<td></td>
<td>Mallee/ Mulga</td>
<td>17</td>
<td>12</td>
<td>8</td>
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<td></td>
<td></td>
<td>Rainforest</td>
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<td>16</td>
<td>11</td>
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<td></td>
<td></td>
<td>Grassland</td>
<td>19</td>
<td>13</td>
<td>9</td>
</tr>
<tr>
<td>Downslope &gt;0 to 5 degrees</td>
<td>Forest</td>
<td></td>
<td>57</td>
<td>43</td>
<td>32</td>
<td>24</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Woodland</td>
<td>41</td>
<td>29</td>
<td>21</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Scrup</td>
<td>31</td>
<td>22</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Shrubland</td>
<td>22</td>
<td>15</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Mallee/ Mulga</td>
<td>20</td>
<td>13</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Rainforest</td>
<td>29</td>
<td>20</td>
<td>14</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Grassland</td>
<td>22</td>
<td>15</td>
<td>10</td>
</tr>
<tr>
<td>Downslope &gt;5 to 10 degrees</td>
<td>Forest</td>
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<td>69</td>
<td>53</td>
<td>39</td>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Woodland</td>
<td>50</td>
<td>37</td>
<td>26</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Scrup</td>
<td>35</td>
<td>24</td>
<td>17</td>
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<td></td>
<td></td>
<td></td>
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<td>15</td>
<td>10</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Rainforest</td>
<td>36</td>
<td>26</td>
<td>18</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Grassland</td>
<td>25</td>
<td>17</td>
<td>11</td>
</tr>
<tr>
<td>Downslope &gt;10 to 15 degrees</td>
<td>Forest</td>
<td></td>
<td>82</td>
<td>64</td>
<td>49</td>
<td>39</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Woodland</td>
<td>60</td>
<td>45</td>
<td>33</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Scrup</td>
<td>39</td>
<td>28</td>
<td>19</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Shrubland</td>
<td>28</td>
<td>19</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Mallee/ Mulga</td>
<td>26</td>
<td>18</td>
<td>11</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Rainforest</td>
<td>45</td>
<td>33</td>
<td>23</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Grassland</td>
<td>28</td>
<td>20</td>
<td>13</td>
</tr>
<tr>
<td>Downslope &gt;15 to 20 degrees</td>
<td>Forest</td>
<td></td>
<td>98</td>
<td>78</td>
<td>61</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Woodland</td>
<td>73</td>
<td>56</td>
<td>41</td>
</tr>
</tbody>
</table>
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 3 Defendable space

<table>
<thead>
<tr>
<th>Vegetation class</th>
<th>Upslope and flat land (0 degrees)</th>
<th>Downslope (degrees) &gt;0-5</th>
<th>&gt;5-10</th>
<th>&gt;10-15</th>
<th>&gt;15-20</th>
</tr>
</thead>
<tbody>
<tr>
<td>Forest</td>
<td>60</td>
<td>70</td>
<td>85</td>
<td>105</td>
<td>125</td>
</tr>
<tr>
<td>Woodland</td>
<td>40</td>
<td>50</td>
<td>62</td>
<td>75</td>
<td>95</td>
</tr>
<tr>
<td>Shrubland</td>
<td>25</td>
<td>28</td>
<td>32</td>
<td>36</td>
<td>41</td>
</tr>
<tr>
<td>Scrub</td>
<td>35</td>
<td>40</td>
<td>45</td>
<td>50</td>
<td>55</td>
</tr>
<tr>
<td>Mallee/Mulga</td>
<td>23</td>
<td>26</td>
<td>30</td>
<td>35</td>
<td>40</td>
</tr>
<tr>
<td>Rainforest</td>
<td>30</td>
<td>36</td>
<td>46</td>
<td>60</td>
<td>70</td>
</tr>
</tbody>
</table>
### Table 4 Water supply requirements

#### Capacity, fittings and access

<table>
<thead>
<tr>
<th>Lot sizes (square meters)</th>
<th>Hydrant available</th>
<th>Capacity (litres)</th>
<th>Fire authority fittings and access required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 500</td>
<td>Not applicable</td>
<td>2,500</td>
<td>No</td>
</tr>
<tr>
<td>500-1,000</td>
<td>Yes</td>
<td>5,000</td>
<td>No</td>
</tr>
<tr>
<td>500-1,000</td>
<td>No</td>
<td>10,000</td>
<td>Yes</td>
</tr>
<tr>
<td>1,001 and above</td>
<td>Not applicable</td>
<td>10,000</td>
<td>Yes</td>
</tr>
</tbody>
</table>

**Note 1:** *A hydrant is available if it is located within 120 metres of the rear of the building.*

#### Fire authority requirements

Unless otherwise agreed in writing by the relevant fire authority, the water supply must:

- Be stored in an above ground water tank constructed of concrete or metal.
- Have all fixed above ground water pipes and fittings required for firefighting purposes made of corrosive resistant metal.
- Include a separate outlet for occupant use.

Where a 10,000 litre water supply is required, fire authority fittings and access must be provided as follows:

- Be readily identifiable from the building or appropriate identification signs to the satisfaction of the relevant fire authority.
- Be located within 60 metres of the outer edge of the approved building.
- The outlet/s of the water tank must be within 4 metres of the accessway and unobstructed.
- Incorporate a separate ball or gate valve (British Standard Pipe (BSP 65 millimetre) and coupling (64 millimetre CFA 3 thread per inch male fitting).
- Any pipework and fittings must be a minimum of 65 millimetres (excluding the CFA coupling).

### Table 5 Vehicle access design and construction

Vehicle access (or part thereof) of a length specified in Column A implements the design and construction requirements specified in Column B.

<table>
<thead>
<tr>
<th>Column A</th>
<th>Column B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length of access is less than 30 metres</td>
<td>There are no design and construction requirements if fire authority access to the water supply is not required under AM4.1.</td>
</tr>
<tr>
<td>Column A</td>
<td>Column B</td>
</tr>
<tr>
<td>----------</td>
<td>----------</td>
</tr>
<tr>
<td>Length of access is less than 30 metres</td>
<td>Where fire authority access to the water supply is required under AM4.1 fire authority vehicles should be able to get within 4 metres of the water supply outlet.</td>
</tr>
<tr>
<td>Length of access is greater than 30 metres</td>
<td>The following design and construction requirements apply:</td>
</tr>
<tr>
<td></td>
<td>• All-weather construction.</td>
</tr>
<tr>
<td></td>
<td>• A load limit of at least 15 tonnes.</td>
</tr>
<tr>
<td></td>
<td>• Provide a minimum trafficable width of 3.5 metres.</td>
</tr>
<tr>
<td></td>
<td>• Be clear of encroachments for at least 0.5 metres on each side and at least 4 metres vertically.</td>
</tr>
<tr>
<td></td>
<td>• Curves must have a minimum inner radius of 10 metres.</td>
</tr>
<tr>
<td></td>
<td>• The average grade must be no more than 1 in 7 (14.4%) (8.1°) with a maximum grade of no more than 1 in 5 (20%) (11.3°) for no more than 50 metres.</td>
</tr>
<tr>
<td></td>
<td>• Dips must have no more than a 1 in 8 (12.5 per cent) (7.1 degrees) entry and exit angle.</td>
</tr>
<tr>
<td>Length of access is greater than 100 metres</td>
<td>A turning area for fire fighting vehicles must be provided close to the building by one of the following:</td>
</tr>
<tr>
<td></td>
<td>• A turning circle with a minimum radius of eight metres.</td>
</tr>
<tr>
<td></td>
<td>• A driveway encircling the dwelling.</td>
</tr>
<tr>
<td></td>
<td>• The provision of other vehicle turning heads – such as a T or Y head – which meet the specification of Austroad Design for an 8.8 metre Service Vehicle.</td>
</tr>
<tr>
<td>Length of access is greater than 200 metres</td>
<td>• Passing bays must be provided at least every 200 metres.</td>
</tr>
<tr>
<td></td>
<td>• Passing bays must be a minimum of 20 metres long with a minimum trafficable width of 6 metres.</td>
</tr>
</tbody>
</table>

Note 1: The length of access should be measured from a public road to either the building or the water supply outlet, whichever is longer.

### Table 6 Vegetation management requirement

**Vegetation management requirement**

Defendable space is provided and is managed in accordance with the following requirements:

- Grass must be short cropped and maintained during the declared fire danger period.
- All leaves and vegetation debris must be removed at regular intervals during the declared fire danger period.
- Within 10 metres of a building, flammable objects must not be located close to the vulnerable parts of the building.
- Plants greater than 10 centimetres in height must not be placed within 3 metres of a window or glass feature of the building.
- Shrubs must not be located under the canopy of trees.
- Individual and clumps of shrubs must not exceed 5 square metres in area and must be separated by at least 5 metres.
Vegetation management requirement

- Trees must not overhang or touch any elements of the building.
- The canopy of trees must be separated by at least 5 metres.
- There must be a clearance of at least 2 metres between the lowest tree branches and ground level.

Unless specified in a schedule or otherwise agreed in writing to the satisfaction of the relevant fire authority.

Table 7 Outbuilding construction requirement

<table>
<thead>
<tr>
<th>Building construction condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>The proposed outbuilding is separated from the adjacent building by a wall that extends to the underside of a non-combustible roof covering and:</td>
</tr>
<tr>
<td>- has a FRL of not less than 60/60/60 for loadbearing walls and -/60/60 for non-load bearing walls when tested from the attached structure side, or</td>
</tr>
<tr>
<td>- is of masonry, earth wall or masonry-veneer construction with the masonry leaf of not less than 90 millimetres in thickness.</td>
</tr>
</tbody>
</table>

Any openings in the wall shall be protected in accordance with the following:

i. Doorways – by FLR -/60/30 self-closing fire doors

ii. Windows – by FRL -/60/- fire windows permanently fixed in the closed position

iii. Other openings – by construction with a FRL of not less than -/60/-

Note: Control and construction joints, subfloor vents, weepholes and penetrations for pipes and conduits need not comply with item iii.

Note 1: These conditions are required for some non habitable outbuildings ancillary to a dwelling that do not require referral to the relevant fire authority. Applications for non habitable outbuildings can also use the bushfire protection measures in Clause 53.02 however referral to the relevant fire authority will be required.
BROTHELS

Purpose
To provide consistent planning controls for the establishment and expansion of brothels throughout Victoria coordinated with the provisions of the Sex Work Act 1994.

Permit requirement
A permit for a brothel must include a condition that specifies that the use or development must not commence until a licence is granted under the Sex Work Act 1994.

Decision guidelines
Responsible authorities should consider the matters set out in section 73 of the Sex Work Act 1994 before deciding an application to use or develop land for a brothel.

Responsible authorities should refuse a permit to use or develop land for a brothel in accordance with the restrictions contained in section 74 of the Sex Work Act 1994, unless section 76(2) of Sex Work Act 1994 applies.

If the effect of:

- A request to amend a permit in accordance with section 87 or section 87A of the Planning and Environment Act 1987, or
- An application to amend a permit in accordance with Part 4 Division 1A of the Planning and Environment Act 1987, or
- A request to amend plans, drawings or other documents under a permit in accordance with:
  - Section 216 of the Planning and Environment Act 1987, or
  - Any condition in a planning permit which allows such an amendment

is to expand or extend the use or development of a brothel, the application or request should be determined as if it were an application for a permit for use or development of land for the purposes of the operation of a brothel in accordance with Part 4 of the Sex Work Act 1994.
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.
SCHEDULE TO CLAUSE 53.06 LIVE MUSIC AND ENTERTAINMENT NOISE

1.0 Areas to which Clause 53.06 does not apply

<table>
<thead>
<tr>
<th>Name of area</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>

2.0 Other venues to which 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 construct or carry out works associated with shipping container storage, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Whether the location is appropriate for shipping container storage having regard to:
  - The zoning of the land.
  - Amenity of the neighbourhood.
  - Proximity of the land to residential uses and zones or other sensitive uses.
  - Access to a road in a Road Zone.
  - Access to rail facilities.
  - Capacity and suitability of the road network to accommodate the type and volume of vehicle traffic generated by the use.
  - Capacity of the site to accommodate the proposed use.

- The effect on the environment and the amenity and character of the neighbourhood having regard to:
  - Existing and planned use of land in the neighbourhood.
  - Location, height and setback of shipping container stacks, particularly near road boundaries.
  - Location of facilities for the cleaning, repair, servicing, painting or fumigation of shipping containers.
  - Hours of operation.
  - Design, construction and maintenance of external storage and vehicle movement areas.
  - Treatment and disposal of wastewater.

- Whether the site layout and the design of buildings, landscaping, vehicle access lanes, loading bays, wash bays, lighting and fencing are designed to avoid or minimise any significant off-site impacts due to the emission of noise, light, glare, dust, fumes or drainage.

- Whether any special measure may be necessary to protect the environment and the amenity of nearby sensitive uses, including noise attenuation measures, dust minimisation measures and waste storage arrangements.

- The need for landscaping and fencing to screen or soften the appearance of shipping container storage areas, particularly near road boundaries.

- The adequacy and effect of the landscaping on the appearance of the site, taking into account the streetscape character, the size of the site, and the height, mass and scale of shipping container stacks on the site.

- The adequacy of traffic measures to:
  - Achieve safe, efficient vehicle movement on site and access to and egress from the land.
  - Prevent inappropriate use of local residential streets.
The adequacy of truck parking, loading and truck queuing spacing to accommodate truck movements at peak periods and employee requirements on the land.
CATTLE FEEDLOT

Purpose
To facilitate the establishment and expansion of cattle feedlots in Victoria in a manner which is consistent with orderly and proper planning and the protection of the environment.

Requirements to be met
All use and development of cattle feedlots must comply with the Victorian Code for Cattle Feedlots - August 1995.
The Code must be complied with to the satisfaction of the responsible authority.
POULTRY FARM

Purpose
To facilitate the establishment and expansion of poultry farms, including broiler farms, in a manner that is consistent with orderly and proper planning and the protection of the environment.

Application
This clause applies to permit applications to use land or construct a building or construct or carry out works for a poultry farm, including to increase the farm capacity of an existing poultry farm.

Permit not required – Outdoor range area for existing broiler farm
Any requirement of this scheme relating to the use of land or to the construction of a building or the construction or carrying out of works does not apply to the use and development of land for an outdoor range area in association with an existing broiler farm provided the following requirements are met:

- There are no more than 150,000 chickens permitted on the land at any time.
- The number of chickens on the land is not increased.

This exemption does not apply to the requirements of any overlay that applies to the land.

Requirement – Broiler farm
An application to use land or construct a building or construct or carry out works for a broiler farm must comply with the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*.

This requirement does not apply if:

- There are no more than 10,000 chickens permitted on the land at any time; or
- The number of chickens on the land is not increased.

Exemption from notice and review
The following applications are exempt from the notice requirements of section 52 (1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act:

- An application to use land or construct a building or construct or carry out works for a new broiler farm, or to increase the farm capacity of an existing broiler farm, if the application meets the requirements of a “Class A Broiler Farm”, as specified in the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*.

- An application to use land or construct a building or construct or carry out works for a poultry farm for the production of chicken meat or chicken eggs, if the application meets the following requirements:
  - The number of chickens does not exceed 5,000 for egg production or 10,000 for meat production.
  - The outdoor stocking density does not exceed 1,500 chickens per hectare.
  - A Nutrient Management Plan demonstrates chickens are kept outdoors on paddocks with:
    - A minimum of 50% ground cover; and
    - Mobile housing and feeding infrastructure that is relocated at least every two weeks.
  - An area used as a poultry range, including associated buildings and works, meets the setback requirements specified in Table 1.
Table 1 Minimum setbacks

<table>
<thead>
<tr>
<th>Chicken numbers</th>
<th>Minimum distance to a building used for a sensitive use (accommodation, child care centre, education centre and hospital)</th>
<th>Minimum distance to land in a residential zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>1,000 chickens or less</td>
<td>50 metres</td>
<td>200 metres</td>
</tr>
<tr>
<td>More than 1,000 chickens</td>
<td>100 metres</td>
<td>400 metres</td>
</tr>
</tbody>
</table>

53.09-5
21/09/2018
VC150

**Notice of an application**

Notice of an application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the *Victorian Code for Broiler Farms 2009 (plus 2018 amendments)*, must be given under Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified in Clause 66.05.

53.09-6
21/09/2018
VC150

**Decision guidelines**

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The likely environmental impact on the natural physical features and biodiversity of the land, including consideration of any Nutrient Management Plan submitted with the application.
- Whether the development will support and enhance agricultural production.
- The requirements of the *Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines* (June 2018).
USES WITH ADVERSE AMENITY POTENTIAL

Purpose

To define those types of industries and warehouses which if not appropriately designed and located may cause offence or unacceptable risk to the neighbourhood.

Threshold Distance

The threshold distance referred to in the table to this clause is the minimum distance from any part of the land of the proposed use or buildings and works to land (not a road) in a residential zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.

NOTE 1 of the table: The threshold distance is variable, dependent on the processes to be used and the materials to be processed or stored.

NOTE 2 of the table: An assessment of risk to the safety of people located off the land may be required.

Table to Clause 53.10-1

<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Basic Metal Products</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Production of non-ferrous metals as:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• aluminium by electrolysis</td>
<td>2,000</td>
<td></td>
</tr>
<tr>
<td>• other non-ferrous metals in amounts:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- up to 100 tonnes a year</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>- between 100 &amp; 2,000 tonnes a year</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>- exceeding 2,000 tonnes a year</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Works producing iron or steel products in amounts:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• up to 1,000,000 tonnes a year</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>• exceeding 1,000,000 tonnes a year</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td><strong>Chemical, Petroleum &amp; Coal Products</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ammunition, explosives and fireworks production:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Biocides production and storage:</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Briquette production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Chemical Fertiliser production:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Chemical products other than those listed within this group:</td>
<td>300</td>
<td>Note 2</td>
</tr>
<tr>
<td>Cosmetics and toilet preparations production:</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Type of Production, Use Or Storage (Purpose)</td>
<td>Threshold Distance (metres)</td>
<td>Notes</td>
</tr>
<tr>
<td>-----------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------</td>
<td>-------</td>
</tr>
<tr>
<td>Formaldehyde production:</td>
<td>300</td>
<td>Note 2</td>
</tr>
<tr>
<td>Industrial gases production:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Inks production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Inorganic industrial chemicals production other than those listed within this group:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Organic industrial chemicals production other than those listed within this group:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Other petroleum or coal production:</td>
<td>500</td>
<td>Note 2</td>
</tr>
<tr>
<td>Paints and inks:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• manufacture</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>• blending and mixing only</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Petroleum refinery:</td>
<td>2,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Pharmaceutical and veterinary production:</td>
<td>1,000</td>
<td></td>
</tr>
<tr>
<td>Polyester resins production</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
<tr>
<td>Soap and other detergents production:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Synthetic resins &amp; rubber production other than those listed within this group:</td>
<td>1,000</td>
<td>Note 2</td>
</tr>
</tbody>
</table>

**Fabricated Metal Products**

| Abrasive blast cleaning:                                                                                   |                              | Note 1|
| Boiler makers                                                                                             | 100                          |       |
| Structural or sheet metal production:                                                                     | 500                          |       |
| Works producing iron or steel products in amounts:                                                        |                              |       |
| • up to 1,000,000 tonnes per year                                                                         | 100                          |       |
| • exceeding 1,000,000 tonnes per year                                                                      | 1,000                        |       |

**Food, Beverages & Tobacco**

<p>| Abattoir:                                                                                                  | 500                          |       |
| Bakery (other than one ancillary to a shop):                                                              | 100                          |       |</p>
<table>
<thead>
<tr>
<th>Type of Production, Use Or Storage (Purpose)</th>
<th>Threshold Distance (metres)</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Flour mill:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Food or beverage production other than those listed within this group:</td>
<td>Note 1</td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td>150</td>
<td></td>
</tr>
<tr>
<td>Maltworks:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Manufacture of milk products:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Milk depot</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Poultry processing works</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Production of vegetable oils and fats using solvents:</td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Seafood processor:</td>
<td>500</td>
<td></td>
</tr>
<tr>
<td>Smallgoods production</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Tobacco and cigarette production:</td>
<td>500</td>
<td></td>
</tr>
</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></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></td>
<td></td>
</tr>
<tr>
<td>• Accepting organic wastes</td>
<td></td>
<td>Note 1</td>
</tr>
<tr>
<td>• Other</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Sanitary and garbage disposal in landfill</td>
<td>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>
</tbody>
</table>

**Wood, Wood Products & Furniture**

| Charcoal production:                        |                               |       |
| • by the retort process                     | 500                           |       |
| • other than by the retort process          | 1,000                         |       |
| Joinery:                                    | 100                           |       |
| Sawmill:                                    | 500                           |       |
| Wood preservation plant:                   | 100                           |       |
| Wood-fibre or wood-chip products:          | 1,500                         |       |
TIMBER PRODUCTION

53.11-1

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.

53.11-2

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.

53.11-3

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.

53.11-4

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 KEEPING AND TRAINING

Purpose
To ensure the use and development of land for racing dog keeping and racing dog training 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 keeping or racing dog training 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.
### Incorporated statement

<table>
<thead>
<tr>
<th>Land</th>
<th>Incorporated Document</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
PIG FARM

Purpose
To facilitate the establishment and expansion of pig farms in a manner that is consistent with orderly and proper planning and the protection of the environment.

Application
This clause applies to permit applications to use land or construct a building or construct or carry out works for a pig farm, including to increase the farm capacity of an existing pig farm.

Exemption from notice and review
An application to use land or construct a building or construct or carry out works for a pig farm is exempt from the notice requirements of section 52 (1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act if the following requirements are met:

- The number of pigs does not exceed 150 sows or 1,000 Standard Pig Units as calculated in Table 1.
- The outdoor stocking density does not exceed 12 Standard Pig Units per hectare as calculated in Table 1.
- A Nutrient Management Plan demonstrates pigs are kept outdoors on paddocks with:
  - A minimum of 50% ground cover; and
  - Mobile housing and feeding infrastructure that is relocated at least every three months.
- Any area used as a pig range, including associated buildings and works, is setback a minimum distance of:
  - 100 metres from a building used for a sensitive use (accommodation, a child care centre, an education centre or a hospital), and
  - 400 metres from land in a residential zone.

Table 1 Standard Pig Unit conversion factors

<table>
<thead>
<tr>
<th>Pig Class</th>
<th>Mass Range (kg)</th>
<th>Age Range (weeks)</th>
<th>SPU Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gilt</td>
<td>100 – 160</td>
<td>24 -30</td>
<td>1.8</td>
</tr>
<tr>
<td>Boar</td>
<td>100 – 300</td>
<td>24 – 128</td>
<td>1.6</td>
</tr>
<tr>
<td>Gestating sow</td>
<td>160 – 230</td>
<td>-</td>
<td>1.6</td>
</tr>
<tr>
<td>Lactating sow</td>
<td>160 – 230</td>
<td>-</td>
<td>2.5</td>
</tr>
<tr>
<td>Sucker</td>
<td>1.4 – 8</td>
<td>0 – 4</td>
<td>0.1</td>
</tr>
<tr>
<td>Weaner</td>
<td>8 – 25</td>
<td>4 – 10</td>
<td>0.5</td>
</tr>
<tr>
<td>Grower</td>
<td>24 – 55</td>
<td>10 – 16</td>
<td>1.0</td>
</tr>
<tr>
<td>Finisher</td>
<td>55 – 100</td>
<td>16 – 24</td>
<td>1.6</td>
</tr>
<tr>
<td>Pig Class</td>
<td>Mass Range (kg)</td>
<td>Age Range (weeks)</td>
<td>SPU Factor</td>
</tr>
<tr>
<td>----------------</td>
<td>----------------</td>
<td>-------------------</td>
<td>------------</td>
</tr>
<tr>
<td>Heavy Finisher</td>
<td>100 – 130</td>
<td>24 -30</td>
<td>1.8</td>
</tr>
</tbody>
</table>

Note: Adapted from the National Environmental Guidelines for Piggeries 2010

### Decision guidelines

Before deciding on an application to use land or construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The purpose of the relevant zone.
- The design, height, setback and appearance of the proposed buildings and works.
- The proposed landscaping.
- The need to protect amenity of existing uses on adjoining land.
- The impact of the use of the land on the surrounding area, including from the emission of noise, light, vibration, odour, dust, or waste products.
- The impact of the proposal on any wetlands, waterways or water bodies.
- The 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>Minimum setback from front street (metres)</th>
<th>Minimum setback from a side street (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>If there is no building on the abutting allotment facing the front street, 6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>allotment facing the side street or 4 metres, whichever is the lesser.</td>
</tr>
<tr>
<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:

• The Municipal Planning Strategy and the Planning Policy Framework.

• How the proposed development responds to the site and context description.

• Where the requirements of this clause are not met, the impact on the amenity of the adjoining dwellings.

• The proposed amenity for future residents of the residential aged care facility.

• The effect of overshadowing on an appropriately located existing rooftop solar energy facility on an adjoining lot.
STORMWATER MANAGEMENT IN URBAN DEVELOPMENT

Purpose

To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

Application

This clause applies to an application under a provision of a zone to subdivide land, construct a building, or construct or carry out works, other than the following applications:

- An application under a provision of the Farming Zone, Green Wedge Zone, Green Wedge A Zone, Low Density Residential Zone, Public Conservation and Resource Zone, Road Zone, Rural Activity Zone, Rural Conservation Zone, Rural Living Zone, Urban Floodway Zone or Urban Growth Zone.
- A VicSmart application.
- An application to subdivide land in a residential zone for residential purposes.
- An application to construct or extend a dwelling, fence or residential building in a residential zone.
- An application for development associated with the use of land for agriculture or earth and energy resources industry.
- An application to construct a building or construct or carry out works associated with one dwelling on a lot.
- An application to alter, extend or make structural changes to an existing building provided the gross floor area of the building is not increased by more than 50 square metres.
- An application to construct a building with a gross floor area not exceeding 50 square metres.
- An application to construct or carry out works with an area not exceeding 50 square metres.
- An application to subdivide land into lots each containing an existing building or car parking space.
- An application to construct a building or to construct or carry out works on a lot if all of the following requirements are met:
  - The lot was created in accordance with a permit granted under this planning scheme.
  - The application for that permit was assessed against the requirements of this clause.
- An application for land affected by a development plan or incorporated plan that was approved or incorporated in this planning scheme before the approval date of Amendment VC154.
- An application lodged before the approval date of Amendment VC154.
- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before the approval date of Amendment VC154.

Operation

The provisions of this clause contain:

- Objectives. An objective describes the desired outcome to be achieved in the completed development.
- Standards. A standard contains the requirements to meet the objective.
A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative solution meets the objective, the alternative solution may be considered.

53.18-3
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 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 \( da \times V_{ave} < 0.35 \text{ m}^2/\text{s} \) (where, \( da = \) average depth in metres and \( V_{ave} = \) average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.

**53.18-5**

*Stormwater management objectives for buildings and works*

To encourage stormwater management that maximises the retention and reuse of stormwater.

To encourage development that reduces the impact of stormwater on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

To encourage stormwater management that contributes to cooling, local habitat improvements and provision of attractive and enjoyable spaces.

To ensure that industrial and commercial chemical pollutants and other toxicants do not enter the stormwater system.

**Standard W2**

The stormwater management system should be designed to:

- Minimise the impact of chemical pollutants and other toxicants including by, but not limited to, bunding and covering or roofing of storage, loading and work areas.
- Contribute to cooling, improving local habitat and providing attractive and enjoyable spaces.

**53.18-6**

*Site management objectives*

To protect drainage infrastructure and receiving waters from sedimentation and contamination.

To protect the site and surrounding area from environmental degradation prior to and during construction of subdivision works.
**Standard W3**

An application should describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Stormwater.
- Litter, concrete and other construction wastes.
- Chemical contamination.

**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- Any relevant water and stormwater management objective, policy or statement set out in this planning scheme.
- The capacity of the site to incorporate stormwater retention and reuse and other water sensitive urban design features.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.
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**

[Diagram showing the relationship between existing and new dwellings, with areas to be screened or obscured indicated.]

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of the secluded private open space or habitable room window.
- The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.
- The internal daylight to and amenity of the proposed dwelling.
ON-SITE AMENITY AND FACILITIES

Daylight to new windows objective
To allow adequate daylight into new habitable room windows.

Standard A16
A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether there are other windows in the habitable room which have access to daylight.

Private open space objective
To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard A17
A dwelling should have private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimensions is specified in a schedule to the zone, a dwelling should have private open space consisting of an area of 80 square metres or 20 per cent of the area of the lot, whichever is the lesser, but not less than 40 square metres. At least one part of the private open space should consist of secluded private open space with a minimum area of 25 square metres and a minimum dimension of 3 metres at the side or rear of the dwelling with convenient access from a living room.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability of the private open space, including its size and accessibility.
- The availability of and access to public open space.
- The orientation of the lot to the street and the sun.

Solar access to open space objective
To allow solar access into the secluded private open space of a new dwelling.

Standard A18
The private open space should be located on the north side of the dwelling, if practicable.
The southern boundary of secluded private open space should be set back from any wall on the north of the space at least (2 + 0.9h) metres, where ‘h’ is the height of the wall.
Diagram A5 Solar access to open space

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.

- The useability and amenity of the secluded private open space based on the sunlight it will receive.
**DETAILED DESIGN**

**Design detail objective**
To encourage design detail that respects the existing or preferred neighbourhood character.

**Standard A19**
The design of buildings, including:
- Facade articulation and detailing,
- Window and door proportions,
- Roof form, and
- Verandahs, eaves and parapets,
should respect the existing or preferred neighbourhood character.
Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.
- Whether the design is innovative and of a high architectural standard.

**Front fences objective**
To encourage front fence design that respects the existing or preferred neighbourhood character.

**Standard A20**
The design of front fences should complement the design of the dwelling and any front fences on adjoining properties.
A front fence within 3 metres of a street should not exceed:
- The maximum height specified in a schedule to the zone, or
- If no maximum height is specified in a schedule to the zone, the maximum height specified in Table A2.

**Table A2 Maximum front fence height**

<table>
<thead>
<tr>
<th>Street context</th>
<th>Maximum front fence height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Streets in a Road Zone, Category 1</td>
<td>2 metres</td>
</tr>
<tr>
<td>Other streets</td>
<td>1.5 metres</td>
</tr>
</tbody>
</table>

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The setback, height and appearance of front fences on adjacent properties.
- The extent to which slope and retaining walls reduce the effective height of the front fence.
- Whether the fence is needed to minimise noise intrusion.
TWO OR MORE DWELLINGS ON A LOT AND RESIDENTIAL BUILDINGS

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.
To encourage residential development that provides reasonable standards of amenity for existing and new residents.
To encourage residential development that is responsive to the site and the neighbourhood.

Application
Provisions in this clause apply to an application to:
- Construct a dwelling if there is at least one dwelling existing on the lot,
- Construct two or more dwellings on a lot,
- Extend a dwelling if there are two or more dwellings on the lot,
- Construct or extend a dwelling on common property, or
- Construct or extend a residential building,
in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone.

The provisions of this clause apply to an application specified above, in the manner set out in the following table.

<table>
<thead>
<tr>
<th>Application type</th>
<th>Applicable clauses</th>
</tr>
</thead>
<tbody>
<tr>
<td>To construct or extend a dwelling (other than a dwelling in or forming part of an apartment development), or to construct or extend a residential building.</td>
<td>All of Clause 55 except Clause 55.07-1 to 55.07-15 (inclusive).</td>
</tr>
<tr>
<td>To construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development.</td>
<td>All of Clause 55 except Clause 55.03-5, Clause 55.03-6, Clause 55.04-8, Clause 55.05-1, Clause 55.05-2 and Clause 55.05-6.</td>
</tr>
</tbody>
</table>

These provisions do not apply to an application to construct or extend a development of five or more storeys, excluding a basement or to construct or extend a dwelling in a development of five or more storeys, excluding a basement.

Operation
The provisions of this clause contain:
- **Objectives**. An objective describes the desired outcome to be achieved in the completed development.
- **Standards**. A standard contains the requirements to meet the objective.
  A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.
- **Decision guidelines**. The decision guidelines set out the matters that the responsible authority must consider before deciding if an application meets the objectives.

Requirements
A development:
Must meet all of the objectives of this clause that apply to the application.

Should meet all of the standards of this clause that apply to the application.

For all of the provisions of Clause 55 other than Clause 55.07 (Apartment developments):

- If a zone or a schedule to a zone specifies a requirement of a standard different from a requirement set out in this clause, the requirement in the zone or a schedule to the zone applies.

- If the land is included in a Neighbourhood Character Overlay and a schedule to the overlay specifies a requirement of a standard different from a requirement set out in this clause or a requirement in the zone or a schedule to the zone, the requirement in the schedule to the overlay applies.

- If the land is included in an overlay, other than a Neighbourhood Character Overlay, and a schedule to the overlay specifies a requirement different from a requirement of a standard set out in this clause or a requirement of a standard set out in the zone or a schedule to the zone, the requirement in the overlay applies.

The requirements of a standard set out in Clause 55.07 (Apartment developments) apply to the exclusion of any different requirement specified in a zone, a schedule to a zone, or a schedule to an overlay.

**Transitional provisions**

Clause 55.03-4 of this planning scheme, as in force immediately before the approval date of Amendment VC154, continues to apply to:

- An application for a planning permit lodged before that date.

- An application for an amendment of a permit under section 72 of the Act, if the original permit application was lodged before that date.
An application must be accompanied by:

- A neighbourhood and site description.
- A design response.

Neighbourhood and site description

The neighbourhood and site description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the neighbourhood:
  - The pattern of development of the neighbourhood.
  - The built form, scale and character of surrounding development including front fencing.
  - Architectural and roof styles.
  - Any other notable features or characteristics of the neighbourhood.

- In relation to the site:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - The location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and to surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - The location of local shops, public transport services and public open spaces within walking distance.
  - Any other notable features or characteristics of the site.

If in the opinion of the responsible authority a requirement of the neighbourhood and site description is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Satisfactory neighbourhood and site description

If the responsible authority decides that the neighbourhood and site description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the neighbourhood and site description meets the requirements of Clause 55.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.
Design response

The design response must explain how the proposed design:

- Derives from and responds to the neighbourhood and site description.
- Meets the objectives of Clause 55.
- Responds to any neighbourhood character features for the area identified in a local planning policy or a Neighbourhood Character Overlay.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.
**NEIGHBOURHOOD CHARACTER AND INFRASTRUCTURE**

### Neighbourhood character objectives

To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.

To ensure that development responds to the features of the site and the surrounding area.

#### Standard B1

The design response must be appropriate to the neighbourhood and the site.

The proposed design must respect the existing or preferred neighbourhood character and respond to the features of the site.

#### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The neighbourhood and site description.
- The design response.

### Residential policy objectives

To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.

#### Standard B2

An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

#### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.

### Dwelling diversity objective

To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

#### Standard B3

Developments of ten or more dwellings should provide a range of dwelling sizes and types, including:

- Dwellings with a different number of bedrooms.
- At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level.

### Infrastructure objectives

To ensure development is provided with appropriate utility services and infrastructure.
To ensure development does not unreasonably overload the capacity of utility services and infrastructure.

**Standard B4**

Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The capacity of the existing infrastructure.
- In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the *Environment Protection Act 1970*.
- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

**Integration with the street objective**

To integrate the layout of development with the street.

**Standard B5**

Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.

Development should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Development next to existing public open space should be laid out to complement the open space.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
SITE LAYOUT AND BUILDING MASSING

Street setback objective
To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.

Standard B6
Walls of buildings should be set back from streets:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, the distance specified in Table B1.

Porches, pergolas and verandahs that are less than 3.6 metres high and eaves may encroach not more than 2.5 metres into the setbacks of this standard.

Table B1 Street setback

<table>
<thead>
<tr>
<th>Development context</th>
<th>Minimum setback from front street (metres)</th>
<th>Minimum setback from a side street (metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is an existing building on both the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>The average distance of the setbacks of the front walls of the existing buildings on the abutting allotments facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is an existing building on one abutting allotment facing the same street and no existing building on the other abutting allotment facing the same street, and the site is not on a corner.</td>
<td>The same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>There is no existing building on either of the abutting allotments facing the same street, and the site is not on a corner.</td>
<td>6 metres for streets in a Road Zone, Category 1, and 4 metres for other streets.</td>
<td>Not applicable</td>
</tr>
<tr>
<td>The site is on a corner.</td>
<td>If there is a building on the abutting allotment facing the front street, the same distance as the setback of the front wall of the existing building on the abutting allotment facing the front street or 9 metres, whichever is the lesser. 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. 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.

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**Parking location objectives**

To provide convenient parking for resident and visitor vehicles.

To protect residents from vehicular noise within developments.

**Standard B15**

Car parking facilities should:

- Be reasonably close and convenient to dwellings and residential buildings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings and residential buildings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.
AMENITY IMPACTS

Side and rear setbacks objective
To ensure that the height and setback of a building from a boundary respects the existing or preferred
neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard B17
A new building not on or within 200mm of a boundary should be set back from side or rear
boundaries:

- At least the distance specified in a schedule to the zone, or
- If no distance is specified in a schedule to the zone, 1 metre, plus 0.3 metres for every metre
  of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9
  metres.

Sunblinds, verandahs, porches, eaves, fascias, gutters, masonry chimneys, flues, pipes, domestic
fuel or water tanks, and heating or cooling equipment or other services may encroach not more
than 0.5 metres into the setbacks of this standard.

Landings having an area of not more than 2 square metres and less than 1 metre high, stairways,
ramps, pergolas, shade sails and carports may encroach into the setbacks of this standard.

Diagram B1 Side and rear setbacks

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.
- Whether the wall is opposite an existing or simultaneously constructed wall built to the boundary.
- Whether the wall abuts a side or rear lane.

55.04-2
10/12/2013
VC99

Walls on boundaries objective
To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.

Standard B18
A new wall constructed on or within 200mm of a side or rear boundary of a lot or a carport constructed on or within 1 metre of a side or rear boundary of lot should not abut the boundary:
- For a length of more than the distance specified in a schedule to the zone; or
- If no distance is specified in a schedule to the zone, for a length of more than:
  - 10 metres plus 25 per cent of the remaining length of the boundary of an adjoining lot, or
  - Where there are existing or simultaneously constructed walls or carports abutting the boundary on an abutting lot, the length of the existing or simultaneously constructed walls or carports whichever is the greater.

A new wall or carport may fully abut a side or rear boundary where slope and retaining walls or fences would result in the effective height of the wall or carport being less than 2 metres on the abutting property boundary.

A building on a boundary includes a building set back up to 200mm from a boundary.

The height of a new wall constructed on or within 200mm of a side or rear boundary or a carport constructed on or within 1 metre of a side or rear boundary should not exceed an average of 3.2 metres with no part higher than 3.6 metres unless abutting a higher existing or simultaneously constructed wall.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The extent to which walls on boundaries are part of the neighbourhood character.
- The impact on the amenity of existing dwellings.
- The opportunity to minimise the length of walls on boundaries by aligning a new wall on a boundary with an existing wall on a lot of an adjoining property.
- The orientation of the boundary that the wall is being built on.
- The width of the lot.
- The extent to which the slope and retaining walls or fences reduce the effective height of the wall.
- Whether the wall abuts a side or rear lane.
- The need to increase the wall height to screen a box gutter.

55.04-3
18/01/2006
VC37

Daylight to existing windows objective
To allow adequate daylight into existing habitable room windows.
Standard B19

Buildings opposite an existing habitable room window should provide for a light court to the existing window that has a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky. The calculation of the area may include land on the abutting lot.

Walls or carports more than 3 metres in height opposite an existing habitable room window should be set back from the window at least 50 per cent of the height of the new wall if the wall is within a 55 degree arc from the centre of the existing window. The arc may be swung to within 35 degrees of the plane of the wall containing the existing window.

Where the existing window is above ground floor level, the wall height is measured from the floor level of the room containing the window.

Diagram B2 Daylight to existing windows

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the existing dwelling has provided for reasonable daylight access to its habitable rooms through the siting and orientation of its habitable room windows.
- The impact on the amenity of existing dwellings.

North-facing windows objective

To allow adequate solar access to existing north-facing habitable room windows.

Standard B20

If a north-facing habitable room window of an existing dwelling is within 3 metres of a boundary on an abutting lot, a building should be setback from the boundary 1 metre, plus 0.6 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres, for a distance of 3 metres from the edge of each side of the window. A north-facing window is a window with an axis perpendicular to its surface oriented north 20 degrees west to north 30 degrees east.
Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- Existing sunlight to the north-facing habitable room window of the existing dwelling.
- The impact on the amenity of existing dwellings.

Overshadowing open space objective

To ensure buildings do not significantly overshadow existing secluded private open space.

Standard B21

Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 75 per cent, or 40 square metres with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space should receive a minimum of five hours of sunlight between 9 am and 3 pm on 22 September.

If existing sunlight to the secluded private open space of an existing dwelling is less than the requirements of this standard, the amount of sunlight should not be further reduced.

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the amenity of existing dwellings.
- Existing sunlight penetration to the secluded private open space of the existing dwelling.
- The time of day that sunlight will be available to the secluded private open space of the existing dwelling.
- The effect of a reduction in sunlight on the existing use of the existing secluded private open space.

**Overlooking objective**

To limit views into existing secluded private open space and habitable room windows.

**Standard B22**

A habitable room window, balcony, terrace, deck or patio should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony, terrace, deck or patio, and from a height of 1.7 metres above floor level.

A habitable room window, balcony, terrace, deck or patio with a direct view into a habitable room window of existing dwelling within a horizontal distance of 9 metres (measured at ground level) of the window, balcony, terrace, deck or patio should be either:

- Offset a minimum of 1.5 metres from the edge of one window to the edge of the other.
- Have sill heights of at least 1.7 metres above floor level.
- Have fixed, obscure glazing in any part of the window below 1.7 metre above floor level.
- Have permanently fixed external screens to at least 1.7 metres above floor level and be no more than 25 per cent transparent.

Obscure glazing in any part of the window below 1.7 metres above floor level may be openable provided that there are no direct views as specified in this standard.

Screens used to obscure a view should be:

- Perforated panels or trellis with a maximum of 25 per cent openings or solid translucent panels.
- Permanent, fixed and durable.
- Designed and coloured to blend in with the development.

This standard does not apply to a new habitable room window, balcony, terrace, deck or patio which faces a property boundary where there is a visual barrier at least 1.8 metres high and the floor level of the habitable room, balcony, terrace, deck or patio is less than 0.8 metres above ground level at the boundary.

**Diagram B4 Overlooking open space**

![Diagram B4 Overlooking open space](image)

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:
- The design response.
- The impact on the amenity of the secluded private open space or habitable room window.
- The existing extent of overlooking into the secluded private open space and habitable room windows of existing dwellings.
- The internal daylight to and amenity of the proposed dwelling or residential building.

### Internal views objective

To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.

**Standard B23**

Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the secluded private open space of a lower-level dwelling or residential building directly below and within the same development.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.

### Noise impacts objectives

To contain noise sources in developments that may affect existing dwellings.

To protect residents from external noise.

**Standard B24**

Noise sources, such as mechanical plant, should not be located near bedrooms of immediately adjacent existing dwellings.

Noise sensitive rooms and secluded private open spaces of new dwellings and residential buildings should take account of noise sources on immediately adjacent properties.

Dwellings and residential buildings close to busy roads, railway lines or industry should be designed to limit noise levels in habitable rooms.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.
ON-SITE AMENITY AND FACILITIES

Accessibility objective
To encourage the consideration of the needs of people with limited mobility in the design of developments.

Standard B25
The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.

Dwelling entry objective
To provide each dwelling or residential building with its own sense of identity.

Standard B26
Entries to dwellings and residential buildings should:

- Be visible and easily identifiable from streets and other public areas.
- Provide shelter, a sense of personal address and a transitional space around the entry.

Daylight to new windows objective
To allow adequate daylight into new habitable room windows.

Standard B27
A window in a habitable room should be located to face:

- An outdoor space clear to the sky or a light court with a minimum area of 3 square metres and minimum dimension of 1 metre clear to the sky, not including land on an abutting lot, or
- A verandah provided it is open for at least one third of its perimeter, or
- A carport provided it has two or more open sides and is open for at least one third of its perimeter.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether there are other windows in the habitable room which have access to daylight.

Private open space objective
To provide adequate private open space for the reasonable recreation and service needs of residents.

Standard B28
A dwelling or residential building should have private open space of an area and dimensions specified in a schedule to the zone.

If no area or dimensions are specified in a schedule to the zone, a dwelling or residential building should have private open space consisting of:

- An area of 40 square metres, with one part of the private open space to consist of secluded private open space at the side or rear of the dwelling or residential building with a minimum area of 25 square metres, a minimum dimension of 3 metres and convenient access from a living room, or
- A balcony of 8 square metres with a minimum width of 1.6 metres and convenient access from a living room, or
- A roof-top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room.

The balcony requirements in Clause 55.05-4 do not apply to an apartment development.

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability of the private open space, including its size and accessibility.
- The availability of and access to public or communal open space.
- The orientation of the lot to the street and the sun.

**Solar access to open space objective**
To allow solar access into the secluded private open space of new dwellings and residential buildings.

**Standard B29**
The private open space should be located on the north side of the dwelling or residential building, if appropriate.

The southern boundary of secluded private open space should be set back from any wall on the north of the space at least \((2 + 0.9h)\) metres, where ‘h’ is the height of the wall.

**Diagram B5 Solar access to open space**

**Decision guidelines**
Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability and amenity of the secluded private open space based on the sunlight it will receive.

**Storage objective**
To provide adequate storage facilities for each dwelling.
Standard B30

Each dwelling should have convenient access to at least 6 cubic metres of externally accessible, secure storage space.
DETAILED DESIGN

Design detail objective
To encourage design detail that respects the existing or preferred neighbourhood character.

Standard B31
The design of buildings, including:

- Facade articulation and detailing,
- Window and door proportions,
- Roof form, and
- Verandahs, eaves and parapets,

should respect the existing or preferred neighbourhood character.
Garages and carports should be visually compatible with the development and the existing or preferred neighbourhood character.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.
- Whether the design is innovative and of a high architectural standard.

Front fences objective
To encourage front fence design that respects the existing or preferred neighbourhood character.

Standard B32
The design of front fences should complement the design of the dwelling or residential building and any front fences on adjoining properties.

A front fence within 3 metres of a street should not exceed:

- The maximum height specified in a schedule to the zone, or
- If no maximum height is specified in a schedule to the zone, the maximum height specified in Table B3.

Table B3 Maximum front fence height

<table>
<thead>
<tr>
<th>Street Context</th>
<th>Maximum front fence height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Streets in a Road Zone, Category 1</td>
<td>2 metres</td>
</tr>
<tr>
<td>Other streets</td>
<td>1.5 metres</td>
</tr>
</tbody>
</table>

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.
- The design response.
- The setback, height and appearance of front fences on adjacent properties.
- The extent to which slope and retaining walls reduce the effective height of the front fence.
- Whether the fence is needed to minimise noise intrusion.

**Common property objectives**

To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.

To avoid future management difficulties in areas of common ownership.

**Standard B33**

Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

**Site services objectives**

To ensure that site services can be installed and easily maintained.

To ensure that site facilities are accessible, adequate and attractive.

**Standard B34**

The design and layout of dwellings and residential buildings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.

Bin and recycling enclosures, mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

Bin and recycling enclosures should be located for convenient access by residents.

Mailboxes should be provided and located for convenient access as required by Australia Post.

**Decision guideline**

Before deciding on an application, the responsible authority must consider the design response.
APARTMENT DEVELOPMENTS

Purpose

Clause 55.07 sets out requirements for an apartment development.

Energy efficiency objectives

To achieve and protect energy efficient dwellings and buildings.

To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.

To ensure dwellings achieve adequate thermal efficiency.

Standard B35

Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.
- Sited and designed to ensure that the performance of existing rooftop solar energy facilities on dwellings on adjoining lots in a General Residential Zone, Neighbourhood Residential Zone or Township Zone are not unreasonably reduced. The existing rooftop solar energy facility must exist at the date the application is lodged.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified Table B4 in should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table B4 Cooling load

<table>
<thead>
<tr>
<th>NatHERS climate zone</th>
<th>NatHERS maximum cooling load MJ/M² per annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Climate zone 21 Melbourne</td>
<td>30</td>
</tr>
<tr>
<td>Climate zone 22 East Sale</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 27 Mildura</td>
<td>69</td>
</tr>
<tr>
<td>Climate zone 60 Tullamarine</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 62 Moorabbin</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 63 Warmambool</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 64 Cape Otway</td>
<td>19</td>
</tr>
<tr>
<td>Climate zone 66 Ballarat</td>
<td>23</td>
</tr>
</tbody>
</table>

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Decision guidelines

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and layout of the site.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.
- The extent to which an existing rooftop solar energy facility on an adjoining lot is overshadowed by existing buildings or other permanent structures.
- Whether the existing rooftop solar energy facility on an adjoining lot is appropriately located.
- The effect of overshadowing on an existing rooftop solar energy facility on an adjoining lot.

### Communal open space objective

To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.

### Standard B36

Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.

Communal open space should:

- Be located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.

- Be designed to protect any natural features on the site.

- Maximise landscaping opportunities.

- Be accessible, useable and capable of efficient management.

### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.

- The design response.

- The useability and amenity of the communal open space based on its size, location, accessibility and reasonable recreation needs of residents.

- The availability of and access to public open space.

### Solar access to communal outdoor open space objective

To allow solar access into communal outdoor open space.

### Standard B37

The communal outdoor open space should be located on the north side of a building, if appropriate. At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.
**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.

**Deep soil areas and canopy trees objective**

To promote climate responsive landscape design and water management in developments to support thermal comfort and reduce the urban heat island effect.

**Standard B38**

The landscape layout and design should:

- Be responsive to the site context.
- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration.
- Maximise deep soil areas for planting of canopy trees.
- Integrate planting and water management.

Developments should provide the deep soil areas and canopy trees specified in Table B5.

If the development cannot provide the deep soil areas and canopy trees specified in Table B5, an equivalent canopy cover should be achieved by providing either:

- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.

**Table B5 Deep soil areas and canopy trees**

<table>
<thead>
<tr>
<th>Site area</th>
<th>Deep soil areas</th>
<th>Minimum tree provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>750 - 1000 square metres</td>
<td>5% of site area (minimum dimension of 3 metres)</td>
<td>1 small tree (6-8 metres) per 30 square metres of deep soil</td>
</tr>
<tr>
<td>1001 - 1500 square metres</td>
<td>7.5% of site area (minimum dimension of 3 metres)</td>
<td>1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil</td>
</tr>
<tr>
<td>1501 - 2500 square metres</td>
<td>10% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
<tr>
<td>&gt;2500 square metres</td>
<td>15% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
</tbody>
</table>

*Note: Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.*
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for environmental sustainability in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The suitability of the proposed location and soil volume for canopy trees.
- The ongoing management of landscaping within a development.
- The soil type and drainage patterns of the site.

Integrated water and stormwater management objectives
To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.

To facilitate stormwater collection, utilisation and infiltration within the development.

To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

Standard B39
Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.

Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to 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, sitting, size and orientation of habitable rooms.
- Any overhang above habitable room windows that limits daylight access.

**Windows objective**

To allow adequate daylight into new habitable room windows.

**Standard B48**

Habitable rooms should have a window in an external wall of the building.

A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky.

The secondary area should be:

- A minimum width of 1.2 metres.
- A maximum depth of 1.5 times the width, measured from the external surface of the window.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The extent to which the habitable room is provided with reasonable daylight access through the number, size, location and orientation of windows.
- The useability and amenity of the dwelling based on the layout, sitting, size and orientation of habitable rooms.

**Natural ventilation objectives**

To encourage natural ventilation of dwellings.

To allow occupants to effectively manage natural ventilation of dwellings.

**Standard B49**

The design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate.

At least 40 per cent of dwellings should provide effective cross ventilation that has:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same area.

The breeze path is measured between the ventilation openings on different orientations of the dwelling.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation, slope and wind exposure of the site.
- The extent to which the orientation of the building and the layout of dwellings maximises opportunities for cross ventilation.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
RESIDENTIAL SUBDIVISION

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To create liveable and sustainable neighbourhoods and urban places with character and identity.
To achieve residential subdivision outcomes that appropriately respond to the site and its context for:
- Metropolitan Melbourne growth areas.
- Infill sites within established residential areas.
- Regional cities and towns.

To ensure residential subdivision design appropriately provides for:
- Policy implementation.
- Liveable and sustainable communities.
- Residential lot design.
- Urban landscape.
- Access and mobility management.
- Integrated water management.
- Site management.
- Utilities.

Application
These provisions apply to an application to subdivide land in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone and any Comprehensive Development Zone or Priority Development Zone that provides for residential development.

These provisions do not apply to an application to subdivide land into lots each containing an existing dwelling or car parking space.

Operation
The provisions of this clause contain:

- **Objectives.** An objective describes the desired outcome to be achieved in the completed subdivision.
- **Standards.** A standard contains the requirements to meet the objective.

A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

Requirement
An application to subdivide land:
- Must be accompanied by a site and context description and a design response.
- Must meet all of the objectives included in the clauses specified in the zone.
- Should meet all of the standards included in the clauses specified in the zone.
Certification of standards

A subdivision may be certified by a person authorised by the Minister for Planning as meeting the requirements of a standard in this clause.

A standard that is certified as met is deemed to have met the objective of that standard.
Subdivision site and context description

The site and context description may use a site plan, photographs or other techniques and must accurately describe:

- In relation to the site:
  - Site shape, size, dimensions and orientation.
  - Levels and contours of the site.
  - Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
  - The siting and use of existing buildings and structures.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Access points.
  - Location of drainage and other utilities.
  - Easements.
  - Any identified natural or cultural features of the site.
  - Significant views to and from the site.
  - Noise and odour sources or other external influences.
  - Soil conditions, including any land affected by contamination, erosion, salinity, acid sulphate soils or fill.
  - Any other notable features or characteristics of the site.
  - Adjacent uses.
  - Any other factor affecting the capacity to develop the site including whether the site is affected by inundation.

- An application for subdivision of 3 or more lots must also describe in relation to the surrounding area:
  - The pattern of subdivision.
  - Existing land uses.
  - The location and use of existing buildings on adjacent land.
  - Abutting street and path widths, materials and detailing.
  - The location and type of significant vegetation.

- An application for subdivision of 60 or more lots must also describe in relation to the surrounding area:
  - Location, distance and type of any nearby public open space and recreational facilities.
  - Direction and distances to local shops and community facilities.
  - Directions and walking distances to public transport routes and stops.
  - Direction and walking distances to existing neighbourhood, major and principal activity centres and major employment areas.
- Existing transport routes, including freeways, arterial roads and streets connecting neighbourhoods.
- Local street network including potential connections to adjacent subdivisions.
- Traffic volumes and movements on adjacent roads and streets.
- Pedestrian, bicycle and shared paths identifying whether their primary role is neighbourhood or regional access.
- Any places of cultural significance.
- Natural features including trees and other significant vegetation, drainage lines, water courses, wetlands, ridgelines and hill tops.
- Proximity of any fire threats.
- Pattern of ownership of adjoining lots.

If in the opinion of the responsible authority a requirement of the site and context description is not relevant to the assessment of an application, the responsible authority may waive or reduce the requirement.

**Satisfactory subdivision site and context description**

If the responsible authority decides that the site and context description is not satisfactory, it may require more information from the applicant under Section 54 of the Act.

The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the site and context description meets the requirements of Clause 56.01-1 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

**Subdivision design response**

The design response must explain how the proposed design:

- Derives from and responds to the site and context description.
- Responds to any site and context features for the area identified in a local planning policy or a Neighbourhood Character Overlay.
- Responds to any relevant objective, policy, strategy or plan set out for the area in this scheme.
- Meets the relevant objectives of Clause 56.

The design response must include a dimensioned plan to scale showing the layout of the subdivision in context with the surrounding area. If in the opinion of the responsible authority this requirement is not relevant to the assessment of an application, it may waive or reduce the requirement.

An application for subdivision of 60 or more lots must also include a plan that meets the requirements of Standard C2. The plan must also show:

- Proposed uses of each part of the site.
- Natural features of the site and identify any features proposed to be altered.
- Proposed integrated water management system.
- Proposed staging of the subdivision.
POLICY IMPLEMENTATION

Strategic implementation objective
To ensure that the layout and design of a subdivision is consistent with and implements any objective, policy, strategy or plan for the area set out in this scheme.

Standard C1
An application must be accompanied by a written statement that describes how the subdivision is consistent with and implements any relevant growth area, activity centre, housing, access and mobility, community facilities, open space and recreation, landscape (including any native vegetation precinct plan) and urban design objective, policy, strategy or plan for the area set out in this scheme.
LIVEABLE AND SUSTAINABLE COMMUNITIES

Compact and walkable neighbourhoods objectives

To create compact neighbourhoods that are oriented around easy walking distances to activity centres, schools and community facilities, public open space and public transport.

To allow easy movement through and between neighbourhoods for all people.

Standard C2

A subdivision should implement any relevant growth area or any approved land-use and development strategy, plan or policy for the area set out in this scheme.

An application for subdivision must include a plan of the layout of the subdivision that:

- Meets the objectives (if relevant to the class of subdivision specified in the zone) of:
  - Clause 56.03-2 Activity centres
  - Clause 56.03-3 Planning for community facilities
  - Clause 56.04-1 Lot diversity and distribution
  - Clause 56.06-2 Walking and cycling network
  - Clause 56.06-3 Public transport network
  - Clause 56.06-4 Neighbourhood street network

- Shows the 400 metre street walking distance around each existing or proposed bus stop, 600 metres street walking distance around each existing or proposed tram stop and 800 metres street walking distance around each existing or proposed railway station and shows the estimated number of dwellings within those distances.

- Shows the layout of the subdivision in relation to the surrounding area.

- Is designed to be accessible for people with disabilities.

Activity centre objective

To provide for mixed-use activity centres, including neighbourhood activity centres, of appropriate area and location.

Standard C3

A subdivision should implement any relevant activity centre strategy, plan or policy for the area set out in this scheme.

Subdivision should be supported by activity centres that are:

- Accessible by neighbourhood and regional walking and cycling networks.

- Served by public transport that is connected to the regional public transport network.

- Located at public transport interchange points for the convenience of passengers and easy connections between public transport services.

- Located on arterial roads or connector streets.

- Of appropriate size to accommodate a mix of uses that meet local community needs.

- Oriented to support active street frontages, support street-based community interaction and pedestrian safety.
Planning for community facilities objective

To provide appropriately located sites for community facilities including schools, libraries, preschools and childcare, health services, police and fire stations, recreation and sports facilities.

**Standard C4**

A subdivision should:

- Implement any relevant regional and local community facility strategy, plan or policy for the area set out in this scheme.
- Locate community facilities on sites that are in or near activity centres and public transport.

School sites should:

- Be integrated with the neighbourhood and located near activity centres.
- Be located on walking and cycling networks.
- Have a bus stop located along the school site boundary.
- Have student drop-off zones, bus parking and on-street parking in addition to other street functions in abutting streets.
- Adjoin the public open space network and community sporting and other recreation facilities.
- Be integrated with community facilities.
- Be located on land that is not affected by physical, environmental or other constraints.

Schools should be accessible by the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.

Primary schools should be located on connector streets and not on arterial roads.

New State Government school sites must meet the requirements of the Department of Education and Training and abut at least two streets with sufficient widths to provide student drop-off zones, bus parking and on-street parking in addition to other street functions.

Built environment objective

To create urban places with identity and character.

**Standard C5**

The built environment should:

- Implement any relevant urban design strategy, plan or policy for the area set out in this scheme.
- Provide living and working environments that are functional, safe and attractive.
- Provide an integrated layout, built form and urban landscape.
- Contribute to a sense of place and cultural identity.

An application should describe the identity and character to be achieved and the elements that contribute to that identity and character.

Neighbourhood character objective

To design subdivisions that respond to neighbourhood character.

**Standard C6**

Subdivision should:
- Respect the existing neighbourhood character or achieve a preferred neighbourhood character consistent with any relevant neighbourhood character objective, policy or statement set out in this scheme.
- Respond to and integrate with the surrounding urban environment.
- Protect significant vegetation and site features.
LOT DESIGN

Lot diversity and distribution objectives
To achieve housing densities that support compact and walkable neighbourhoods and the efficient provision of public transport services.
To provide higher housing densities within walking distance of activity centres.
To achieve increased housing densities in designated growth areas.
To provide a range of lot sizes to suit a variety of dwelling and household types.

Standard C7
A subdivision should implement any relevant housing strategy, plan or policy for the area set out in this scheme.
Lot sizes and mix should achieve the average net residential density specified in any zone or overlay that applies to the land or in any relevant policy for the area set out in this scheme.
A range and mix of lot sizes should be provided including lots suitable for the development of:

- Single dwellings.
- Two dwellings or more.
- Higher density housing.
- Residential buildings and Retirement villages.

Unless the site is constrained by topography or other site conditions, lot distribution should provide for 95 per cent of dwellings to be located no more than 400 metre street walking distance from the nearest existing or proposed bus stop, 600 metres street walking distance from the nearest existing or proposed tram stop and 800 metres street walking distance from the nearest existing or proposed railway station.
Lots of 300 square metres or less in area, lots suitable for the development of two dwellings or more, lots suitable for higher density housing and lots suitable for Residential buildings and Retirement villages should be located in and within 400 metres street walking distance of an activity centre.

Lot area and building envelopes objective
To provide lots with areas and dimensions that enable the appropriate siting and construction of a dwelling, solar access, private open space, vehicle access and parking, water management, easements and the retention of significant vegetation and site features.

Standard C8
An application to subdivide land that creates lots of less than 300 square metres should be accompanied by information that shows:

- That the lots are consistent or contain building envelope that is consistent with a development approved under this scheme, or
- That a dwelling may be constructed on each lot in accordance with the requirements of this scheme.

Lots of between 300 square metres and 500 square metres should:

- Contain a building envelope that is consistent with a development of the lot approved under this scheme, or
If no development of the lot has been approved under this scheme, contain a building envelope and be able to contain a rectangle measuring 10 metres by 15 metres, or 9 metres by 15 metres if a boundary wall is nominated as part of the building envelope.

If lots of between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north unless there are significant physical constraints that make this difficult to achieve.

Lots greater than 500 square metres should be able to contain a rectangle measuring 10 metres by 15 metres, and may contain a building envelope.

A building envelope may specify or incorporate any relevant siting and design requirement. Any requirement should meet the relevant standards of Clause 54, unless:

- The objectives of the relevant standards are met, and
- The building envelope is shown as a restriction on a plan of subdivision registered under the Subdivision Act 1988, or is specified as a covenant in an agreement under Section 173 of the Act.

Where a lot with a building envelope adjoins a lot that is not on the same plan of subdivision or is not subject to the same agreement relating to the relevant building envelope:

- The building envelope must meet Standards A10 and A11 of Clause 54 in relation to the adjoining lot, and
- The building envelope must not regulate siting matters covered by Standards A12 to A15 (inclusive) of Clause 54 in relation to the adjoining lot. This should be specified in the relevant plan of subdivision or agreement.

Lot dimensions and building envelopes should protect:

- Solar access for future dwellings and support the siting and design of dwellings that achieve the energy rating requirements of the Building Regulations.
- Existing or proposed easements on lots.
- Significant vegetation and site features.

**Solar orientation of lots objective**

To provide good solar orientation of lots and solar access for future dwellings.

**Standard C9**

Unless the site is constrained by topography or other site conditions, at least 70 percent of lots should have appropriate solar orientation.

Lots have appropriate solar orientation when:

- The long axis of lots are within the range north 20 degrees west to north 30 degrees east, or east 20 degrees north to east 30 degrees south.
- Lots between 300 square metres and 500 square metres are proposed to contain dwellings that are built to the boundary, the long axis of the lots should be within 30 degrees east and 20 degrees west of north.
- Dimensions of lots are adequate to protect solar access to the lot, taking into account likely dwelling size and the relationship of each lot to the street.

**Street orientation objective**

To provide a lot layout that contributes to community social interaction, personal safety and property security.
**Standard C10**

Subdivision should increase visibility and surveillance by:

- Ensuring lots front all roads and streets and avoid the side or rear of lots being oriented to connector streets and arterial roads.
- Providing lots of 300 square metres or less in area and lots for 2 or more dwellings around activity centres and public open space.
- Ensuring streets and houses look onto public open space and avoiding sides and rears of lots along public open space boundaries.
- Providing roads and streets along public open space boundaries.

Common area objectives

To identify common areas and the purpose for which the area is commonly held.

To ensure the provision of common area is appropriate and that necessary management arrangements are in place.

To maintain direct public access throughout the neighbourhood street network.

**Standard C11**

An application to subdivide land that creates common land must be accompanied by a plan and a report identifying:

- The common area to be owned by the body corporate, including any streets and open space.
- The reasons why the area should be commonly held.
- Lots participating in the body corporate.
- The proposed management arrangements including maintenance standards for streets and open spaces to be commonly held.
URBAN LANDSCAPE

Integrated urban landscape objectives

To provide attractive and continuous landscaping in streets and public open spaces that contribute to the character and identity of new neighbourhoods and urban places or to existing or preferred neighbourhood character in existing urban areas.

To incorporate natural and cultural features in the design of streets and public open space where appropriate.

To protect and enhance native habitat and discourage the planting and spread of noxious weeds.

To provide for integrated water management systems and contribute to drinking water conservation.

Standard C12

An application for subdivision that creates streets or public open space should be accompanied by a landscape design.

The landscape design should:

- Implement any relevant streetscape, landscape, urban design or native vegetation precinct plan, strategy or policy for the area set out in this scheme.

- Create attractive landscapes that visually emphasise streets and public open spaces.

- Respond to the site and context description for the site and surrounding area.

- Maintain significant vegetation where possible within an urban context.

- Take account of the physical features of the land including landform, soil and climate.

- Protect and enhance any significant natural and cultural features.

- Protect and link areas of significant local habitat where appropriate.

- Support integrated water management systems with appropriate landscape design techniques for managing urban run-off including wetlands and other water sensitive urban design features in streets and public open space.

- Promote the use of drought tolerant and low maintenance plants and avoid species that are likely to spread into the surrounding environment.

- Ensure landscaping supports surveillance and provides shade in streets, parks and public open space.

- Develop appropriate landscapes for the intended use of public open space including areas for passive and active recreation, the exercising of pets, playgrounds and shaded areas.

- Provide for walking and cycling networks that link with community facilities.

- Provide appropriate pathways, signage, fencing, public lighting and street furniture.

- Create low maintenance, durable landscapes that are capable of a long life.

- The landscape design must include a maintenance plan that sets out maintenance responsibilities, requirements and costs.

Public open space provision objectives

To provide a network of quality, well-distributed, multi-functional and cost-effective public open space that includes local parks, active open space, linear parks and trails, and links to regional open space.

To provide a network of public open space that caters for a broad range of users.

To encourage healthy and active communities.
To provide adequate unencumbered land for public open space and integrate any encumbered land with the open space network.

To ensure land provided for public open space can be managed in an environmentally sustainable way and contributes to the development of sustainable neighbourhoods.

**Standard C13**

The provision of public open space should:

- Implement any relevant objective, policy, strategy or plan (including any growth area precinct structure plan) for open space set out in this scheme.
- Provide a network of well-distributed neighbourhood public open space that includes:
  - Local parks within 400 metres safe walking distance of at least 95 percent of all dwellings. Where not designed to include active open space, local parks should be generally 1 hectare in area and suitably dimensioned and designed to provide for their intended use and to allow easy adaptation in response to changing community preferences.
  - Additional small local parks or public squares in activity centres and higher density residential areas.
  - Active open space of a least 8 hectares in area within 1 kilometre of 95 percent of all dwellings that is:
    - Suitably dimensioned and designed to provide for the intended use, buffer areas around sporting fields and passive open space
    - Sufficient to incorporate two football/cricket ovals
    - Appropriate for the intended use in terms of quality and orientation
    - Located on flat land (which can be cost effectively graded)
    - Located with access to, or making provision for, a recycled or sustainable water supply
    - Adjoin schools and other community facilities where practical
    - Designed to achieve sharing of space between sports.
  - Linear parks and trails along waterways, vegetation corridors and road reserves within 1 kilometre of 95 percent of all dwellings.

Public open space should:

- Be provided along foreshores, streams and permanent water bodies.
- Be linked to existing or proposed future public open spaces where appropriate.
- Be integrated with floodways and encumbered land that is accessible for public recreation.
- Be suitable for the intended use.
- Be of an area and dimensions to allow easy adaptation to different uses in response to changing community active and passive recreational preferences.
- Maximise passive surveillance.
- Be integrated with urban water management systems, waterways and other water bodies.
- Incorporate natural and cultural features where appropriate.
Integrated mobility objectives

To achieve an urban structure where compact and walkable neighbourhoods are clustered to support larger activity centres on the Principal Public Transport Network in Metropolitan Melbourne and on the regional public transport network outside Metropolitan Melbourne.

To provide for walking (including persons with impaired mobility), cycling, public transport and other motor vehicles in an integrated manner.

To contribute to reduced car dependence, improved energy efficiency, improved transport efficiency, reduced greenhouse gas emissions and reduced air pollution.

Standard C14

An application for a subdivision must include a plan of the layout of the neighbourhood that meets the objectives of:

- Clause 56.06-2 Walking and cycling network.
- Clause 56.06-3 Public transport network.
- Clause 56.06-4 Neighbourhood street network.

Walking and cycling network objectives

To contribute to community health and well being by encouraging walking and cycling as part of the daily lives of residents, employees and visitors.

To provide safe and direct movement through and between neighbourhoods by pedestrians and cyclists.

To reduce car use, greenhouse gas emissions and air pollution.

Standard C15

The walking and cycling network should be designed to:

- Implement any relevant regional and local walking and cycling strategy, plan or policy for the area set out in this scheme.
- Link to any existing pedestrian and cycling networks.
- Provide safe walkable distances to activity centres, community facilities, public transport stops and public open spaces.
- Provide an interconnected and continuous network of safe, efficient and convenient footpaths, shared paths, cycle paths and cycle lanes based primarily on the network of arterial roads, neighbourhood streets and regional public open spaces.
- Provide direct cycling routes for regional journeys to major activity centres, community facilities, public transport and other regional activities and for regional recreational cycling.
- Ensure safe street and road crossings including the provision of traffic controls where required.
- Provide an appropriate level of priority for pedestrians and cyclists.
- Have natural surveillance along streets and from abutting dwellings and be designed for personal safety and security particularly at night.
- Be accessible to people with disabilities.

Public transport network objectives

To provide an arterial road and neighbourhood street network that supports a direct, efficient and safe public transport system.
To encourage maximum use of public transport.

**Standard C16**

The public transport network should be designed to:

- Implement any relevant public transport strategy, plan or policy for the area set out in this scheme.
- Connect new public transport routes to existing and proposed routes to the satisfaction of the relevant public transport authority.
- Provide for public transport links between activity centres and other locations that attract people using the Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne.
- Locate regional bus routes principally on arterial roads and locate local bus services principally on connector streets to provide:
  - Safe and direct movement between activity centres without complicated turning manoeuvres.
  - Direct travel between neighbourhoods and neighbourhood activity centres.
  - A short and safe walk to a public transport stop from most dwellings.

**Neighbourhood street network objective**

To provide for direct, safe and easy movement through and between neighbourhoods for pedestrians, cyclists, public transport and other motor vehicles using the neighbourhood street network.

**Standard C17**

The neighbourhood street network must:

- Take account of the existing mobility network of arterial roads, neighbourhood streets, cycle paths, shared paths, footpaths and public transport routes.
- Provide clear physical distinctions between arterial roads and neighbourhood street types.
- Comply with the Roads Corporation’s arterial road access management policies.
- Provide an appropriate speed environment and movement priority for the safe and easy movement of pedestrians and cyclists and for accessing public transport.
- Provide safe and efficient access to activity centres for commercial and freight vehicles.
- Provide safe and efficient access to all lots for service and emergency vehicles.
- Provide safe movement for all vehicles.
- Incorporate any necessary traffic control measures and traffic management infrastructure.

The neighbourhood street network should be designed to:

- Implement any relevant transport strategy, plan or policy for the area set out in this scheme.
- Include arterial roads at intervals of approximately 1.6 kilometres that have adequate reservation widths to accommodate long term movement demand.
- Include connector streets approximately halfway between arterial roads and provide adequate reservation widths to accommodate long term movement demand.
- Ensure connector streets align between neighbourhoods for direct and efficient movement of pedestrians, cyclists, public transport and other motor vehicles.
- Provide an interconnected and continuous network of streets within and between neighbourhoods for use by pedestrians, cyclists, public transport and other vehicles.
- Provide an appropriate level of local traffic dispersal.
Indicate the appropriate street type.

Provide a speed environment that is appropriate to the street type.

Provide a street environment that appropriately manages movement demand (volume, type and mix of pedestrians, cyclists, public transport and other motor vehicles).

Encourage appropriate and safe pedestrian, cyclist and driver behaviour.

Provide safe sharing of access lanes and access places by pedestrians, cyclists and vehicles.

Minimise the provision of culs-de-sac.

Provide for service and emergency vehicles to safely turn at the end of a dead-end street.

Facilitate solar orientation of lots.

Facilitate the provision of the walking and cycling network, integrated water management systems, utilities and planting of trees.

Contribute to the area’s character and identity.

Take account of any identified significant features.

Walking and cycling network detail objectives

To design and construct footpaths, shared path and cycle path networks that are safe, comfortable, well constructed and accessible for people with disabilities.

To design footpaths to accommodate wheelchairs, prams, scooters and other footpath bound vehicles.

Standard C18

Footpaths, shared paths, cycle paths and cycle lanes should be designed to:

- Be part of a comprehensive design of the road or street reservation.
- Be continuous and connect.
- Provide for public transport stops, street crossings for pedestrians and cyclists and kerb crossovers for access to lots.
- Accommodate projected user volumes and mix.
- Meet the requirements of Table C1.
- Provide pavement edge, kerb, channel and crossover details that support safe travel for pedestrians, footpath bound vehicles and cyclists, perform required drainage functions and are structurally sound.
- Provide appropriate signage.
- Be constructed to allow access to lots without damage to the footpath or shared path surfaces.
- Be constructed with a durable, non-skid surface.
- Be of a quality and durability to ensure:
  - Safe passage for pedestrians, cyclists, footpath bound vehicles and vehicles.
  - Discharge of urban run-off.
  - Preservation of all-weather access.
  - Maintenance of a reasonable, comfortable riding quality.
  - A minimum 20 year life span.
- Be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with disabilities.

**Public transport network detail objectives**

To provide for the safe, efficient operation of public transport and the comfort and convenience of public transport users.

To provide public transport stops that are accessible to people with disabilities.

**Standard C19**

Bus priority measures must be provided along arterial roads forming part of the existing or proposed Principal Public Transport Network in Metropolitan Melbourne and the regional public transport network outside Metropolitan Melbourne to the requirements of the relevant roads authority.

Road alignment and geometry along bus routes should provide for the efficient, unimpeded movement of buses and the safety and comfort of passengers.

The design of public transport stops should not impede the movement of pedestrians.

Bus and tram stops should have:

- Surveillance from streets and adjacent lots.
- Safe street crossing conditions for pedestrians and cyclists.

Safe pedestrian crossings on arterial roads and at schools including the provision of traffic controls as required by the roads authority.

- Continuous hard pavement from the footpath to the kerb.
- Sufficient lighting and paved, sheltered waiting areas for forecast user volume at neighbourhood centres, schools and other locations with expected high patronage.
- Appropriate signage.

Public transport stops and associated waiting areas should be accessible to people with disabilities and include tactile ground surface indicators, audible signals and kerb ramps required for the movement of people with physical disabilities.

**Neighbourhood street network detail objective**

To design and construct street carriageways and verges so that the street geometry and traffic speeds provide an accessible and safe neighbourhood street system for all users.

**Standard C20**

The design of streets and roads should:

- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met.

- Provide street blocks that are generally between 120 metres and 240 metres in length and generally between 60 metres to 120 metres in width to facilitate pedestrian movement and control traffic speed.

- Have verges of sufficient width to accommodate footpaths, shared paths, cycle paths, integrated water management, street tree planting, lighting and utility needs.

- Have street geometry appropriate to the street type and function, the physical land characteristics and achieve a safe environment for all users.

- Provide a low-speed environment while allowing all road users to proceed without unreasonable inconvenience or delay.
- Provide a safe environment for all street users applying speed control measures where appropriate.
- Ensure intersection layouts clearly indicate the travel path and priority of movement for pedestrians, cyclists and vehicles.
- Provide a minimum 5 metre by 5 metre corner splay at junctions with arterial roads and a minimum 3 metre by 3 metre corner splay at other junctions unless site conditions justify a variation to achieve safe sight lines across corners.
- Ensure streets are of sufficient strength to:
  - Enable the carriage of vehicles.
  - Avoid damage by construction vehicles and equipment.
- Ensure street pavements are of sufficient quality and durability for the:
  - Safe passage of pedestrians, cyclists and vehicles.
  - Discharge of urban run-off.
  - Preservation of all-weather access and maintenance of a reasonable, comfortable riding quality.
- Ensure carriageways of planned arterial roads are designed to the requirements of the relevant road authority.
- Ensure carriageways of neighbourhood streets are designed for a minimum 20 year life span.
- Provide pavement edges, kerbs, channel and crossover details designed to:
  - Perform the required integrated water management functions.
  - Delineate the edge of the carriageway for all street users.
  - Provide efficient and comfortable access to abutting lots at appropriate locations.
  - Contribute to streetscape design.
- Provide for the safe and efficient collection of waste and recycling materials from lots.
- Be accessible to people with disabilities.
- Meet the requirements of Table C1. Where the widths of access lanes, access places, and access streets do not comply with the requirements of Table C1, the requirements of the relevant fire authority and roads authority must be met. Where the widths of connector streets do not comply with the requirements of Table C1, the requirements of the relevant public transport authority must be met.

A street detail plan should be prepared that shows, as appropriate:
- The street hierarchy and typical cross-sections for all street types.
- Location of carriageway pavement, parking, bus stops, kerbs, crossovers, footpaths, tactile surface indicators, cycle paths and speed control and traffic management devices.
- Water sensitive urban design features.
- Location and species of proposed street trees and other vegetation.
- Location of existing vegetation to be retained and proposed treatment to ensure its health.
- Any relevant details for the design and location of street furniture, lighting, seats, bus stops, telephone boxes and mailboxes.
Lot access objective
To provide for safe vehicle access between roads and lots.

Standard C21
Vehicle access to lots abutting arterial roads should be provided from service roads, side or rear access lanes, access places or access streets where appropriate and in accordance with the access management requirements of the relevant roads authority.

Vehicle access to lots of 300 square metres or less in area and lots with a frontage of 7.5 metres or less should be provided via rear or side access lanes, places or streets.

The design and construction of a crossover should meet the requirements of the relevant road authority.

Table C1 Design of roads and neighbourhood streets

Access Lane
A side or rear lane principally providing access to parking on lots with another street frontage.

<table>
<thead>
<tr>
<th>Traffic volume¹</th>
<th>300vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed²</td>
<td>10kph</td>
</tr>
<tr>
<td>Carriageway width³ &amp; parking provision within street reservation</td>
<td>5.5m⁴ wide with no parking spaces to be provided. Appropriately signed.</td>
</tr>
<tr>
<td>Verge width⁴</td>
<td>No verge required.</td>
</tr>
<tr>
<td>Kerbing⁵</td>
<td>None</td>
</tr>
</tbody>
</table>

Footpath provision
None
Carriageway designed as a shared zone and appropriately signed.

Cycle path provision
None

Access Place
A minor street providing local residential access with shared traffic, pedestrian and recreation use, but with pedestrian priority.

<table>
<thead>
<tr>
<th>Traffic volume¹</th>
<th>300vpd to1000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed²</td>
<td>15kph</td>
</tr>
<tr>
<td>Carriageway width³ &amp; parking provision within street reservation</td>
<td>5.5m⁴ wide with 1 hard standing verge parking space per 2 lots. or 5.5m wide with parking on carriageway - one side. Appropriately signed.</td>
</tr>
<tr>
<td>Verge width⁴</td>
<td>7.5m minimum total width. For services provide a minimum of 3.5m on one side and a minimum of 2.5m on the other.</td>
</tr>
<tr>
<td>Kerbing⁵</td>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Footpath provision</td>
<td>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.</td>
</tr>
<tr>
<td>Cycle path provision</td>
<td>None</td>
</tr>
</tbody>
</table>

**Access Street - Level 1**
A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

<table>
<thead>
<tr>
<th>Traffic volume¹</th>
<th>1000vpd to 2000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed²</td>
<td>30kph</td>
</tr>
<tr>
<td>Carriageway width³ &amp; parking provision within street reservation</td>
<td>5.5m wide with 1 hard standing verge parking space per 2 lots.</td>
</tr>
<tr>
<td>Verge width⁴</td>
<td>4m minimum each side</td>
</tr>
<tr>
<td>Kerbing⁵</td>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
<tr>
<td>Footpath provision</td>
<td>1.5m wide footpaths on both sides. 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.</td>
</tr>
<tr>
<td>Cycle path provision</td>
<td>Carriageway designed as a shared zone and appropriately signed.</td>
</tr>
</tbody>
</table>

**Access Street - Level 2**
A street providing local residential access where traffic is subservient, speed and volume are low and pedestrian and bicycle movements are facilitated.

<table>
<thead>
<tr>
<th>Traffic volume¹</th>
<th>2000vpd to 3000vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed²</td>
<td>40kph</td>
</tr>
<tr>
<td>Carriageway width³ &amp; parking provision within street reservation</td>
<td>7m-7.5m wide with parking on both sides of carriageway</td>
</tr>
<tr>
<td>Verge width⁴</td>
<td>4.5m minimum each side</td>
</tr>
<tr>
<td>Kerbing⁵</td>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
<tr>
<td>Footpath provision</td>
<td>1.5m wide footpaths on both sides. Footpaths should be widened to 2.0m in vicinity of a school, shop or other activity centre.</td>
</tr>
</tbody>
</table>
Be offset a minimum distance of 1m from the kerb.

**Cycle path provision**

Carriageway designed as a shared zone and appropriately signed.

**Connector Street - Level 1**

A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

<table>
<thead>
<tr>
<th>Traffic volume</th>
<th>3000 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed</td>
<td>50 kph² reduced to 40 kph at schools and 20 kph at pedestrian and cycle crossing points.</td>
</tr>
</tbody>
</table>

### Carriageway width, cycle lane provision, parking provision and bus stops within street reservation

- 3.5m minimum lane width in each direction of travel.
- 4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections.
- 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
  - 1.5m 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
  - 1.7m where a dedicated 1.7m wide 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 at the kerbside, not indented within the verge.

<table>
<thead>
<tr>
<th>Verge width</th>
<th>4.5m minimum each side.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kerbing</td>
<td>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</td>
</tr>
</tbody>
</table>

**Footpath provision**

- 1.5m wide footpaths on both sides.
- Footpath widened to a minimum 2.0m in the vicinity of a school, shop, public transport stop or other activity centre.
- Footpaths offset a minimum distance of 1m from the kerb.

**Connector Street - Level 2**

A street that carries higher volumes of traffic. It connects access places and access streets through and between neighbourhoods.

<table>
<thead>
<tr>
<th>Traffic volume</th>
<th>3,000 vpd to 7,000 vpd</th>
</tr>
</thead>
<tbody>
<tr>
<td>Target speed</td>
<td>60 kph³ or 50km/h reduced to 40kph at schools.</td>
</tr>
<tr>
<td>Carriageway width(^3), cycle lane provision, parking provision and bus stops within street reservation</td>
<td>3.5m minimum lane width in each direction of travel.</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td></td>
<td>4.0m minimum lane width at approaches to and departures from roundabouts and T-intersections.</td>
</tr>
<tr>
<td></td>
<td>7.0m minimum carriageway width in each direction of travel where there are two lanes in each direction separated by a non-trafficable central medium.</td>
</tr>
<tr>
<td></td>
<td>8.0m minimum carriageway width at approaches to and departures from roundabouts and T-intersections where there are two lanes in each direction separated by an non-trafficable central medium.</td>
</tr>
<tr>
<td></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>– 1.7m where a dedicated 1.7m wide dedicated bicycle lane is marked on the carriageway</td>
</tr>
<tr>
<td></td>
<td>– 0.3m where there are two trafficable lanes in each direction separated by a non-trafficable central median and the carriageways are shared by cyclists but no dedicated bicycle lane is marked on the carriageway; or</td>
</tr>
<tr>
<td></td>
<td>– 0.5m where there are two trafficable lanes in each direction separated by a non-trafficable central median and a 1.7m wide dedicated bicycle lane is marked on the carriageway.</td>
</tr>
<tr>
<td></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 located at the kerbside, not indented within the verge.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Verge width(^4)</th>
<th>6m minimum each side (plus central median).</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Kerbing(^5)</th>
<th>Semi-mountable rollover or flush and swale or other water sensitive urban design treatment area.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Footpath and cycle path provision</th>
<th>1.5m wide footpath on each side and 1.7m bicycle lanes on the carriageway; or</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2.5m wide shared foot and cycle path on both sides and no dedicate bicycle lanes marked on the carriageway.</td>
</tr>
<tr>
<td></td>
<td>Footpaths widened to a minimum of 2.0m in the vicinity of a school, shop, public transport stop or other activity centre.</td>
</tr>
<tr>
<td></td>
<td>Footpaths or shared foot and cycle paths offset a minimum distance of 1m from the kerb.</td>
</tr>
</tbody>
</table>

**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>
<tr>
<td>Verge width$^4$</td>
<td>Arterial road design as required by the relevant roads authority.</td>
</tr>
<tr>
<td>-----------------</td>
<td>-------------------------------------------------------------------</td>
</tr>
<tr>
<td>Kerbing$^5$</td>
<td>Arterial road design as required by the relevant roads authority.</td>
</tr>
<tr>
<td><strong>Footpath &amp; cycle path provision</strong></td>
<td>3m wide shared path on each side or as otherwise required by the relevant roads authority.</td>
</tr>
</tbody>
</table>

**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 $d_aV_{ave} < 0.35 \text{ m}^2/\text{s}$ (where, $d_a =$ average depth in metres and $V_{ave} =$ average velocity in metres per second).

The design of the local drainage network should:

- Ensure stormwater is retarded to a standard required by the responsible drainage authority.
- Ensure every lot is provided with drainage to a standard acceptable to the relevant drainage authority. Wherever possible, stormwater should be directed to the front of the lot and discharged into the street drainage system or legal point of discharge.
- Ensure that inlet and outlet structures take into account the effects of obstructions and debris build up. Any surcharge drainage pit should discharge into an overland flow in a safe and predetermined manner.
- Include water sensitive urban design features to manage stormwater in streets and public open space. Where such features are provided, an application must describe maintenance responsibilities, requirements and costs.

Any flood mitigation works must be designed and constructed in accordance with the requirements of the relevant floodplain management authority.
SITE MANAGEMENT

Site management objectives
To protect drainage infrastructure and receiving waters from sedimentation and contamination.
To protect the site and surrounding area from environmental degradation or nuisance prior to and during construction of subdivision works.
To encourage the re-use of materials from the site and recycled materials in the construction of subdivisions where practicable.

Standard C26
A subdivision application must describe how the site will be managed prior to and during the construction period and may set out requirements for managing:

- Erosion and sediment.
- Dust.
- Run-off.
- Litter, concrete and other construction wastes.
- Chemical contamination.
- Vegetation and natural features planned for retention.

Recycled material should be used for the construction of streets, shared paths and other infrastructure where practicable.
Shared trenching objectives

To maximise the opportunities for shared trenching.
To minimise constraints on landscaping within street reserves.

Standard C27

Reticulated services for water, gas, electricity and telecommunications should be provided in shared trenching to minimise construction costs and land allocation for underground services.

Electricity, telecommunications and gas objectives

To provide public utilities to each lot in a timely, efficient and cost effective manner.
To reduce greenhouse gas emissions by supporting generation and use of electricity from renewable sources.

Standard C28

The electricity supply system must be designed in accordance with the requirements of the relevant electricity supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant electricity authority.

Arrangements that support the generation or use of renewable energy at a lot or neighbourhood level are encouraged.

The telecommunications system must be designed in accordance with the requirements of the relevant telecommunications servicing agency and should be consistent with any approved strategy, policy or plan for the provision of advanced telecommunications infrastructure, including fibre optic technology. The telecommunications system must be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant telecommunications servicing authority.

Where available, the reticulated gas supply system must be designed in accordance with the requirements of the relevant gas supply agency and be provided to the boundary of all lots in the subdivision to the satisfaction of the relevant gas supply agency.

Fire hydrants objective

To provide fire hydrants and fire plugs in positions that enable fire fighters to access water safely, effectively and efficiently.

Standard C29

Fire hydrants should be provided:

- A maximum distance of 120 metres from the rear of the each lot.
- No more than 200 metres apart.

Hydrants and fire plugs must be compatible with the relevant fire service equipment. Where the provision of fire hydrants and fire plugs does not comply with the requirements of standard C29, fire hydrants must be provided to the satisfaction of the relevant fire authority.

Public lighting objective

To provide public lighting to ensure the safety of pedestrians, cyclists and vehicles.
To provide pedestrians with a sense of personal safety at night.
To contribute to reducing greenhouse gas emissions and to saving energy.
Standard C30

Public lighting should be provided to streets, footpaths, public telephones, public transport stops and to major pedestrian and cycle paths including public open spaces that are likely to be well used at night to assist in providing safe passage for pedestrians, cyclists and vehicles.

Public lighting should be designed in accordance with the relevant Australian Standards.

Public lighting should be consistent with any strategy, policy or plan for the use of renewable energy and energy efficient fittings.
APARTMENT DEVELOPMENTS

Purpose
To implement the Municipal Planning Strategy and the Planning Policy Framework.
To encourage apartment development that provides reasonable standards of amenity for existing
and new residents.
To encourage apartment development that is responsive to the site and the surrounding area.

Application
Provisions in this clause apply to an application to construct or extend an apartment development,
or to construct or extend a dwelling in or forming part of an apartment development, if:

- The apartment development is five or more storeys, excluding a basement, and is in the General
  Residential Zone, Residential Growth Zone, Mixed Use Zone or Township Zone, or
- The apartment development is in the Commercial 1 Zone, Commercial 3 Zone, Special Use
  Zone, Comprehensive Development Zone, Capital City Zone, Docklands Zone, Priority
  Development Zone or Activity Centre Zone.

Operation
The provisions of this clause contain:

- Objectives. An objective describes the desired outcome to be achieved in the completed
development.

- Standards. A standard contains the requirements to meet the objective.
A standard should normally be met. However, if the responsible authority is satisfied that an
application for an alternative design solution meets the objective, the alternative design solution
may be considered.

- Decision guidelines. The decision guidelines set out the matters that the responsible authority
must consider before deciding if an application meets the objectives.

Requirements
A development:

- Must meet all of the objectives of this clause.

- Should meet all of the standards of this clause.

If a zone or a schedule to a zone, or a schedule to an overlay specifies a requirement different from
a requirement of a standard set out in Clause 58 (excluding Clause 58.04-1), the requirement in
Clause 58 applies.

For Clause 58.04-1 (Building setback):

- If a zone or a schedule to a zone specifies a building setback requirement different from a
  requirement set out in Clause 58.04-1, the building setback requirement in the zone or a schedule
to the zone applies.

- If the land is included in an overlay and a schedule to the overlay specifies a building setback
  requirement different from the requirement set out Clause 58.04-1 or a requirement set out in
the zone or a schedule to the zone, the requirement for building setback in the overlay applies.
Application requirements

An application must be accompanied by:

- An urban context report.
- A design response.

Urban context report

The urban context report may use a site plan, photographs or other techniques and must include:

An accurate description of:

- Site shape, size, orientation and easements.
- Levels and contours of the site and the difference in levels between the site and surrounding properties.
- The location and height of existing buildings on the site and surrounding properties.
- The use of surrounding buildings.
- The location of private open space of surrounding properties and the location of trees, fences and other landscape elements.
- Solar access to the site and to surrounding properties.
- Views to and from the site.
- Street frontage features such as poles, street trees and kerb crossovers.
- The location of local shops, public transport services and public open spaces within walking distance.
- Movement systems through and around the site.
- Any other notable feature or characteristic of the site.

An assessment of the characteristics of the area including:

- Any environmental features such as vegetation, topography and significant views.
- The pattern of subdivision.
- Street design and landscape.
- The pattern of development.
- Building form, scale and rhythm.
- Connection to the public realm.
- Architectural style, building details and materials.
- Off-site noise sources.
- The relevant NatHERS climate zones (as identified in Clause 58.03-1).
- Social and economic activity.
- Any other notable or cultural characteristics of the area.

Satisfactory urban context report

If the responsible authority decides that the urban context report is not satisfactory, it may require more information from the applicant under Section 54 of the Act.
The responsible authority must not require notice of an application to be given or decide an application until it is satisfied that the urban context report meets the requirements of Clause 58.01-2 and is satisfactory.

This does not apply if the responsible authority refuses an application under Section 52(1A) of the Act.

**Design response**

The design response must explain how the proposed design:

- Responds to any relevant planning provision that applies to the land.
- Meets the objectives of Clause 58.
- Responds to any relevant housing, urban design and landscape plan, strategy or policy set out in this scheme.
- Derives from and responds to the urban context report.

The design response must include correctly proportioned street elevations or photographs showing the development in the context of adjacent buildings. If in the opinion of the responsible authority this requirement is not relevant to the evaluation of an application, it may waive or reduce the requirement.
URBAN CONTEXT

Urban context objectives
To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.
To ensure that development responds to the features of the site and the surrounding area.

Standard D1
The design response must be appropriate to the urban context and the site.
The proposed design must respect the existing or preferred urban context and respond to the features of the site.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant urban design objective, policy or statement set out in this scheme.
- The urban context report.
- The design response.

Residential policy objectives
To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.
To support higher density residential development where development can take advantage of public and community infrastructure and services.

Standard D2
An application must be accompanied by a written statement to the satisfaction of the responsible authority that describes how the development is consistent with any relevant policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.

Dwelling diversity objective
To encourage a range of dwelling sizes and types in developments of ten or more dwellings.

Standard D3
Developments of ten or more dwellings should provide a range of dwelling sizes and types, including dwellings with a different number of bedrooms.

Infrastructure objectives
To ensure development is provided with appropriate utility services and infrastructure.
To ensure development does not unreasonably overload the capacity of utility services and infrastructure.
Standard D4
Development should be connected to reticulated services, including reticulated sewerage, drainage, electricity and gas, if available.

Development should not unreasonably exceed the capacity of utility services and infrastructure, including reticulated services and roads.

In areas where utility services or infrastructure have little or no spare capacity, developments should provide for the upgrading of or mitigation of the impact on services or infrastructure.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The capacity of the existing infrastructure.
- In the absence of reticulated sewerage, the capacity of the development to treat and retain all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- If the drainage system has little or no spare capacity, the capacity of the development to provide for stormwater drainage mitigation or upgrading of the local drainage system.

Integration with the street objective
To integrate the layout of development with the street.

Standard D5
Developments should provide adequate vehicle and pedestrian links that maintain or enhance local accessibility.

Development should be oriented to front existing and proposed streets.

High fencing in front of dwellings should be avoided if practicable.

Development next to existing public open space should be laid out to complement the open space.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.
SITE LAYOUT

Energy efficiency objectives
To achieve and protect energy efficient dwellings and buildings.
To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.
To ensure dwellings achieve adequate thermal efficiency.

Standard D6
Buildings should be:

- Oriented to make appropriate use of solar energy.
- Sited and designed to ensure that the energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.

Living areas and private open space should be located on the north side of the development, if practicable.

Developments should be designed so that solar access to north-facing windows is optimised.

Dwellings located in a climate zone identified in Table D1 should not exceed the maximum NatHERS annual cooling load specified in the following table.

Table D1 Cooling load

<table>
<thead>
<tr>
<th>NatHERS climate zone</th>
<th>NatHERS maximum cooling load MJ/M² per annum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Climate zone 21 Melbourne</td>
<td>30</td>
</tr>
<tr>
<td>Climate zone 22 East Sale</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 27 Mildura</td>
<td>69</td>
</tr>
<tr>
<td>Climate zone 60 Tullamarine</td>
<td>22</td>
</tr>
<tr>
<td>Climate zone 62 Moorabbin</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 63 Warrnambool</td>
<td>21</td>
</tr>
<tr>
<td>Climate zone 64 Cape Otway</td>
<td>19</td>
</tr>
<tr>
<td>Climate zone 66 Ballarat</td>
<td>23</td>
</tr>
</tbody>
</table>

Note: Refer to NatHERS zone map, Nationwide House Energy Rating Scheme (Commonwealth Department of Environment and Energy).

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The size, orientation and layout of the site.
- The existing amount of solar access to abutting properties.
- The availability of solar access to north-facing windows on the site.
- The annual cooling load for each dwelling.
Communal open space objective
To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.

Standard D7
Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser.

Communal open space should:
- Be located to:
  - Provide passive surveillance opportunities, where appropriate.
  - Provide outlook for as many dwellings as practicable.
  - Avoid overlooking into habitable rooms and private open space of new dwellings.
  - Minimise noise impacts to new and existing dwellings.
- Be designed to protect any natural features on the site.
- Maximise landscaping opportunities.
- Be accessible, useable and capable of efficient management.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- Any relevant urban design objective, policy or statement set out in this scheme.
- The design response.
- The useability and amenity of the communal open space based on its size, location, accessibility and reasonable recreation needs of residents.
- The availability of and access to public open space.

Solar access to communal outdoor open space objective
To allow solar access into communal outdoor open space.

Standard D8
The communal outdoor open space should be located on the north side of a building, if appropriate. At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June.

Decision guidelines
Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability and amenity of the primary communal outdoor open space areas based on the urban context, the orientation of the building, the layout of dwellings and the sunlight it will receive.

Safety objective
To ensure the layout of development provides for the safety and security of residents and property.

Standard D9
Entrances to dwellings should not be obscured or isolated from the street and internal accessways.
Planting which creates unsafe spaces along streets and accessways should be avoided. Developments should be designed to provide good lighting, visibility and surveillance of car parks and internal accessways. Private spaces within developments should be protected from inappropriate use as public thoroughfares.

**Decision guideline**
Before deciding on an application, the responsible authority must consider the design response.

**Landscaping objectives**
To encourage development that respects the landscape character of the area. To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. To provide appropriate landscaping. To encourage the retention of mature vegetation on the site. To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect.

**Standard D10**
The landscape layout and design should:
- Be responsive to the site context.
- Protect any predominant landscape features of the area.
- Take into account the soil type and drainage patterns of the site and integrate planting and water management.
- Allow for intended vegetation growth and structural protection of buildings.
- In locations of habitat importance, maintain existing habitat and provide for new habitat for plants and animals.
- Provide a safe, attractive and functional environment for residents.
- Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site stormwater infiltration.
- Maximise deep soil areas for planting of canopy trees.

Development should provide for the retention or planting of trees, where these are part of the urban context.

Development should provide for the replacement of any significant trees that have been removed in the 12 months prior to the application being made.

The landscape design should specify landscape themes, vegetation (location and species), paving and lighting.

Development should provide the deep soil areas and canopy trees specified in Table D2. If the development cannot provide the deep soil areas and canopy trees specified in Table D2, an equivalent canopy cover should be achieved by providing either:
- Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements.
- Vegetated planters, green roofs or green facades.
### Table D2 Deep soil areas and canopy trees

<table>
<thead>
<tr>
<th>Site area</th>
<th>Deep soil areas</th>
<th>Minimum tree provision</th>
</tr>
</thead>
<tbody>
<tr>
<td>750 - 1000</td>
<td>5% of site area (minimum dimension of 3 metres)</td>
<td>1 small tree (6-8 metres) per 30 square metres of deep soil</td>
</tr>
<tr>
<td>square metres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1001 - 1500</td>
<td>7.5% of site area (minimum dimension of 3 metres)</td>
<td>1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil</td>
</tr>
<tr>
<td>square metres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1501 - 2500</td>
<td>10% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
<tr>
<td>square metres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>&gt;2500 square</td>
<td>15% of site area (minimum dimension of 6 metres)</td>
<td>1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil</td>
</tr>
<tr>
<td>metres</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: Where an existing canopy tree over 8 metres can be retained on a lot greater than 1000 square metres without damage during the construction period, the minimum deep soil requirement is 7% of the site area.

### Decision guidelines

Before deciding on an application, the responsible authority must consider:

- Any relevant plan or policy for landscape character and environmental sustainability in the Municipal Planning Strategy and the Planning Policy Framework.
- The design response.
- The location and size of gardens and the predominant plant types in the area.
- The health of any trees to be removed.
- The suitability of the proposed location and soil volume for canopy trees.
- The ongoing management of landscaping within the development.
- The soil type and drainage patterns of the site.

### Access objective

To ensure the number and design of vehicle crossovers respects the urban context.

### Standard D11

The width of accessways or car spaces should not exceed:

- 33 per cent of the street frontage, or
- if the width of the street frontage is less than 20 metres, 40 per cent of the street frontage.

No more than one single-width crossover should be provided for each dwelling fronting a street.

The location of crossovers should maximise the retention of on-street car parking spaces.

The number of access points to a road in a Road Zone should be minimised.

Developments must provide for access for service, emergency and delivery vehicles.
Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- The impact on the streetscape.
- The reduction of on-street car parking spaces.
- The effect on any significant vegetation on the site and footpath.

Parking location objectives
To provide convenient parking for resident and visitor vehicles.
To protect residents from vehicular noise within developments.

Standard D12
Car parking facilities should:

- Be reasonably close and convenient to dwellings.
- Be secure.
- Be well ventilated if enclosed.

Shared accessways or car parks of other dwellings should be located at least 1.5 metres from the windows of habitable rooms. This setback may be reduced to 1 metre where there is a fence at least 1.5 metres high or where window sills are at least 1.4 metres above the accessway.

Decision guideline
Before deciding on an application, the responsible authority must consider the design response.

Integrated water and stormwater management objectives
To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.

To facilitate stormwater collection, utilisation and infiltration within the development.

To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site.

Standard D13
Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use.

Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority.

The stormwater management system should be:

- Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- Any relevant water and stormwater management objective, policy or statement set out in this scheme.
- The design response.
- Whether the development has utilised alternative water sources and/or incorporated water sensitive urban design.
- Whether stormwater discharge from the site will adversely affect water quality entering the drainage system.
- The capacity of the drainage network to accommodate additional stormwater.
- Whether the stormwater treatment areas can be effectively maintained.
- Whether the owner has entered into an agreement to contribute to off-site stormwater management in lieu of providing an on-site stormwater management system.
AMENITY IMPACTS

Building setback objectives
To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area.

To allow adequate daylight into new dwellings.

To limit views into habitable room windows and private open space of new and existing dwellings.

To provide a reasonable outlook from new dwellings.

To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents.

Standard D14

The built form of the development must respect the existing or preferred urban context and respond to the features of the site.

Buildings should be set back from side and rear boundaries, and other buildings within the site to:

- Ensure adequate daylight into new habitable room windows.

- Avoid direct views into habitable room windows and private open space of new and existing dwellings. Developments should avoid relying on screening to reduce views.

- Provide an outlook from dwellings that creates a reasonable visual connection to the external environment.

- Ensure the dwellings are designed to meet the objectives of Clause 58.

Decision Guidelines

Before deciding on an application, the responsible authority must consider:

- The purpose of the zone and/or overlay that applies to the land.

- Any relevant urban design objective, policy or statement set out in this scheme.

- The urban context report.

- The design response.

- The relationship between the proposed building setback and the building setbacks of existing adjacent buildings, including the interface with laneways.

- The extent to which the proposed dwellings are provided with reasonable daylight access through the layout of rooms and the number, size, location and orientation of windows.

- The impact of overlooking on the amenity of existing and proposed dwellings.

- The existing extent of overlooking into existing dwellings and private open space.

- Whether the development meets the objectives of Clause 58.

Internal views objective

To limit views into the private open space and habitable room windows of dwellings within a development.

Standard D15

Windows and balconies should be designed to prevent overlooking of more than 50 per cent of the private open space of a lower-level dwelling directly below and within the same development.

Decision guideline

Before deciding on an application, the responsible authority must consider the design response.
Noise impacts objectives
To contain noise sources in developments that may affect existing dwellings.
To protect residents from external and internal noise sources.

Standard D16
Noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings.
The layout of new dwellings and buildings should minimise noise transmission within the site.
Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings.
New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources.
Buildings within a noise influence area specified in Table D3 should be designed and constructed to achieve the following noise levels:

- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
- Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements.

Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed.

Table D3 Noise influence area

<table>
<thead>
<tr>
<th>Noise source</th>
<th>Noise influence area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zone interface</td>
<td></td>
</tr>
<tr>
<td>Industry</td>
<td>300 metres from the Industrial 1, 2 and 3 zone boundary</td>
</tr>
<tr>
<td>Roads</td>
<td></td>
</tr>
<tr>
<td>Freeways, tollways and other roads carrying 40,000 Annual Average Daily Traffic Volume</td>
<td>300 metres from the nearest trafficable lane</td>
</tr>
<tr>
<td>Railways</td>
<td></td>
</tr>
<tr>
<td>Railway servicing passengers in Victoria</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight outside Metropolitan Melbourne</td>
<td>80 metres from the centre of the nearest track</td>
</tr>
<tr>
<td>Railway servicing freight in Metropolitan Melbourne</td>
<td>135 metres from the centre of the nearest track</td>
</tr>
</tbody>
</table>

Note: The noise influence area should be measured from the closest part of the building to the noise source.

Decision guidelines
Before deciding on an application, the responsible authority must consider:

- The design response.
- Whether it can be demonstrated that the design treatment incorporated into the development meets the specified noise levels or an acoustic report by a suitably qualified consultant submitted with the application.
- Whether the impact of potential noise sources within a development have been mitigated through design, location and siting.
- Whether the layout of rooms within a dwelling mitigates noise transfer within and between dwellings.
- Whether an alternative design meets the relevant objectives having regard to the amenity of the dwelling and the site context.
ON-SITE AMENITY AND FACILITIES

Accessibility objective
To ensure the design of dwellings meets the needs of people with limited mobility.

Standard D17
At least 50 per cent of dwellings should have:

- A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom.
- A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area.
- A main bedroom with access to an adaptable bathroom.
- At least one adaptable bathroom that meets all of the requirements of either Design A or Design B specified in Table D4.

Table D4 Bathroom design

<table>
<thead>
<tr>
<th></th>
<th>Design option A</th>
<th>Design option B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Door opening</td>
<td>A clear 850mm wide door opening.</td>
<td>A clear 820mm wide door opening located opposite the shower.</td>
</tr>
<tr>
<td>Door design</td>
<td>Either: A slide door, or A door that opens outwards, or A door that opens inwards and has readily removable hinges.</td>
<td>Either: A slide door, or A door that opens outwards, or A door that opens inwards and has readily removable hinges.</td>
</tr>
<tr>
<td>Circulation area</td>
<td>A clear circulation area that is:</td>
<td>A clear circulation area that is:</td>
</tr>
<tr>
<td></td>
<td>- A minimum area of 1.2 metres by 1.2 metres.</td>
<td>- A minimum width of 1 metre.</td>
</tr>
<tr>
<td></td>
<td>- Located in front of the shower and the toilet.</td>
<td>- The full length of the bathroom and a minimum length of 2.7 metres.</td>
</tr>
<tr>
<td></td>
<td>- Clear of the toilet, basin and the door swing.</td>
<td>- Clear of the toilet and basin.</td>
</tr>
<tr>
<td></td>
<td>The circulation area for the toilet and shower can overlap.</td>
<td>The circulation area can include a shower area.</td>
</tr>
<tr>
<td>Path to circulation area</td>
<td>A clear path with a minimum width of 900mm from the door opening to the circulation area.</td>
<td>Not applicable.</td>
</tr>
<tr>
<td>Shower</td>
<td>A hobless (step-free) shower.</td>
<td>A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.</td>
</tr>
<tr>
<td>Toilet</td>
<td>A toilet located in the corner of the room.</td>
<td>A toilet located closest to the door opening and clear of the circulation area.</td>
</tr>
</tbody>
</table>

Building entry and circulation objectives
To provide each dwelling and building with its own sense of identity.

To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.

To ensure internal communal areas provide adequate access to daylight and natural ventilation.
**Standard D18**

Entries to dwellings and buildings should:

- Be visible and easily identifiable.
- Provide shelter, a sense of personal address and a transitional space around the entry.

The layout and design of buildings should:

- Clearly distinguish entrances to residential and non-residential areas.
- Provide windows to building entrances and lift areas.
- Provide visible, safe and attractive stairs from the entry level to encourage use by residents.
- Provide common areas and corridors that:
  - Include at least one source of natural light and natural ventilation.
  - Avoid obstruction from building services.
  - Maintain clear sight lines.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability and amenity of internal communal areas based on daylight access and the natural ventilation it will receive.

### Private open space objective

To provide adequate private open space for the reasonable recreation and service needs of residents.

**Standard D19**

A dwelling should have private open space consisting of:

- An area of 25 square metres, with a minimum dimension of 3 metres at natural ground floor level and convenient access from a living room, or
- An area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or
- A balcony with an area and dimensions specified in Table D5 and convenient access from a living room, or
- A roof-top area of 10 square metres with a minimum dimension of 2 metres and convenient access from a living room.

If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres.

**Table D5 Balcony size**

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Minimum area</th>
<th>Minimum dimension</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio or 1 bedroom dwelling</td>
<td>8 square metres</td>
<td>1.8 metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>8 square metres</td>
<td>2 metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>12 square metres</td>
<td>2.4 metres</td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:
- The design response.
- The useability and functionality of the private open space, including its size and accessibility.
- The amenity of the private open space based on the orientation of the lot, the wind conditions and the sunlight it will receive.
- The availability of and access to public or communal open space.

**Storage objective**

To provide adequate storage facilities for each dwelling.

**Standard D20**

Each dwelling should have convenient access to usable and secure storage space. The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in Table D6.

**Table D6 Storage**

<table>
<thead>
<tr>
<th>Dwelling type</th>
<th>Total minimum storage volume</th>
<th>Minimum storage volume within the dwelling</th>
</tr>
</thead>
<tbody>
<tr>
<td>Studio</td>
<td>8 cubic metres</td>
<td>5 cubic metres</td>
</tr>
<tr>
<td>1 bedroom dwelling</td>
<td>10 cubic metres</td>
<td>6 cubic metres</td>
</tr>
<tr>
<td>2 bedroom dwelling</td>
<td>14 cubic metres</td>
<td>9 cubic metres</td>
</tr>
<tr>
<td>3 or more bedroom dwelling</td>
<td>18 cubic metres</td>
<td>12 cubic metres</td>
</tr>
</tbody>
</table>

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

- The design response.
- The useability, functionality and location of storage facilities provided for the dwelling.
DETAILED DESIGN

**Common property objectives**
To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.

To avoid future management difficulties in areas of common ownership.

**Standard D21**
Developments should clearly delineate public, communal and private areas.

Common property, where provided, should be functional and capable of efficient management.

**Site services objectives**
To ensure that site services can be installed and easily maintained.

To ensure that site facilities are accessible, adequate and attractive.

**Standard D22**
The design and layout of dwellings should provide sufficient space (including easements where required) and facilities for services to be installed and maintained efficiently and economically.

Mailboxes and other site facilities should be adequate in size, durable, waterproof and blend in with the development.

Mailboxes should be provided and located for convenient access as required by Australia Post.

**Decision guideline**
Before deciding on an application, the responsible authority must consider the design response.

**Waste and recycling objectives**
To ensure dwellings are designed to encourage waste recycling.

To ensure that waste and recycling facilities are accessible, adequate and attractive.

To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.

**Standard D23**
Developments should include dedicated areas for:

- Waste and recycling enclosures which are:
  - Adequate in size, durable, waterproof and blend in with the development.
  - Adequately ventilated.
  - Located and designed for convenient access by residents and made easily accessible to people with limited mobility.

- Adequate facilities for bin washing. These areas should be adequately ventilated.

- Collection, separation and storage of waste and recyclables, including where appropriate opportunities for on-site management of food waste through composting or other waste recovery as appropriate.

- Collection, storage and reuse of garden waste, including opportunities for on-site treatment, where appropriate, or off-site removal for reprocessing.
• Adequate circulation to allow waste and recycling collection vehicles to enter and leave the site without reversing.

• Adequate internal storage space within each dwelling to enable the separation of waste, recyclables and food waste where appropriate.

Waste and recycling management facilities should be designed and managed in accordance with a Waste Management Plan approved by the responsible authority and:

• Be designed to meet the best practice waste and recycling management guidelines for residential development adopted by Sustainability Victoria.

• Protect public health and amenity of residents and adjoining premises from the impacts of odour, noise and hazards associated with waste collection vehicle movements.

**Decision guidelines**

Before deciding on an application, the responsible authority must consider:

• The design response.

• Any relevant waste and recycling objective, policy or statement set out in this scheme.
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.
Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A copy of the relevant planning permit and approved plans for the development.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, car parking areas and private open space.
  - The location, shape and size of the proposed lots to be created.
  - The location of any easements on the subject land.
  - The location and details of any significant vegetation.
  - The location of the approved stormwater discharge point.
  - Any abutting roads.
  - The location of any street trees, poles, pits and other street furniture.
  - Existing and proposed vehicle access to the lots.
  - Any loading bays and vehicle standing areas.
  - Any waste storage areas.
  - Any proposed common property to be owned by a body corporate and the lots participating in the body corporate.

- For the subdivision of existing buildings and car parking spaces, a copy of the occupancy permit or a certificate of final inspection for the development.
- For the subdivision of land into two lots with an approved development currently under construction, evidence that the construction has commenced.
- If common property is proposed, an explanation of why the common property is required.
- If the land is in an area where reticulated sewerage is not provided, a plan which shows the location of any existing effluent disposal area for each lot or a land assessment which demonstrates that each lot is capable of treating and retaining all wastewater in accordance with the State Environment Protection Policy (Waters of Victoria) under the Environment Protection Act 1970.
- For land in an overlay, a written statement that describes how the proposal responds to any statement of significance, objectives or requirements specified in the schedule to the overlay.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Are consistent with the approved plans and conditions of any relevant planning permit for the development.
  - Are consistent with the layout of existing buildings and car parking spaces on the land.
  - Appropriately accommodate any existing waste storage areas.
  - Appropriately accommodate any existing loading bay and vehicle storage area.
- Appropriately accommodate significant vegetation.
- Appropriately accommodate existing or proposed easements on the lots.
- Appropriately accommodate the provision of utility services to each lot.
- Appropriately accommodate the siting of buildings having regard to safety and the risk of spread of fire.

- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
- For the subdivision of existing buildings and car parking spaces, whether each new lot, other than common property, contains an existing building, part of an existing building or a car parking space.
- Whether the provision and location of common property is appropriate for the purpose for which the land is to be commonly held.
- Whether any public open space contribution is required under Clause 53.01 of this scheme or under Section 18 of the Subdivision Act 1988.
- The statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.
- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.
FRONT FENCE IN A RESIDENTIAL ZONE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of the title for the subject land and a copy of any registered restrictive covenant.
- A plan drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location, length, height and design of the proposed fence including details of materials.
  - The location, height and design of any existing front fence on adjoining and nearby properties including details of materials.
- A photograph of the site and adjoining and nearby properties along the street frontage.
- The reason for the proposed height.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Whether the setback, height and design of the proposed fence are:
  - Appropriate to the neighbourhood character and the site.
  - Consistent with any relevant neighbourhood character objective or policy set out in the scheme.
  - Appropriate with the setback, height and appearance of front fences on adjoining and nearby properties.
  - Complement the design of the dwelling.
- The extent to which slope and retaining walls reduce the effective height of the proposed fence.
- Whether the proposed fence is needed to minimise noise intrusion.
- The reason for the proposed height.
BUILDINGS AND WORKS IN A ZONE (EXCEPT A RURAL ZONE)

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A description of the use of the land and the proposed buildings and works.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location, height and use of buildings and works on adjoining land.
  - Relevant ground levels.
  - Any contaminated soils and filled areas, where known.
  - The layout of existing and proposed buildings and works.
  - All existing and proposed driveways, car parking, bicycle parking and loading areas.
  - Existing and proposed landscape areas.
  - All external storage and waste treatment areas.
  - The location of easements and services.
  - Elevation drawings to scale showing the height, colour and materials of all proposed buildings and works.
  - A photograph of the building or area affected by the proposal.
  - A written statement describing the proposal and if relevant:
    - The built form and character of adjoining and nearby buildings.
    - The heritage character of any adjoining heritage places.
    - Ground floor street frontages, including visual impacts and pedestrian safety.
  - A written statement describing whether the proposed buildings and works meet:
    - The number of car parking spaces required under Clause 52.06 or in the schedule to Clause 45.09.
    - Any development requirement specified in the zone or the schedule to the zone.
- Any relevant requirement in an approved development plan or incorporated plan for the land.
- Any other information specified in the schedule to the zone.
- For land in a residential zone, a written statement, plan or diagram showing how the proposal meets:
  - The requirements in the following standards of Clause 54:
    - A10 Side and rear setbacks.
    - A11 Walls on boundaries.
    - A12 Daylight to existing windows.
    - A13 North-facing windows.
    - A14 Overshadowing open space.
- A15 Overlooking.

If a schedule to the zone specifies a requirement of a standard different from a requirement set out in the Clause 54 standard the schedule to the zone applies.

**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant urban design and built form policy set out in the scheme.
- Whether the movement of pedestrians and cyclists, and vehicles providing for supplies and waste removal are appropriately accommodated.
- Whether the design complements the built form of the surrounding properties and the streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- Whether the land and building have availability of and connection to services.
- Whether the proposed development adversely impacts the amenity of the land and the locality including existing dwellings on adjoining sites.
- Whether the proposed development appropriately provides for landscaping.
- Whether the proposed development adversely affects solar access to existing open spaces and public places.
- Whether the proposal meets the car parking requirements specified in Clause 52.06 or in the schedule to the Parking Overlay.
- Whether the proposal meets the maximum building height specified in the schedule to the zone.
- Whether the proposal meets any relevant requirements specified in the zone or the schedule to the zone.
- Whether the proposal is consistent with any relevant approved development plan or incorporated plan.
- The objectives set out in the schedule to the zone.
- Whether the proposal provides adequate vehicle loading and unloading facilities.

For land in a residential zone:
- Whether the proposed development is consistent with any neighbourhood character objectives set out in the schedule to the zone.
- Whether the development is compatible with residential use.
- The scale and intensity of the development.
- The design, height, setback and appearance of the proposed buildings and works.
BUILDINGS AND WORKS IN AN OVERLAY

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.

- A plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location, height and design of the proposed buildings and works including details of materials.
  - The location of any existing buildings, including fences and trees.
  - For land in a Neighbourhood Character Overlay, any buildings proposed to be demolished.

- For land in a Neighbourhood Character Overlay, a written description of the proposal including:
  - The built form and character of adjoining and nearby buildings.
  - How the proposal responds to the key features and objectives specified in the schedule to the overlay.
  - If demolition is proposed, the reason for the demolition.
  - How the proposal meets the requirements of Clause 54.02-1, 54.02-2, 54.03-1, 54.03-2, 54.03-3, 54.03-4, 54.04-1, 54.04-2, 54.04-3, 54.04-4, 54.06-1, 54.06-2, including any Clause 54 modification specified in the schedule to the overlay.

- For land in a Design and Development Overlay, a written description of the proposal including:
  - How the proposal responds to the design objectives specified in a schedule to the overlay.
  - How the proposal meets the requirements specified in a schedule to the overlay.
  - The built form and character of adjoining and nearby buildings.

- A photograph of the building or area affected by the proposal.

- For land in an Erosion Management Overlay, information showing:
  - The extent of any proposed earthworks.
  - The means proposed to stabilise disturbed areas.

- For an application under the Salinity Management Overlay, written advice including plan references and any conditions from the referral authority demonstrating that the referral authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the buildings and works will adversely affect that significance or the objectives.

- Whether the proposal meets any requirements specified in the overlay or the schedule to the overlay.

- For an application in a Salinity Management Overlay, any comments from the relevant referral authority.
- For an application in a Neighbourhood Character Overlay, the relevant objectives, standards and decision guidelines of Clause 54.
- Any relevant decision guideline specified in the overlay and the schedule to the overlay.
REMOVE, DESTROY OR LOP A TREE

Information requirements
An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- If the tree to be removed, destroyed or lopped is identified as a significant tree in a schedule to the overlay, a report prepared by an arborist.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape, size and slope of the site.
  - The location of the tree to be removed, destroyed or lopped.
  - The location and type of other significant vegetation on the site.
  - The location, species and height of any significant trees on the site that have been removed or approved to be removed in the past 3 years.
- A written statement that describes:
  - The species, height and trunk girth of the tree to be removed, destroyed or lopped.
  - The reason the tree is to be removed, destroyed or lopped.
  - If provision is to be made to replace the tree elsewhere on the land.
  - If the tree is to be lopped, the extent of lopping proposed.
  - Any impacts on the significance of the area.
- A photograph of the tree to be removed, destroyed or lopped.

Decision guidelines
In assessing an application the responsible authority must consider as appropriate:

- The statement of significance and the objectives contained in the schedule to the overlay and whether the proposal will adversely affect that significance or the objectives.
- Whether the tree proposed to be removed, destroyed or lopped contributes to the significance of the area and whether the proposal will adversely affect that significance.
- Whether the removal or lopping of the tree is needed because of the health of the tree.
- Whether the lopping of the tree will adversely affect the health, appearance or significance of the tree.
- Whether the removal of the tree will contribute to soil erosion, slippage or salinisation.
- Whether the removal or lopping of the tree is needed to create a defendable space to reduce the risk of bushfire to life and property.
- If the tree is a native tree, its role in conserving flora and fauna and whether the proposal will adversely affect the conservation of flora and fauna of the area.
- Whether provision is made to plant a new tree elsewhere on the land.
- The reasons for removing the tree including the health of the tree to be removed.
- The cumulative impact of the number of trees that have been removed or been approved for removal in the past 3 years.
- Any relevant decision guideline specified in the overlay or the schedule to the overlay.
APPLICATIONS UNDER A HERITAGE OVERLAY

Information requirements
An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings, including fences and trees.
  - The location, height and design of the proposed building or works including details of proposed materials.
  - Any buildings to be demolished.
  - An elevation of the proposed building.
  - The size and design of any proposed sign, including details of the supporting structure and any proposed illumination.
  - The location, style, size, colour and materials of any proposed solar energy facility (that is visible from the street frontage or any nearby public park), including details of the supporting structure.
- A written description of the proposal including:
  - Any impacts on the significance of the heritage place.
  - How the proposal responds to any relevant local heritage policy set out in the scheme.
  - If lopping of a tree is proposed, the reason for the lopping, the extent of lopping and an arborist report.
- The proposed colour schedule and nature of any materials and finishes.
- A photograph of the area affected by the proposal including any building, outbuilding, fence or tree which may be affected by the proposal.
- A photograph of the subject site and adjoining properties along the street frontage.
- If subdivision is proposed, the location, shape and size of the proposed lots to be created.
- If a sign is proposed:
  - The location, size and design of the proposed sign on the site or building.
  - The location and size of existing signage on the site including details of any signs to be retained or removed.
- If a solar energy facility is proposed that is visible from the street frontage or any nearby public park:
  - Measures proposed to minimise the visibility of the facility and protect the structural integrity of heritage features.

Decision guidelines
In assessing an application the responsible authority must consider as appropriate:

General
- The significance of the heritage place and whether the proposal will adversely affect that significance.
• Any applicable statement of significance, heritage study and any applicable conservation policy.
• Whether the proposal will adversely affect the character or appearance of the building or heritage place.
• Whether the proposal meets any relevant local heritage policy set out in the scheme.

Demolition
• Whether the outbuilding to be demolished contributes to the significance, character or appearance of the building or heritage place.

Buildings and works
• Whether the location, bulk, form and appearance of the proposed building or works will adversely affect the significance of the building or heritage place.
• Whether the proposed building or works will affect the health or appearance of a tree which is the subject of a Heritage Overlay.

Alterations
• Whether the proposed alterations will restore or reconstruct original fabric which has been removed or damaged.
• Whether the proposed alterations will adversely affect the significance, character and appearance of the heritage place.

Fences
• Whether the fence proposed to be demolished contributes to the significance, character and appearance of the building or heritage place.
• Whether the proposed fence, including its style, height and materials, is appropriate to the building or heritage place.

Trees
• Whether the proposed lopping will adversely affect the health, appearance or significance of the tree.

Subdivision
• Whether the proposed subdivision retains the significant setting (landscapes, landscape features and views) of the heritage place.
• Whether the proposed subdivision respects the rhythm and spacing of buildings in the streetscape.
• Whether the proposed subdivision will result in a new boundary fence, wall or structure that adversely affects the setting of the heritage place.

Signage
• Whether the proposed sign will adversely affect the significance, character or appearance of the heritage place.
APPLICATIONS UNDER A SPECIAL BUILDING OVERLAY

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.

- A plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - The layout, size and use of existing and proposed buildings and works, including floor plan layout and vehicle parking areas.
  - Setbacks between existing and proposed buildings and site boundaries.
  - Natural surface levels of the site to Australian Height Datum.
  - Floor and surface levels of any existing and proposed buildings and works to Australian Height Datum.
  - Cross sectional details of any basement entry ramps and other basement entries to Australian Height Datum, showing floor levels of entry and exit areas and drainage details.
  - If subdivision is proposed, the location, shape and size of the proposed lots to be created.

- If a referral to the floodplain management authority is required, written advice, including endorsed plans of the proposal and any conditions, from the relevant floodplain management authority demonstrating that the floodplain management authority has considered the proposal for which the application is made within the past three months and does not object to the granting of the permit for the proposal.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Clauses 13.01 and 13.03 of the Planning Policy Framework.
- Whether the proposal is consistent with any local floodplain development plan for the area incorporated into this scheme.
- If a referral to the floodplain management authority is required, any comments from the relevant floodplain management authority.
- The existing use and development of the land.
- Whether the proposed use or development could be located on flood-free land or land with a lesser flood hazard outside this overlay.
- The susceptibility of the development to flooding and flood damage.
- The flood risk including:
  - The frequency, duration, extent, depth and velocity of flooding of the site and accessways.
  - The flood warning time available.
  - The danger to the occupants of the development, other floodplain residents and emergency personnel if the site or accessway is flooded.
- The effect of the development redirecting or obstructing floodwater, stormwater or drainage water and the effect of the development on reducing flood storage and increasing flood levels and flow velocities.
**Information requirements**

An application must be accompanied by the following information, as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A site context report, using a site plan, photographs or other methods to accurately describe:
  - The location of the proposed sign on the site or building and distance from property boundaries.
  - The location and size of existing signs on the site including details of any signs to be retained or removed.
  - The location and form of existing signs on adjoining properties and in the locality.
  - The location of closest traffic control signs.
  - Identification of any view lines or vistas that could be affected by the proposed sign.
- The dimensions, height above ground level and extent of projection of the proposed sign.
- The height, width and depth of the total sign structure including the method of support and any associated structures such as safety devices and service platforms.
- The colour, lettering style and materials of the proposed sign.
- The size of the proposed display (total display area including all sides of a multi-sided sign).

**Decision guidelines**

In assessing an application the responsible authority must consider as appropriate:

- Whether the proposal is consistent with any relevant local advertising policy set out in the scheme.
- Whether the proposal will impact the character of the area including:
  - Natural environment, heritage, waterway, open space and rural landscape values.
  - The desired future character of the area.
  - The cumulative impact of signs on the character of an area.
  - The need to avoid visual disorder or clutter of signs.
- Whether the proposal will impact views and vistas including:
  - Important views from the public realm.
  - Significant public views.
  - Views to existing signs.
- Whether the proportion, scale and form of the proposed sign relates to the site, building, streetscape, setting or landscape including:
  - The position of the proposed sign, including if it protrudes above existing buildings or landscape and natural elements.
  - Screening of unsightly elements.
  - The number, scale and location of existing signs.
  - The ability to rationalise or simplify the number of signs.
  - The ability to include landscaping to reduce the visual impact of the proposed sign structure.
- The extent to which the proposed sign requires the removal of vegetation.

  - Whether the proposed sign is consistent with any outdoor advertising theme.
  - Whether there is a need for identification and the opportunities for adequate identification on the site or locality.
  - Whether the proposed sign will adversely impact road safety.
CAR PARKING

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - The location of existing buildings.
  - All car parking spaces and access lanes.
  - Allocation of car parking spaces to different uses or tenancies, if applicable.
  - Landscaping and sensitive water design treatments.
- A written statement that describes:
  - The proposed use of the site, number of employees and patrons and hours of operation.
  - The previous use of the site.
  - The site and floor area to be occupied.
  - The number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.
  - The total number of car parking spaces provided.
  - The likely impact of a reduction in car parking on the amenity of the area and on the area’s existing car parking.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- Whether the reduction of the car parking requirement is consistent with any relevant local planning policy or incorporated plan.
- The objectives contained in the schedule to the Parking Overlay.
- Whether there is availability of alternative car parking in the locality including:
  - Efficiencies gained from the consolidation of shared car parking spaces.
  - Public car parks intended to serve the land.
  - On street parking in non-residential zones.
  - Streets in residential zones specifically managed for non-residential parking.
- The practicality of providing car parking on the site, particularly for lots of less than 300 square metres.
- Whether there is any car parking deficiency associated with the existing use of the land.
- Whether there is any credit that should be allowed for car parking spaces provided on common land or by a Special Charge Scheme or cash-in-lieu payment.
- Whether fewer car parking spaces will impact local amenity, including pedestrian amenity and the amenity of nearby residential areas.
- Whether there is a need to create safe, functional and attractive parking areas.
- The availability of public transport in the locality of the land.
- The convenience of pedestrian and cyclist access to the land.
- The likelihood of multi-purpose trips within the locality which are likely to be combined with a trip to the land in connection with the use.
- The equity of reducing the car parking requirement having regard to any historic contributions by existing businesses.
- On street parking in residential zones in the locality of the land that is intended to be for residential use.
- The future growth and development of any nearby activity centre.
- Local traffic management in the locality of the land.
- Access to or provision of alternative transport modes to and from the land.
- Whether any car parking spaces to be provided meet the design standards of Clause 52.06.
- Any relevant decision guideline specified in a schedule to the Parking Overlay.
TWO LOT SUBDIVISION IN A RURAL ZONE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The location, shape and size of the site.
  - The location of any existing buildings and associated works.
  - The location, shape and size of the proposed lots to be created.
  - The location of any easements on the subject land.
  - The location of any significant vegetation, waterways and wetlands.
  - The location of the approved stormwater discharge point and effluent disposal areas.
  - Any abutting roads.
  - Existing and proposed vehicle access to the lots.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The suitability of the subdivision including how the layout and dimensions of the subdivision:
  - Are consistent with the layout of existing buildings and associated works on the land.
  - Appropriately accommodate significant vegetation.
  - Appropriately accommodate existing or proposed easements on the lots.
  - Appropriately accommodate the provision of utility services to each lot.
  - Appropriately accommodate existing and proposed vehicle access to the lots.
- If the land is in an area where reticulated sewerage is not provided to each lot, whether the layout of the subdivision accommodates the effluent disposal area for each lot.
- The location and design of existing and proposed infrastructure including roads, gas, water, drainage, telecommunications and sewerage facilities.
- Any Regional Catchment Strategy applying to the land.
- If the land is in an overlay, statement of significance and the objectives contained in the schedule to the overlay and whether the subdivision will adversely affect that significance or the objectives.
- Whether any public open space contribution is required under Clause 53.01 of this scheme or under Section 18 of the Subdivision Act 1988.
BUILDINGS AND WORKS IN A RURAL ZONE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A description of the use of the land and the proposed buildings and works.
- A layout plan, drawn to scale and fully dimensioned showing:
  - The boundaries and dimensions of the site.
  - Adjoining roads.
  - The location of any waterway or wetlands.
  - The location and use of buildings and works on adjoining land.
  - Relevant ground levels.
  - The layout of existing and proposed buildings and works.
  - All existing and proposed driveways, car parking and loading areas.
  - Existing and proposed landscape areas.
  - All external storage and waste treatment areas.
- Elevation drawings to scale showing the height, colour and materials of all proposed buildings and works.
- A photograph of the building or area affected by the proposal.

Decision guidelines

In assessing an application the responsible authority must consider as appropriate:

- The impact of the siting, design, height, bulk, colours and materials to be used, on the natural environment, character and appearance of the area, landscape features, major roads, vistas and water features and the measures to be undertaken to minimise any adverse impacts.
- Whether the proposal will have an adverse impact on adjoining and nearby land uses.
- The need to protect amenity of existing residents.
- The need to locate buildings in one area to avoid any adverse impacts on surrounding agricultural uses.
- The likely environmental impact on the natural physical features and biodiversity of the area, including the need to retain vegetation and faunal habitat and the need to revegetate land including riparian buffers along waterways, gullies, ridgelines, property boundaries and saline discharge and recharge areas.
- The capability of the land to accommodate the proposed development.
- Whether the development will support and enhance agricultural production.
- The location of on-site effluent disposal areas to minimise the impact of nutrient loads on waterways and native vegetation.
- Any Regional Catchment Strategy and associated plan applying to the land.
- The impact of the proposal on any wetlands or waterways.
- Any integrated land management plan prepared for the site.
- Whether the development will require traffic management measures.
- For buildings and works associated with a dwelling:
  - Whether the dwelling will result in the loss or fragmentation of productive agricultural land.
  - Whether the dwelling will be adversely affected by agricultural activities on adjacent and nearby land due to dust, nose, odour, use of chemicals and farm machinery, traffic and hours of operation.
  - Whether the dwelling will adversely affect the operation and expansion of adjoining and nearby agricultural uses.
  - The potential for the proposal to lead to a concentration or proliferation of dwellings in the area and the impact of this on the use of the land for agriculture.
EXTENSION TO ONE DWELLING ON A LOT IN A RESIDENTIAL ZONE

Information requirements

An application must be accompanied by the following information as appropriate:

- A copy of title for the subject land and a copy of any registered restrictive covenant.
- A site plan, drawn to scale and fully dimensioned showing:
  - Site shape, size, orientation and easements.
  - Levels of the site and the difference in levels between the site and surrounding properties.
  - Location of existing buildings on the site and on surrounding properties, including the location and height of walls built to the boundary of the site.
  - The use of surrounding buildings.
  - The location of secluded private open space and habitable room windows of surrounding properties which have an outlook to the site within 9 metres.
  - Solar access to the site and surrounding properties.
  - Location of significant trees existing on the site and any significant trees removed from the site in the 12 months prior to the application being made, where known.
  - Any contaminated soils and filled areas, where known.
  - Views to and from the site.
  - Street frontage features such as poles, street trees and kerb crossovers.
  - Any other notable features of the site.
  - In relation to the neighbourhood:
    - The built form, scale and character of surrounding development.
    - Architectural and roof styles.
    - Any other notable features or characteristics of the neighbourhood.
- A site and layout plan, drawn to scale and fully dimensioned showing:
  - Site shape, size, orientation, easements and site levels.
  - Adjoining roads.
  - The location and use of buildings and works on adjoining land.
  - The layout and use of existing buildings being retained and all proposed buildings, including finished floor levels.
  - All existing and proposed driveways and crossovers.
  - Existing and proposed landscape and open space areas.
  - All external storage, waste areas and services.
- An elevation plan, drawn to scale showing the height, colour and materials of the proposed extension.
- Photographs of the building or area affected by the proposal.
- A written statement, plan or diagram demonstrating how the proposal meets:
  - The garden area requirement specified in the zone.
  - The requirements in the following standards of Clause 54:
. A10 Side and rear setbacks.
. A11 Walls on boundaries.
. A12 Daylight to existing windows.
. A13 North-facing windows.
. A14 Overshadowing open space.
. A15 Overlooking.

- The objectives and requirements in the following standards of Clause 54:
  . Clause 54.02-1 Neighbourhood character objective and standard A1.
  . Clause 54.03-3 Site coverage objective and standard A5.
  . Clause 54.03-4 Permeability objectives and standard A6.
  . Clause 54.03-6 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 VICSMA RT APPLICATIONS

The schedule to this clause may specify classes of application that are VicSmart applications to which Clause 71.06 applies. A class of application specified must not be a class of VicSmart application specified in another provision of this planning scheme.

The classes of VicSmart application are specified in three tables:

- Table 1 specifies classes VicSmart application under a zone.
- Table 2 specifies classes VicSmart application under an overlay.
- Table 3 specifies classes VicSmart application under a particular provision.

Each table in the schedule is divided into four columns:

- Column 1 specifies the name or class of zone or overlay or name of particular provision.
- Column 2 specifies the development.
- Column 3 specifies the provision of the planning scheme that contains the permit requirement applicable to the development.
- Column 4 specifies the information requirements and decision guidelines in Clauses 59.01 to 59.14 or the schedule to Clause 59.16 applicable to the class of VicSmart application.

Subject to Clause 71.06, an application under a provision specified in Column 3 for a use or development specified in Column 2 is a class of VicSmart application and must be assessed against the provision specified in Column 4.
# SCHEDULE TO CLAUSE 59.15 LOCAL VICSMART APPLICATIONS

## Table 1 Classes of VicSmart application under zone provisions

<table>
<thead>
<tr>
<th>Name of zone or class of zone</th>
<th>Class of application</th>
<th>Permit requirement provision</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Table 2 Classes of VicSmart application under overlay provisions

<table>
<thead>
<tr>
<th>Name of overlay or class of overlay</th>
<th>Class of application</th>
<th>Permit requirement provision</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Table 3 Classes of VicSmart application under Particular Provisions

<table>
<thead>
<tr>
<th>Name of particular provision</th>
<th>Class of application</th>
<th>Permit requirement provision</th>
<th>Information requirements and decision guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
A schedule to this clause may set out information requirements and decision guidelines for a class of VicSmart application specified in the Schedule to Clause 59.15.
SCHEDULE 1 TO CLAUSE 59.16 INFORMATION REQUIREMENTS AND DECISION GUIDELINES FOR LOCAL VICSMART APPLICATIONS

1.0 Information requirements
None specified.

2.0 Decision guidelines
None specified.
GENERAL PROVISIONS

This section sets out provisions about existing uses, decision guidelines, referral of applications and other matters.
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.

62.02-1

Buildings and works not requiring a permit

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- Buildings or works which provide for fire protection under relevant legislation.
- Emergency works undertaken by, or on behalf of, a municipality, public authority or utility service provider in the exercise of any power conferred on them under any Act.
- Buildings or works with an estimated cost of $1,000,000 or less carried out by or on behalf of a municipality.
- Maintenance works carried out by a municipality or public authority to prevent or alleviate flood damage.
- An anemometer located on a site for three years or less.
- Buildings and works associated with a use on adjoining land or street trading if authorised under a local law.
- Gardening.
- Buildings and works associated with a minor utility installation.
- Power lines and electrical sub-stations associated with an Energy generation facility or Geothermal energy extraction if a permit was issued for such use or development prior to the approval date of Amendment VC157.
- Buildings or works which are a modification necessary to comply with a direction under the Dangerous Goods Act 1985 or the Occupational Health and Safety Act 2004 or a Waste Discharge Licence, Works Approval or Pollution Abatement Notice under the Environment Protection Act 1970.
- Buildings and works associated with a telecommunications facility if the requirements of Clause 52.19 are met.
- Buildings and works associated with a dam if a licence is required to construct the dam or to take and use water from the dam under the Water Act 1989.
- Buildings and works associated with a carnival or circus if the requirements of A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997 are met.
- Buildings and works associated with apiculture if the requirements of the Apiary Code of Practice, May 2011 are met.
- A temporary portable classroom associated with an education centre located on a site for three years or less.
- A temporary shed or temporary structure for construction purposes, or a temporary portable land sales office located on the land for sale.
- A children’s cubbyhouse.
- External lighting normal to a dwelling.
- The construction, alteration, removal or demolition of an observational bore where a licence has been issued for those works under Part 5 of the Water Act 1989.
- Any works associated with the use of land for earth and energy resources industry if the conditions of Clause 52.08 are met.

- A crop support or protection structure associated with horticulture, including a trellis, cloche, net and shadecloth. It does not include a structure with a solid roof or solid wall such as a glass house or igloo.

- An annexe attached to a movable caravan located on land used for a camping and caravan park.

- Works associated with geotechnical testing or service proving.

- Buildings and works associated with the use of land in a road to trade from a stall, stand, motor vehicle, trailer, barrow or other similar device.

- The construction of or putting up for display a sign consistent with the requirements of Clause 52.05-10.

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62.02-2

Buildings and works not requiring a permit unless specifically required by the planning scheme

Any requirement in this scheme relating to the construction of a building or the construction or carrying out of works, other than a requirement in the Public Conservation and Resource Zone, does not apply to:

- A fence.

- The construction of or putting up for display a sign (except for a sign consistent with the requirements of Clause 52.05-10 which is provided for in Clause 62.02-1).

- Roadworks.

- Street furniture including post boxes, telephone booths, fire hydrants, bus shelters, shade sails, traffic control devices and public toilets.

- Park furniture including seating, tables, shelters, rubbish bins, playground equipment, barbeques, shade sails, drinking fountains and public toilets.

- Furniture and works normally associated with an education centre including, but not limited to, outdoor furniture, playground equipment, art works, drinking fountains, rubbish bins and landscaping.

- Disability access and disability facilities associated with an education centre (not including a lift external to a building).

- Art work that is carried out by or on behalf of a public land manager.

- Oil pipelines.

- Buildings and works associated with a dependent person’s unit.

- The internal rearrangement of a building or works provided the gross floor area of the building, or the size of the works, is not increased and the number of dwellings is not increased.

- Repairs and routine maintenance to an existing building or works.

- Domestic services normal to a dwelling.

- A rainwater tank with a capacity of not more than 10,000 litres.

- Bicycle pathways and trails.

- A television antenna.

- A flagpole.

- A domestic swimming pool or spa and associated mechanical and safety equipment if associated with one dwelling on a lot.
- An open-sided pergola or verandah to a dwelling with a finished floor level not more than 800 mm above ground level and a maximum building height of three metres above ground level.

- A deck to a dwelling with a finished floor level not more than 800 mm above ground level.

- A disabled access ramp.

- Any works necessary to prevent soil erosion, or to ensure soil conservation or reclamation.

- A solar energy facility attached to a building that primarily services the land on which it is situated.

- Buildings and works associated with cat cages and runs, bird cages, dog houses, and other domestic animal enclosures associated with the use of the land as a dwelling.

- Services normal to a building other than a dwelling, including chimneys, flues, skylights, heating and cooling systems, hot water systems, security systems and cameras, downpipes, window shading devices, or similar.

- An electric vehicle charging station.

This does not apply if a permit is specifically required for any of these matters.

**Vegetation removal**

Any requirement in this scheme relating to the construction or carrying out of works does not apply to the removal, destruction or lopping of trees and the removal of vegetation.

This does not apply if a permit is specifically required to remove, destroy or lop trees or to remove vegetation.
EVENTS ON PUBLIC LAND

Any requirement in this scheme relating to the use of land or the construction of a building or the construction or carrying out of works does not apply to:

- an event on public land; or
- temporary buildings or works required for the event;

where that event has been authorised by the public land manager or by the council under a local law.

An event includes land used to provide temporary cultural or community activities and entertainment such as a concert, festival or exhibition.

This does not apply to public land where a local provision of this scheme specifically regulates an event for a particular site.
SUBDIVISIONS NOT REQUIRING A PERMIT

Any requirement in this scheme relating to the subdivision of land does not apply to:

- A subdivision by an authority acquiring the land which does not create an additional lot.
- A subdivision by a public authority or utility service provider which does not create an additional lot other than for the sole purpose of a minor utility installation. This does not apply if a permit is required to subdivide land under any overlay.
- A subdivision by an authority acquiring the land which creates additional lots if the additional lots are severed parcels of land without legal access to an existing road and the additional lots are retained by the acquiring authority or sold to an abutting land owner on the condition that the lot be consolidated with abutting land.
- A subdivision which realigns the common boundary between two lots if all the land is in one urban zone and any of the following apply:
  - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is more than 230 square metres, and the area of either lot is reduced by less than 30 square metres.
  - There is no minimum lot area specified for the zone, the area of the smaller lot is 230 square metres or less, and the area of either lot is reduced by less than 5 percent or by less than 30 square metres, which ever is lesser.
  - The new boundary coincides with a boundary fence that is more than five years old. This does not apply if all the land is in one ownership.
- A subdivision which realigns the common boundary between two lots if all the land is in one non-urban zone, the re-subdivision does not allow the number of dwellings the whole of the land could be used for under this scheme to increase, and any of the following apply:
  - Any lot that is reduced in area meets the minimum lot area and minimum dimensions (if any) specified for the zone. This does not apply if the area of the smaller lot is limited by a provision of this scheme, or by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, and no part of the boundary is moved more than 1 metre. This does not apply if the area of the smaller lot would be less than the area specified by a condition of a planning permit.
  - There is no minimum lot area specified for the zone, the new boundary coincides with the location of a fence that is more than 5 years old, and no part of the boundary is moved more than three metres.
DEMOLITION

A permit is not required for the demolition or removal of a building or works unless a permit is specifically required for demolition or removal.
EXTENT OF EXISTING USE RIGHTS

An existing use right is established in relation to use of land under this scheme if any of the following apply:

- The use was lawfully carried out immediately before the approval date.
- A permit for the use had been granted immediately before the approval date and the use commences before the permit expires.
- A permit for the use has been granted under Clause 63.08 and the use commences before the permit expires.
- Proof of continuous use for 15 years is established under Clause 63.11.
- The use is a lawful continuation by a utility service provider or other private body of a use previously carried on by a Minister, government department or public authority, even where the continuation of the use is no longer for a public purpose.
CHARACTERISATION OF USE

If a use of land is being characterised to assess the extent of any existing use right, the use is to be characterised by the purpose of the actual use at the relevant date, subject to any conditions or restrictions applying to the use at that date, and not by the classification in the table to Clause 73.03 or in Section 1, 2 or 3 of any zone.
EFFECT OF DEFINITIONS ON EXISTING USE RIGHTS

The definition of a term in this scheme, or the amendment of any definition, does not increase or restrict the extent of any existing use right established prior to the inclusion of the definition or amendment.
SECTION 1 USES

A use in Section 1 of a zone for which an existing use right is established may continue provided any condition or restriction to which the use was subject and which applies to the use in Section 1 of the zone continues to be met.
SECTIONS 2 AND 3 USES

A use in Section 2 or 3 of a zone for which an existing use right is established may continue provided:

- No building or works are constructed or carried out without a permit. A permit must not be granted unless the building or works complies with any other building or works requirement in this scheme.

- Any condition or restriction to which the use was subject continues to be met. This includes any implied restriction on the extent of the land subject to the existing use right or the extent of activities within the use.

- The amenity of the area is not damaged or further damaged by a change in the activities beyond the limited purpose of the use preserved by the existing use right.
EXPIRATION OF EXISTING USE RIGHTS

An existing use right expires if either:

- The use has stopped for a continuous period of 2 years, or has stopped for two or more periods which together total 2 years in any period of 3 years.
- In the case of a use which is seasonal in nature, the use does not take place for 2 years in succession.
COMPLIANCE WITH CODES OF PRACTICE

A use for which an existing use right is established must comply with any relevant code of practice incorporated in this scheme if either:

- The code of practice has been incorporated or adopted in accordance with Section 39 of the Conservation Forests and Lands Act 1987.
- The code of practice is approved or ratified by Parliament under an Act.
ALTERNATIVE USE

If land is used for a use in Section 3 of a zone for which an existing use right is established, a permit may be granted to use the land for an alternative use which does not comply with this scheme. The responsible authority must be satisfied that the use of the land for the alternative use will be less detrimental to the amenity of the locality.
SHOP CONDITIONS

A permit must not be granted to:

- Construct or carry out a building or works under Clause 63.05 for a shop with a leasable floor area exceeding 500 square metres.
- Use land under Clause 63.08 for a shop with a leasable floor area exceeding 500 square metres.
DAMAGED OR DESTROYED BUILDINGS OR WORKS

If at least 50 percent of the gross floor area of a building or at least 50 percent of the area of any works is damaged or destroyed so that the use cannot continue without the building or works being reconstructed, the land must be used in conformity with this scheme, unless a permit is granted to continue the use, and to construct or carry out buildings or works.
PROOF OF CONTINUOUS USE

If, in relation to an application or proceeding under the Act or this scheme, including an application for a certificate of compliance under Section 97N of the Act, the extent of any existing use right for a period in excess of 15 years is in question, it is sufficient proof of the establishment of the existing use right if the use has been carried out continuously for 15 years prior to the date of the application or proceeding.

An existing use right may be established under this clause even if the use did not comply with the scheme immediately prior to or during the 15 year period, unless either:

- At any time before or after commencement of the 15 year period the use has been held to be unlawful by a decision of a court or tribunal.
- During the 15 year period, the responsible authority has clearly and unambiguously given a written direction for the use to cease by reason of its non-compliance with the scheme.
DECISION GUIDELINES

Before deciding on an application under Clause 63.05, 63.08 or 63.10, in addition to the decision guidelines in Clause 65 and any other requirements of the Act, the responsible authority must consider the extent to which compliance can be achieved with all scheme requirements that can reasonably be met.
LAND USED FOR MORE THAN ONE USE

If land is used for more than one use and one is not ancillary to the other, each use must comply with this scheme.
LAND USED IN CONJUNCTION WITH ANOTHER USE

If a provision of this scheme provides that a use of land must be used ‘in conjunction with’ another use of the land:

- there must be an essential association between the two uses; and
- the use must have a genuine, close and continuing functional relationship in its operation with the other use.
SUBDIVISION OF LAND IN MORE THAN ONE ZONE

If a provision of this scheme provides that a permit is required to subdivide land and the land is in more than one zone a permit may be granted even if one of the lots does not comply with the minimum lot size requirements of a zone.

Permit Requirement

A permit may be granted to create one lot smaller than specified in the scheme if all of the following are met:

- The lot to be subdivided is in more than one zone and cannot comply with the minimum lot area specified in the scheme.
- The proposed subdivision does not create lots where any lot extends into more than one zone. This does not apply to any lots created for the following purposes:
  - To comply with the requirements of the Urban Floodway Zone.
  - To provide access to a road.
- The remainder of the proposed lots must comply with the minimum lot area specified in the scheme.
DECISION GUIDELINES

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause.
APPROVAL OF AN APPLICATION OR PLAN

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in section 60 of the Act.
- The purpose of the zone, overlay or other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.
- The adequacy of loading and unloading facilities and any associated amenity, traffic flow and road safety impacts.

This clause does not apply to a VicSmart application.
APPROVAL OF AN APPLICATION TO SUBDIVIDE LAND

Before deciding on an application to subdivide land, the responsible authority must also consider, as appropriate:

- The suitability of the land for subdivision.
- The existing use and possible future development of the land and nearby land.
- The availability of subdivided land in the locality, and the need for the creation of further lots.
- The effect of development on the use or development of other land which has a common means of drainage.
- The subdivision pattern having regard to the physical characteristics of the land including existing vegetation.
- The density of the proposed development.
- The area and dimensions of each lot in the subdivision.
- The layout of roads having regard to their function and relationship to existing roads.
- The movement of pedestrians and vehicles throughout the subdivision and the ease of access to all lots.
- The provision and location of reserves for public open space and other community facilities.
- The staging of the subdivision.
- The design and siting of buildings having regard to safety and the risk of spread of fire.
- The provision of off-street parking.
- The provision and location of common property.
- The functions of any body corporate.
- The availability and provision of utility services, including water, sewerage, drainage, electricity and gas.
- If the land is not sewered and no provision has been made for the land to be sewered, the capacity of the land to treat and retain all sewage and sullage within the boundaries of each lot.
- Whether, in relation to subdivision plans, native vegetation can be protected through subdivision and siting of open space areas.

This clause does not apply to a VicSmart application.
REFERRAL AND NOTICE PROVISIONS

Scope

These provisions set out the types of applications which must be referred under Section 55 of the Act or for which notice must be given under Section 52(1)(c) of the Act. The provisions do not apply to the seeking of advice about an application or where a responsible authority may choose to give notice under another sub-section of Section 52(1) of the Act.

These provisions also specify when a plan must be referred under Section 8(1)(a) of the Subdivision Act 1988.

Referrals

Applications of the kind listed in Clauses 66.01, 66.02, 66.03 and 66.04 must be referred to the person or body specified as a referral authority in accordance with Section 55 of the Act.

Any requirement for referral under this or another clause does not apply if in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the referral authority, or the referral authority has considered the proposal for which the application is made within the past three months and has stated in writing that it does not object to the granting of the permit for the proposal.

Notice

Notice of an application of the kind listed below in Clauses 66.05 and 66.06 must be given in accordance with Section 52(1)(c) of the Act to the person or body specified as a person or body to be notified.

Any requirement for notice under this or another clause does not apply if, in the opinion of the responsible authority, the proposal satisfies requirements or conditions previously agreed in writing between the responsible authority and the person or body to be notified.
SUBDIVISION REFERRALS

An application of the kind listed in the table below must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To subdivide land other than:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A boundary realignment.</td>
<td>The relevant water, drainage or sewerage authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- The subdivision of an existing building already connected to services.</td>
<td>The relevant electricity supply or distribution authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A two lot subdivision.</td>
<td>The relevant gas supply authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- The subdivision of land into lots each containing an existing dwelling or car parking space.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>To subdivide land outside the metropolitan fire district which creates a road, where the requirements of Clause 56.09-3 are not met.</td>
<td>Country Fire Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide land if the only access to a lot is over Crown land which has not been reserved or proclaimed as a road.</td>
<td>Minister administering the Land Act 1958</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide land crossed by a gas transmission pipeline or a gas transmission pipeline easement.</td>
<td>The relevant gas supply authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement.</td>
<td>The relevant electricity transmission authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To subdivide a heritage place of which all or part is included in the Victorian Heritage Register.</td>
<td>The Executive Director specified in the Heritage Act 2017</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

Note: A subdivision which does not require referral under Clause 66.01 must be referred if it is listed as a requirement under any other provision of Clause 66.

Mandatory conditions for subdivision permits

A permit for subdivision must contain the following conditions:

The owner of the land must enter into an agreement with:

- a telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider’s requirements and relevant legislation at the time; and

- a suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:

- a telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider’s requirements and relevant legislation at the time; and
a suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

This requirement does not apply to a permit granted to:

- Subdivide land in a rural zone, public land zone, Urban Floodway Zone or Special Use Zone if the responsible authority is satisfied that connection to telecommunication services is not warranted.
- Realign the common boundary between two lots (boundary realignment).
- Subdivide an existing building already connected to telecommunication services.

A permit granted to subdivide land in a manner that does not require referral under Clause 66.01 must contain the following conditions:

- The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage, sewerage facilities, electricity and gas services to each lot shown on the endorsed plan in accordance with the authority’s requirements and relevant legislation at the time.
- All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
- The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

This requirement does not apply to a permit granted to subdivide land into lots each containing an existing dwelling or car parking space.

Referrals under the Subdivision Act – certification of plans

For the purpose of Section 8(1)(a) of the Subdivision Act 1988 referral of a plan is required if:

- A referral is required by a permit issued under this scheme. The plan must be referred to the relevant referral authority.
- A plan creates, varies or removes an easement or restriction likely to be of interest to a referral authority. The plan must be referred to the relevant referral authority.
- The only access to a lot on a plan is over Crown land and the Minister administering the Land Act 1958 has not consented or provision has not been made for a road to be reserved or proclaimed. The plan must be referred to that Minister.
- In the opinion of the Council the plan may affect existing sewerage, water, drainage or other works. The plan must be referred to the referral authority responsible for those works.
USE AND DEVELOPMENT REFERRALS

An application of the kind listed in the tables below must be referred to the person or body specified as the referral authority. The tables below specify whether the referral authority is a determining referral authority or a recommending referral authority.

### Works approval or licence

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>For a use or development requiring any of the following:</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- Works approval in accordance with Section 19A of the <em>Environment Protection Act 1970</em>.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A licence to discharge or emit waste in accordance with Section 20 of the <em>Environment Protection Act 1970</em>.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Amendment of a licence under Section 20A of the <em>Environment Protection Act 1970</em>.</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 Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017).</td>
<td>Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the Conservation, Forests and Lands Act 1987)</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>To remove, destroy or lop native vegetation if a property vegetation plan applies to the site.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>To remove, destroy or lop native vegetation on Crown land which is occupied or managed by the responsible authority.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Cattle feedlot

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for a cattle feedlot.</td>
<td>Minister for Agriculture</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>If the site is located within a special water supply catchment area under the <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. This does not apply to an application for a sign, fence, roadworks or unenclosed building or works ancillary to a dwelling.</td>
<td>The relevant water board or water supply authority</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Timber production

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for timber production by establishing a plantation.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning (as constituted under Part 2 of the <em>Conservation, Forests and Lands Act 1987</em>)</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To use or develop land for timber production by harvesting timber from native forest, including thinning, if the area of native forest to be subjected to timber production operations is 10 hectares or greater.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Industry or warehouse

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use land for an industry or warehouse for a purpose listed in the table to Clause 53.10 shown with a Note 1 or if the threshold distance is not to be met.</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>To use land for an industry or warehouse for a purpose listed in the table to Clause 53.10 shown with a Note 2 and if any of the following apply:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>– A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012.</td>
<td>The Victorian WorkCover Authority</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
## Kind of application

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>- A notification is required under the Occupational Health and Safety Regulations 2007.</td>
<td>The Victorian WorkCover Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A licence is required under the Dangerous Goods (Explosives) Regulations 2011.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A licence is required under Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### To construct a building or construct or carry out works on land used for an industry or warehouse for a purpose listed in the table to Clause 53.10 and shown with a Note 2 if the area of the buildings and works will increase by more than 25 per cent and any of the following apply:

- A fire protection quantity is exceeded under the Dangerous Goods (Storage and Handling) Regulations 2012.
- A notification is required under the Occupational Health and Safety Regulations 2007.
- A licence is required under the Dangerous Goods (Explosives) Regulations 2011.

- A licence is required under the Dangerous Goods (HCDG) Regulations 2016 and the use is not associated with agriculture.

---

## Stone Extraction

### Kind of application

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>- To use or develop land for stone extraction.</td>
<td>Secretary to the Department administering the Heritage Act 1995.</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>Secretary to the Department administering the Mineral Resources (Sustainable Development) Act 1990</td>
<td></td>
</tr>
</tbody>
</table>

- To use or develop land for stone extraction on Crown land or land abutting Crown land, other than a government road.

- To use or develop land for stone extraction:  
  - In Special Areas declared under Section 27 of the Catchment and Land Protection Act 1994.
<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>- On land where the use or development involves the removal or destruction of native vegetation if the total area to be cleared is 10 hectares or greater.</td>
<td>Secretary to the Department administering the Flora and Fauna Guarantee Act 1988</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- On land which has been identified in this scheme as being subject to high erosion risk or areas identified as being subject to salinity management.</td>
<td>Secretary to the Department administering Section 201 of the Water Act 1989</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- To use or develop land for stone extraction:</td>
<td>Environment Protection Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- In areas with communities or taxa listed or critical habitat determined under the Flora and Fauna Guarantee Act 1988.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- On land which has been identified in this scheme as containing sites of flora or fauna significance.</td>
<td></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></td>
<td></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></td>
<td></td>
</tr>
<tr>
<td>- On land which abuts a local road which intersects with a road declared as a freeway or an arterial road under the Road Management Act 2004 and if the development is expected to increase traffic movement at the intersection of the local road and the declared road by ten percent or more.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- On land which abuts a road declared as a freeway or an arterial road under the Road Management Act 2004. This does not apply to a development which generates less than one hundred commercial trips per day, with roadworks at the entrance to the site built in accordance with the requirements of the Roads Corporation and the declared road is not a freeway.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Geothermal energy extraction

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for geothermal energy extraction.</td>
<td>Secretary to the Department administering the <em>Geothermal Energy Resources Act 2005</em></td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Greenhouse gas sequestration

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>To use or develop land for greenhouse gas sequestration.</td>
<td>Secretary to the Department administering the <em>Greenhouse Gas Geological Sequestration Act 2008</em></td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>

### Integrated Public Transport Planning

<table>
<thead>
<tr>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>An application to subdivide land, to construct a building or to construct or carry out works for any of the following:</td>
<td>Head, Transport for Victoria</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>- A residential development comprising 60 or more dwellings or lots.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A residential building comprising 60 or more lodging rooms.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A residential village comprising 60 or more dwellings.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A retirement village comprising 60 or more dwellings or lots.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A new retail premises of 4000 or more square metres of leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- An increase of more than 1000 square metres to the leasable floor area of an existing retail premises which is 4000 or more square metres leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- An office development of 10,000 or more square metres of leasable floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A place of assembly comprising 400 or more seats or 600 or more square metres of gross floor area.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- An education centre.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A major sports and recreation facility.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Any alteration or development of public transport infrastructure or stops, unless undertaken for the Head, Transport for Victoria.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>This does not apply to:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Buildings and works associated with an existing place of assembly, education centre, major sports and recreation facility or retirement village.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- A development consistent with an adopted Structure Plan that has been prepared in consultation with and endorsed by the Head, Transport for Victoria.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
REFERRAL OF PERMIT APPLICATIONS UNDER OTHER STATE STANDARD PROVISIONS

An application of the kind listed in the table below, where the planning scheme includes the specified clause, must be referred to the person or body specified as the referral authority. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 36.03-5 (PCRZ)</td>
<td>An application for the use or development of an emergency services facility.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 37.03-5 (UFZ)</td>
<td>An application under the zone within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>An application under the zone outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 37.07-5 (UGZ)</td>
<td>An application under the zone within Metropolitan Melbourne.</td>
<td>Victorian Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>An application under the zone outside Metropolitan Melbourne.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 44.02-8 (SMO)</td>
<td>An application under the overlay and any site capability report.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 44.03-6 (FO)</td>
<td>An application under the overlay within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>An application under the overlay outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 44.04-7 (LSIO)</td>
<td>An application under the overlay within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>An application under the overlay outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 44.05-6 (SBO)</td>
<td>An application under the overlay within the waterway management district of Melbourne Water Corporation.</td>
<td>Melbourne Water Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause</td>
<td>Kind of application</td>
<td>Referral authority</td>
<td>Type of referral authority</td>
</tr>
<tr>
<td>-------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td></td>
<td>An application under the overlay outside the waterway management district of Melbourne Water Corporation.</td>
<td>Relevant floodplain management authority</td>
<td>Recommending referral authority</td>
</tr>
</tbody>
</table>
| Clause 44.06-6 (BMO) | An application to construct a building or carry out works associated with a dwelling. This does not apply to a non habitable outbuilding that meets the following requirements:  
- The outbuilding is ancillary to a dwelling,  
- 10 metres of defendable space is provided around the outbuilding in accordance with the vegetation management requirements at Table 6 of Clause 53.02,  
- The canopy of each tree within the defendable space is separated by at least 2 metres, and  
- Where the outbuilding is located less than 10 metres from a dwelling the outbuilding construction requirements at Table 7 of Clause 53.02 are met. | Relevant fire authority                                | Recommending referral authority |
<p>|             | An application to subdivide land.                                                                                                                                                                                                 | Relevant fire authority                                | Recommending referral authority |
|             | An application under the overlay other than an application to construct a building or carry out works associated with a dwelling or an application to subdivide land.                                                                 | Relevant fire authority                                | Determining referral authority |
| Clause 44.07-4 (SRO) | An application of the kind specified in a schedule to the overlay.                                                                                                                                                    | Referral authority specified in a schedule to the overlay | Determining referral authority |
| Clause 45.01-3 (PAO) | An application under the overlay.                                                                                                                                                                                                 | Acquiring authority specified in the schedule to the overlay | Determining referral authority |
| Clause 45.07-6 (CLPO) | An application under the overlay.                                                                                                                                                                                                 | Roads Corporation                                    | Determining referral authority |
| Clause 52.05 | An application to display an animated or electronic sign within 60 metres of a freeway or arterial road declared under the Road Management Act 2004.                                                                                                           | Roads Corporation                                    | Determining referral authority |
| Clause 52.27 | An application under the Clause in association with a hotel, tavern or nightclub that is to operate after 1am.                                                                                                                                                                           | Victorian Commission for Gambling and Liquor Regulation | Determining referral authority |</p>
<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 52.29</td>
<td>An application to create or alter access to, or to subdivide land adjacent to, a road declared as a freeway or an arterial road under the <em>Road Management Act 2004</em>, land owned by the Roads Corporation for the purpose of a road, or land in a PAO if the Roads Corporation is the acquiring authority for the land, subject to exemptions specified in the clause.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td></td>
<td>Any other application under the Clause.</td>
<td>Owner of, or the acquiring authority for, the adjacent land in the Road Zone, Category 1 or the PAO</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 53.05-1</td>
<td>An application to use or develop land for a Freeway service centre.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
REFERRAL OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

In addition to the referral requirements of Clause 66.01, 66.02 and 66.03, an application of the kind listed in the schedule to this clause must be referred to the referral authority specified in the schedule. The table below specifies whether the referral authority is a determining referral authority or a recommending referral authority.

If a local provision of the scheme specifies a person or body as a referral authority for a kind of application or contains a referral requirement, and that specification or requirement is not included in the schedule to this clause, it is not a referral requirement under section 55 of the Act.
## Referral of permit applications under local provisions

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Referral authority</th>
<th>Type of referral authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 5.0 of Schedule 1 to Clause 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>
<tr>
<td>Clause 5.0 of Schedule 2 to Clause 42.01 (ESO)</td>
<td>All applications.</td>
<td>Relevant Water Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 5.0 of Schedule 3 to Clause 42.01 (ESO)</td>
<td>All applications.</td>
<td>Relevant catchment management authority</td>
<td>Recommending referral authority</td>
</tr>
<tr>
<td>Clause 5.0 of Schedule 4 to Clause 42.01 (ESO)</td>
<td>An application required under Schedule 4 to Clause 42.01.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 5.0 of Schedule 5 to Clause 42.01 (ESO)</td>
<td>All applications.</td>
<td>Goulburn Valley Water</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 5.0 of Schedule 2 to Clause 42.02 (VPO)</td>
<td>All applications.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 5.0 of Schedule 7, 8 or 9 to Clause 43.02 (DDO)</td>
<td>All applications to construct a building or to carry out works.</td>
<td>Secretary to the Department of Health and Human Services</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 8.0 of Schedule 1 to Clause 37.07 (UGZ)</td>
<td>An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land in the Lockerbie Principal Town Centre and within the local town centres.</td>
<td>Metropolitan Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 8.1 of Schedule 2 to Clause 37.07 (UGZ)</td>
<td>An application to subdivide land or construct a building or carry out works (where the value of those works is in excess of $500,000) on land in a local town centre</td>
<td>Metropolitan Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause</td>
<td>Kind of application</td>
<td>Referral authority</td>
<td>Type of referral authority</td>
</tr>
<tr>
<td>--------</td>
<td>---------------------</td>
<td>--------------------</td>
<td>---------------------------</td>
</tr>
<tr>
<td>Clause 5.0 of Schedule 2 to Clause 37.02 (CDZ)</td>
<td>An application to create or alter access to Camerons Lane or Patterson Street (future arterial roads).</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 5.0 of Schedule 6 to Clause 42.01 (ESO)</td>
<td>An application required under Schedule 6 to Clause 42.01.</td>
<td>Secretary of the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 2.0 of Schedule 4 to Clause 37.07 (UGZ)</td>
<td>An application to subdivide land, or construct a building or carry out works (where the value of those works is in excess of $500,000) on land in a local town centre</td>
<td>Victorian Planning Authority</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 3.0 of Schedule 6 to Clause 42.01 (ESO)</td>
<td>An application required under Schedule 6 to Clause 42.01.</td>
<td>Secretary to the Department of Environment, Land, Water and Planning</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Clause 3.4 of Schedule 2 to Clause 37.07 (UGZ)</td>
<td>All permit applications for subdivision, after certification under the Subdivision Act 1988 of a plan of subdivision containing the 1100th lot of land within the Lockerbie North and Beveridge Central precincts combined.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Schedule 5 to Clause 37.07 (UGZ)</td>
<td>Any permit application to subdivide land, or to construct a building or construct or carry out works on land within the Beveridge Central precinct structure plan area that is zoned Urban Growth Zone Schedule 5.</td>
<td>Melbourne Water</td>
<td>Determining referral authority</td>
</tr>
<tr>
<td>Schedule 5 to Clause 37.07 (UGZ)</td>
<td>All permit applications for subdivision, after certification under the Subdivision Act 1988 of a plan of subdivision containing the 1100th lot of land within the Lockerbie North and Beveridge Central precincts combined, land zoned Urban Growth Zone Schedule 2 and Urban Growth Zone Schedule 5.</td>
<td>Roads Corporation</td>
<td>Determining referral authority</td>
</tr>
</tbody>
</table>
**NOTICE OF PERMIT APPLICATIONS UNDER STATE STANDARD PROVISIONS**

Notice of an application of the kind listed in the table below must be given to the person or body specified as a person or body to be notified.

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Person or body to be notified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 45.08-6</td>
<td>An application to use or subdivide land, or to construct a building or construct or carry out works.</td>
<td>The airport lessee company of Melbourne Airport in accordance with the Commonwealth Airports Act 1996</td>
</tr>
</tbody>
</table>
| Clause 52.09-8 | An application to use or subdivide land or construct a building for Accommodation, 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 plan has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.  
  An application to construct a building or construct or carry out works on land for which a work plan has been applied for or granted under the Mineral Resources (Sustainable Development) Act 1990.  
These requirements do not apply to an extension to buildings or works. | The Secretary of the Department administering the Mineral Resources (Sustainable Development) Act 1990 |
| Clause 52.21 | An application to construct, use or illuminate a private tennis court under any provision of this scheme. | The owners and occupiers of adjoining and opposite properties |
| Clause 52.27 | An application in association with a hotel, tavern or nightclub that is to operate after 1am. | Chief Commissioner of Victoria Police |
| Clause 53.09 | An application to use or develop land to establish a new broiler farm, or to increase the farm capacity of an existing broiler farm, that meets the requirements of a Special Class Broiler Farm or Farm Cluster as specified in the Victorian Code for Broiler Farms 2009. | Environment Protection Authority |
| Clause 67.02 | An application for a permit which, except for the provisions of Clause 67, would be made to the Minister in accordance with Section 96 of the Act. This does not apply to an application for a sign or advertisement, or to remove, destroy or lop native vegetation under Clause 52.17 of this scheme | The owners and occupiers of adjoining land |
| Clause 67.03 | An application for a permit to remove, destroy or lop native vegetation under Clause 52.17, which, except for the provisions of Clause 67, would be made to the Minister in accordance with Section 96 of the Act. This does not apply if the application is of a kind which must be referred to the Secretary under Section 55 of the Act. | The Secretary to the Department administering the Flora and Fauna Guarantee Act 1988 |
NOTICE OF PERMIT APPLICATIONS UNDER LOCAL PROVISIONS

In addition to the notice requirements of Clause 66.05, notice of an application of the kind specified in the schedule to this clause must be given to the person or body specified in the schedule. If a local provision of the scheme specifies a notice requirement and that requirement is not included in the schedule to this clause, it is not a notice requirement under Section 52(1)(c) of the Act.
Notice of permit applications under local provisions

<table>
<thead>
<tr>
<th>Clause</th>
<th>Kind of application</th>
<th>Person or body to be notified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clause 2.0 of Schedule 4 to Clause 37.07 (UGZ4)</td>
<td>An application on land shown within the 'gas pipeline measurement length' on Plan 16 - Utilities in the incorporated Donnybrook-Woodstock Precinct Structure Plan, October 2017 for a Residential Aged Care Facility, a Child care centre, a Cinema based entertainment facility, an Education centre, a Hospital, a Place of assembly or Retail premises.</td>
<td>Licensee under the Pipelines Act 2005 of the Keon Park to Wodonga transmission gas pipeline.</td>
</tr>
</tbody>
</table>
APPLICATIONS UNDER SECTION 96 OF THE ACT

This clause applies to an application for a permit which, except for the provisions of this clause, would be made to the Minister in accordance with Section 96 of the Act.
EXEMPTIONS FROM SECTION 96(1) AND 96(2) OF THE ACT

In accordance with Section 6(2)(ka) of the Act, the following classes of use and development are exempted from Section 96(1) and 96(2) of the Act:

**Class 1**

Use of land for -

Car park, camping and caravan park, community facility (including child care centre, maternal and infant welfare centre, neighbourhood house, place of assembly and toilet block), dwelling, 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.
Purpose of the Planning Policy Framework

The Planning Policy Framework provides a context for spatial planning and decision making by planning and responsible authorities. The Planning Policy Framework is dynamic and will be built upon as planning policy is developed and refined, and changed as the needs of the community change.

The Planning Policy Framework seeks to ensure that the objectives of planning in Victoria (as set out in section 4 of the Act) are fostered through appropriate land use and development planning policies and practices that integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

Operation

The Planning Policy Framework sets out the planning policies that form part of this planning scheme. It comprises Clauses 10 to 19.

A planning policy applies to all land subject to this planning scheme unless the policy specifies otherwise.

A planning policy provides guidance for decision making and can help the community to understand how the responsible authority will consider a proposal.

The consistent application of planning policy over time should achieve a desired outcome.

A planning authority must take into account the Planning Policy Framework when it prepares an amendment to this planning scheme.

A responsible authority must take into account and give effect to the Planning Policy Framework when it makes a decision under this planning scheme. This does not apply to policy guidelines and policy documents.

Policy guidelines

A planning policy may include policy guidelines. Policy guidelines indicate how objectives can be met and how strategies can be implemented.

A responsible authority must take a relevant policy guideline into account when it makes a decision under this planning scheme, but is not required to give effect to it. If the responsible authority is satisfied that an alternative approach meets the objective, the alternative may be considered.

Policy documents

A planning policy may include reference to a policy document. A policy document may be an incorporated, background and other document.

A background document listed in the table or the schedule to Clause 72.08 that applies to Clauses 10 to 19 is a policy document for applicable planning policies.

Integrated decision making

Society has various needs and expectations such as land for settlement, protection of the environment, economic wellbeing, various social needs, proper management of resources and infrastructure. Planning aims to meet these needs and expectations by addressing aspects of economic, environmental and social wellbeing affected by land use and development.

Planning and responsible authorities should endeavour to integrate the range of planning policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations. However, in bushfire affected areas, planning and responsible authorities must prioritise the protection of human life over all other policy considerations.
Planning authorities should identify the potential for regional impacts in their decision making and coordinate strategic planning with their neighbours and other public bodies to achieve sustainable development and effective and efficient use of resources.

**Transitional**

If this planning scheme includes a Municipal Strategic Statement at Clause 21 and local planning policies at Clause 22, the provisions of Clauses 23.01, 23.02 and 23.03 apply. To the extent of any inconsistency, Clauses 23.02 and 23.03 prevail over this clause.
OPERATION OF ZONES

In each zone and schedule to a zone which contains a table of uses, the controls over the use of land are divided into three sections.

Section 1 uses

A use in Section 1 does not require a permit. Any condition opposite the use must be met. If the condition is not met, the use is in Section 2 and requires a permit unless the use is specifically included in Section 3 as a use that does not meet the Section 1 condition.

Section 2 uses

A use in Section 2 requires a permit. Any condition opposite the use must be met. If the condition is not met, the use is prohibited.

Making decisions about Section 2 uses

Because a use is in Section 2 does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the zone and any of the other decision guidelines in Clause 65.

Section 3 uses

A use in Section 3 is prohibited.
OPERATION OF OVERLAYS

If an overlay is shown on the planning scheme map, the provisions of the overlay apply in addition to the provisions of the zone and any other provision of this scheme.

Because a permit can be granted does not imply that a permit should or will be granted. The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the Municipal Planning Strategy, the Planning Policy Framework, the purpose and decision guidelines of the overlay and any of the other decision guidelines in Clause 65.
OPERATION OF PARTICULAR PROVISIONS

The requirements of particular provisions apply to the specified categories of use and development and other matters in addition to any provisions which apply due to any other provision of this planning scheme.
VicSmart applications

Any provision of this planning scheme may specify:

- Classes of application that are VicSmart applications to which Clause 71.06 applies.
- Information requirements for each class of VicSmart application.
- Decision guidelines for each class of VicSmart application.

An application is a VicSmart application if all of the following requirements are met:

- The application is in a class or classes specified in a provision of this planning scheme.
- A permit is required only under the provisions of this planning scheme that are specified as a VicSmart application, and not under any other provision of this planning scheme.
- Nothing authorised by the grant of a permit would result in a breach of a registered restrictive covenant.
- If the application requires referral to a referral authority under Clause 66, the referral requirements in Clause 71.06-2 are met.

VicSmart process

Despite any other provision of this planning scheme:

- A VicSmart application is exempt from the requirements of the Act and planning scheme specified in this clause.
- The responsible authority must assess a VicSmart application in accordance with the requirements of this clause.

If there is any inconsistency between the requirements of this clause and another provision of this planning scheme, this clause prevails.

Referral requirements

If an application requires referral to a referral authority under Clause 66:

- The application must have been considered by the referral authority within the past 3 months of the application being made to the responsible authority.
- The referral authority must have stated in writing that it does not object to the granting of the permit for the proposal.

Information requirements

A VicSmart application must be accompanied by the information requirements specified for the relevant class of application. The information requirements of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, do not apply unless the information requirements for the relevant class of application specify otherwise.

If in the opinion of the responsible authority an information requirement is not relevant to the evaluation of a VicSmart application, the responsible authority may waive or reduce the information requirement.

Exemption from notice and review

A VicSmart application is exempt from:

- The notice requirements of section 52(1)(a), (b), (c) and (d) of the Act.
- The decision requirements of section 64(1), (2) and (3) of the Act.
- The review rights of section 82(1) of the Act.
Matters to be considered

In deciding a VicSmart application, the responsible authority:

- Must only consider the decision guidelines specified for the relevant class of application.

- Is exempt from considering the following matters:
  - The requirements of section 60(1)(b), (c), (e) and (f) and (1A) (b) to (h) and (j) of the Act.
  - The Municipal Planning Strategy and Planning Policy Framework unless the decision guidelines for the relevant class of application specify otherwise.
  - The decision guidelines of the relevant zone, overlay or particular provision, other than those specified for VicSmart applications, unless the decision guidelines for the relevant class of application specify otherwise.
  - The decision guidelines in Clause 65.

- In deciding an application for review in relation to a VicSmart application, the Tribunal is exempt from the matters specified in section 84B(2)(b) to (g) and (i) to (ja) of the Act.

Decision guidelines

Before deciding a VicSmart application, the responsible authority must consider the decision guidelines specified for the relevant class of application unless in the opinion of the responsible authority a decision guideline is not relevant to the evaluation of the application.
RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

The responsible authority for the administration and enforcement of this planning scheme or a provision of this planning scheme is specified in this clause and the schedule to this clause. The person nominated under section 198(1)(a) of the Act or the responsible authority under section 198(1)(b) of the Act, to whom a person may apply for a planning certificate, is specified in the schedule to this clause.

Minister is responsible authority

The Minister for Planning is the responsible authority for matters under Divisions 1, 1A, 2 and 3 of Part 4 of the Act, and matters required by a permit or the scheme to be endorsed, approved or done to the satisfaction of the responsible authority, in relation to the use and development of land for:

- 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.
SCHEDULE TO CLAUSE 72.01 RESPONSIBLE AUTHORITY FOR THIS PLANNING SCHEME

1.0
31/07/2018
VC148

Responsible authority for administering and enforcing this planning scheme:
The Mitchell 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.

2.0
18/04/2019
C127

Responsible authority for administering and enforcing a provision of this planning scheme:
The Minister for Planning is the responsible authority for administering and enforcing the planning scheme for land described as Reserve No.1 PS824074A 44 Kelly Street, Beveridge (the Kelly House).

3.0
31/07/2018
VC148

Person or responsible authority for issuing planning certificates:
Minister for Planning.

4.0
31/07/2018
VC148

Responsible authority for VicSmart applications:
The Chief Executive Officer of the Mitchell 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 Mitchell Shire.
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-L’ 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, 1EMO, 1ESO, 1SMO, 1VPO, 1BMO
- 2, 2LSIO-FO, 2SMO, 2VPO, 2BMO
- 3, 3EAO, 3EMO, 3ESO, 3IPO, 3LSIO-FO, 3SMO, 3VPO, 3BMO
- 4, 4EMO, 4ESO, 4LSIO-FO, 4SMO, 4VPO, 4BMO
- 5, 5EMO, 5ESO, 5HO, 5SMO, 5VPO, 5BMO
- 6, 6EMO, 6ESO, 6HO, 6SMO, 6VPO, 6BMO
- 7, 7EMO, 7ESO, 7HO, 7PAO, 7SMO, 7VPO, 7BMO
- 8, 8EMO, 8ESO, 8HO, 8SMO
- 9, 9EMO, 9ESO, 9HO, 9LSIO-FO, 9SMO, 9VPO, 9BMO
- 10, 10DDO, 10DPO, 10EAO, 10EMO, 10ESO, 10HO, 10LSIO-FO, 10SLO, 10SMO, 10RO, 10VPO, 10BMO
- 11, 11EAO, 11EMO, 11ESO, 11IPO, 11LSIO-FO, 11SLO, 11SMO, 11VPO, 11BMO
- 12, 12DDO, 12DPO, 12EAO, 12EMO, 12ESO, 12HO, 12LSIO-FO, 12RXO, 12VPO, 12BMO
- 13, 13EMO, 13ESO, 13HO, 13LSIO-FO, 13SMO, 13VPO, 13BMO
- 14, 14EAO, 14EMO, 14ESO, 14VPO, 14BMO
- 15, 15DDO, 15DPO, 15EAO, 15EMO, 15ESO, 15HO, 15PAO, 15RXO, 15SMO, 15SLO, 15VPO, 15BMO
- 16, 16DDO, 16DPO, 16EAO, 16EMO, 16ESO, 16HO, 16RXO, 16SLO, 16VPO, 16BMO
- 17, 17EMO, 17ESO, 17HO, 17SLO, 17SMO, 17VPO, 17BMO
- 18, 18DPO, 18EAO, 18ESO, 18HO, 18LSIO-FO, 18PAO, 18RO, 18SLO, 18SMO, 18VPO, 18BMO
- 19, 19DPO, 19EAO, 19EMO, 19ESO, 19HO, 19LSIO-FO, 19SMO, 19VPO, 19BMO
- 20, 20EMO, 20ESO, 20HO, 20LSIO-FO, 20VPO, 20BMO
- 21, 21DDO, 21DPO, 21EAO, 21EMO, 21ESO, 21HO, 21VPO, 21BMO
- 22, 22DCPO, 22DPO, 22EAO, 22ESO, 22ICO, 22IPO, 22LSIO-FO, 22PAO, 22VPO, 22BMO
- 23, 23DCPO, 23EMO, 23ICO, 23PAO, 23SMO, 23VPO
- 24, 24DCPO, 24HO, 24ICO, 24PAO, 24SMO, 24VPO
- 26, 26DPO, 26EMO, 26HO, 26LSIO-FO, 26SMO, 26VPO, 26BMO
- 27, 27EMO, 27HO, 27LSIO-FO, 27SMO, 27VPO, 27BMO
- 28, 28EMO, 28ESO, 28HO, 28BMO
**DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME**

The documents listed in the table and the schedule to this clause are incorporated documents under section 6(2)(j) of the *Planning and Environment Act 1987*.

An incorporated document forms part of this planning scheme.

If a document is not listed in the table or the schedule, it is not an incorporated document.

A document is not incorporated in this planning scheme by reason only that it is referred to in the scheme.

*Note:* Clause 72.08 contains a list of background documents relevant to this planning scheme. A background document does not form part of the planning scheme.

**Table to Clause 72.04**

<table>
<thead>
<tr>
<th>Name of document</th>
<th>Introduced by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>A ‘Good Neighbour’ Code of Practice for a Circus or Carnival, October 1997</td>
<td>V3</td>
</tr>
<tr>
<td>A Code of Practice for Telecommunications Facilities in Victoria, July 2004</td>
<td>VC26</td>
</tr>
<tr>
<td>Apiary Code of Practice, May 2011</td>
<td>VC81</td>
</tr>
<tr>
<td>Australian Standard AS2890.2-2002 Parking facilities: Off-street commercial vehicle facilities, Standards Australia 2002</td>
<td>VC77</td>
</tr>
<tr>
<td>Australian/New Zealand Standard AS/NZS1158.3.1:1999, Road lighting, Part 3.1: Pedestrian Area (Category P) lighting – Performance and installation design requirements. Standards Australia/Standards New Zealand 1999</td>
<td>VC12</td>
</tr>
<tr>
<td>Building in bushfire-prone areas - CSIRO &amp; Standards Australia (SAA HB36-1993), May 1993</td>
<td>NPS1</td>
</tr>
<tr>
<td>Code of Practice for Bushfire Management on Public Land, 2012</td>
<td>VC101</td>
</tr>
<tr>
<td>Code of Practice for Timber Production 2014</td>
<td>VC101</td>
</tr>
<tr>
<td>Construction Techniques for Sediment Pollution Control, Environment Protection Authority May 1991</td>
<td>NPS1</td>
</tr>
<tr>
<td>Design Vehicles and Turning Path Templates, Austroads, 1995 (AP-34/95)</td>
<td>VC12</td>
</tr>
<tr>
<td>Growth Area Framework Plans, Department of Sustainability and Environment, September 2006</td>
<td>VC41</td>
</tr>
<tr>
<td>Guide to Road Design, Part 6A: Pedestrian and Cycle Paths, Austroads</td>
<td>VC77</td>
</tr>
<tr>
<td>Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management (Publication 891.4, Environment Protection Authority, 2016)</td>
<td>VC132</td>
</tr>
<tr>
<td>Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning 2017)</td>
<td>VC138</td>
</tr>
<tr>
<td>Local Government Planning Guide for Dry Land Salinity - Department Conservation and Natural Resources, 1995</td>
<td>NPS1</td>
</tr>
<tr>
<td>Name of document</td>
<td>Introduced by:</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>Pavement Design - A Guide to the Structural Design of Road Pavements, Austroads, (AP-17/92)</td>
<td>VC12</td>
</tr>
<tr>
<td>Planning requirements for racing dog keeping and training (Department of Environment, Land, Water and Planning, August 2017)</td>
<td>VC139</td>
</tr>
<tr>
<td>Principal Public Transport Network 2017 (State Government of Victoria, 2017)</td>
<td>VC132</td>
</tr>
<tr>
<td>Principal Public Transport Network Area Maps (State Government of Victoria, August 2018)</td>
<td>VC151</td>
</tr>
<tr>
<td>Private Tennis Court Development Code of Practice – Revision 1, March 1999</td>
<td>VC5</td>
</tr>
<tr>
<td>Victorian Code for Broiler Farms 2009 (plus 2018 amendments)</td>
<td>VC60</td>
</tr>
<tr>
<td>Victorian Code for Cattle Feedlots, August 1995</td>
<td>NPS1</td>
</tr>
<tr>
<td>Victorian Low Density Mobile Outdoor Poultry Farm Planning Permit Guidelines (Department of Economic Development, Jobs, Transport and Resources, June 2018)</td>
<td>VC150</td>
</tr>
<tr>
<td>Victorian Low Density Mobile Outdoor Pig Farm Planning Permit Guidelines (Department of Economic Development, Jobs, Transport and Resources, June 2018)</td>
<td>VC150</td>
</tr>
</tbody>
</table>
SCHEDULE TO CLAUSE 72.04 DOCUMENTS INCORPORATED IN THIS PLANNING SCHEME

Incorporated documents

<table>
<thead>
<tr>
<th>Name of document</th>
<th>Introduced by:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amaroo and Lockerbie Main Sewer Project, October 2014</td>
<td>GC21</td>
</tr>
<tr>
<td>Beveridge Central Precinct Structure Plan, May 2018</td>
<td>GC55</td>
</tr>
<tr>
<td>Donnybrook-Woodstock Infrastructure Contributions Plan, July 2018 (Amended September 2018)</td>
<td>GC108</td>
</tr>
<tr>
<td>Donnybrook-Woodstock Precinct Structure Plan, October 2017</td>
<td>GC28</td>
</tr>
<tr>
<td>Drawing No. VR1, March 2007 – Proposed works area for Hume Freeway upgrade, Gunns Gully Road to Beveridge</td>
<td>C47</td>
</tr>
<tr>
<td>Goulburn-Murray Water Native Vegetation Code of Practice, February 2011</td>
<td>C83</td>
</tr>
<tr>
<td>Hidden Valley Comprehensive Development Plan, December 1999 (Revision 01, March 2002)</td>
<td>C15(Part 1)</td>
</tr>
<tr>
<td>Lockerbie Development Contributions Plan, May 2012 (Amended June 2017)</td>
<td>GC75</td>
</tr>
<tr>
<td>Lockerbie Native Vegetation Precinct Plan, May 2012</td>
<td>C81</td>
</tr>
<tr>
<td>Lockerbie Precinct Structure Plan, May 2012</td>
<td>C81</td>
</tr>
<tr>
<td>Lockerbie North Development Contributions Plan, March 2012 (Amended August 2017)</td>
<td>GC75</td>
</tr>
<tr>
<td>Lockerbie North Precinct Structure Plan, March 2012</td>
<td>C82</td>
</tr>
<tr>
<td>Lockerbie North Native Vegetation Precinct Plan, March 2012</td>
<td>C82</td>
</tr>
<tr>
<td>Mandalay Comprehensive Development Plan, April 2017</td>
<td>C119</td>
</tr>
<tr>
<td>Mitchell Local Floodplain Development Plan, Precinct of Goulburn River, September 2003</td>
<td>C27</td>
</tr>
<tr>
<td>Mitchell Shire Heritage Study Amendment C56 – Heritage Citations, April 2014 (amended 2016)</td>
<td>C113</td>
</tr>
<tr>
<td>Mitchell Shire HO Permit Exemptions Incorporated Plan, 2014 (amended 2016)</td>
<td>C113</td>
</tr>
<tr>
<td>Nexus Primary Health GP Super Clinic, October 2012</td>
<td>C89</td>
</tr>
<tr>
<td>Restructure Plan, Telegraph Road, Seymour, Mitchell Planning Scheme, May 2013</td>
<td>C90</td>
</tr>
<tr>
<td>Seymour Abattoir Incorporated Plan, May 2002</td>
<td>C25</td>
</tr>
<tr>
<td>Small Lot Housing Code, August 2014</td>
<td>GC22</td>
</tr>
<tr>
<td>Statement of Significance – Kilmore Historic Outdoor Recreation Precinct, February 2014</td>
<td>C56</td>
</tr>
</tbody>
</table>
WHEN DID THIS PLANNING SCHEME BEGIN?

This planning scheme began on the date specified in the schedule to this clause.
SCHEDULE TO CLAUSE 72.05 WHEN DID THIS PLANNING SCHEME BEGIN?

1.0

Date this planning scheme began:

26 March 1999
EFFECT OF THIS PLANNING SCHEME

Land may be used or developed only in accordance with this planning scheme.

Land must not be developed unless the land as developed can be used in accordance with this planning scheme.

If this planning scheme allows a particular use of land, it may be developed for that use provided all requirements of the scheme are met.
DETERMINATION OF BOUNDARIES

If a boundary in this planning scheme is not precisely shown on a planning scheme map or is not otherwise defined, the certificate issuing authority must determine the boundary if asked to do so and must notify the applicant within 60 days.
BACKGROUND DOCUMENTS

The documents listed in the table and the schedule to this clause are background documents. The table and the schedule to this clause must specify the amendment that listed the background document and may specify the clause of this planning scheme that the background document relates to.

A background document may:

- Have informed the preparation of, or an amendment to, this planning scheme.
- Provide information to explain the context within which a provision has been framed.
- Assist the understanding of this planning scheme.

A background document does not form part of this planning scheme.

A background document may be referenced elsewhere in this planning scheme without being listed in the table or schedule to this clause.

Table to Clause 72.08

<table>
<thead>
<tr>
<th>Name of background document</th>
<th>Amendment number - clause reference</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Central Highlands Regional Growth Plan (Victorian Government, 2014).</em></td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td><em>G21 Regional Growth Plan (Geelong Region Alliance, 2013).</em></td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td><em>Gippsland Regional Growth Plan (Victorian Government, 2014).</em></td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td><em>Great South Coast Regional Growth Plan (Victorian Government, 2014).</em></td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td><em>Hume Regional Growth Plan (Victorian Government, 2014).</em></td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td><em>Loddon Mallee North Regional Growth Plan (Victorian Government, 2014).</em></td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td><em>Loddon Mallee South Regional Growth Plan (Victorian Government, 2014).</em></td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td><em>Wimmera Southern Mallee Regional Growth Plan (Victorian Government, 2014).</em></td>
<td>VC106 Clauses 10 to 19</td>
</tr>
<tr>
<td><em>Plan Melbourne 2017-2050: Metropolitan Planning Strategy (Department of Environment, Land, Water and Planning, 2017).</em></td>
<td>VC134 Clauses 10 to 19</td>
</tr>
</tbody>
</table>
Background documents

<table>
<thead>
<tr>
<th>Name of background document</th>
<th>Amendment number - clause reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>None specified</td>
<td></td>
</tr>
</tbody>
</table>
MEANING OF TERMS

A term used in this planning scheme has its ordinary meaning unless that term is defined:

- In this planning scheme; or

- In the Planning and Environment Act 1987 or the Interpretation of Legislation Act 1984, in which case the term has the meaning given to it in those Acts unless it is defined differently in this scheme.
**GENERAL TERMS**

The following table lists general terms which may be used in this planning scheme. A term listed in the first column, under the heading "General term", has the meaning set out beside that term in the second column, under the heading "Definition".

<table>
<thead>
<tr>
<th>General term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural production</td>
<td>Any form of primary production of renewable commodities. It does not include Stone extraction, Mineral extraction, or timber production from native forest.</td>
</tr>
<tr>
<td>Anemometer</td>
<td>A wind measuring device.</td>
</tr>
<tr>
<td>Apartment</td>
<td>A dwelling located above the ceiling level or below the floor level of another dwelling and is part of a building containing two or more dwellings.</td>
</tr>
<tr>
<td>Approval date</td>
<td>The date this scheme began, or the date of notice in the Victoria Government Gazette of approval of an amendment to this scheme.</td>
</tr>
<tr>
<td>Basement</td>
<td>A storey below ground level, or that projects no more than 1.2 metres above ground level.</td>
</tr>
<tr>
<td>Building height</td>
<td>The vertical distance from natural ground level to the roof or parapet at any point.</td>
</tr>
<tr>
<td>Carriageway</td>
<td>The area of a street reserve which is provided for the movement or parking of vehicles. It is determined by the invert of a kerb and channel and the point adjacent to the pavement edge for kerb (only) and edge strips.</td>
</tr>
<tr>
<td>Central Highlands region</td>
<td>The area covered by the Ararat, Ballarat, Golden Plains, Hepburn, Moorabool and Pyrenees planning schemes.</td>
</tr>
<tr>
<td>Clear to the sky</td>
<td>An unroofed area or area roofed with material that transmits 90 per cent of light.</td>
</tr>
<tr>
<td>Defendable space</td>
<td>An area of land around a building where vegetation is modified and managed to reduce the effects of flame contact and radiant heat associated with bushfire.</td>
</tr>
<tr>
<td>Deflection angle</td>
<td>The angle between two tangent sections of a carriageway.</td>
</tr>
<tr>
<td>Design speed</td>
<td>The speed fixed for the design and correlation of the geometric features of a carriageway that influence vehicle operation. It is the speed which is not exceeded by 85 per cent of vehicles.</td>
</tr>
<tr>
<td>Domestic services normal to a dwelling</td>
<td>A domestic appliance or apparatus that is normal to and services a dwelling. It includes disabled access ramps and handrails, an air conditioner, cooling or heating system, a hot water service, security systems and cameras, shade sails, a barbeque, downpipes and flues, a skylight, security screens, and the like.</td>
</tr>
<tr>
<td>Earthworks</td>
<td>Land forming, laser grading, levee banks, raised access roads and tracks, building pads, storage embankments, channel banks and drain banks and associated structures.</td>
</tr>
<tr>
<td>Frontage</td>
<td>The road alignment at the front of a lot. If a lot abuts two or more roads, the one to which the building, or proposed building, faces.</td>
</tr>
<tr>
<td>Gaming</td>
<td>The playing of a gaming machine.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Gaming machine</strong></td>
<td>Has the same meaning as it has in the <em>Gambling Regulation Act 2003</em>.</td>
</tr>
</tbody>
</table>
| **Garden area**                  | Any area on a lot with a minimum dimension of 1 metre that does not include: a) a dwelling or residential building, except for:  
- an eave, fascia or gutter that does not exceed a total width of 600mm;  
- a pergola;  
- unroofed terraces, patios, decks, steps or landings less than 800mm in height;  
- a basement that does not project above ground level;  
- any outbuilding that does not exceed a gross floor area of 10 square metres; and  
- domestic services normal to a dwelling or residential building;  
  b) a driveway; or  
  c) an area set aside for car parking.                                                                                                                                                                                                                                      |
| **Geelong G21 region**           | The area covered by the Colac Otway, Golden Plains, Greater Geelong, Queenscliff and Surf Coast planning schemes.                                                                                                                                                                                                                        |
| **Gippsland region**             | The area covered by the Bass Coast, Baw Baw, East Gippsland, Latrobe, South Gippsland and Wellington planning schemes.                                                                                                                                                                                                                    |
| **Great South Coast region**     | The area covered by the Corangamite, Glenelg, Moyne, Southern Grampians and Warrnambool planning schemes.                                                                                                                                                                                                                               |
| **Gross floor area**             | The total floor area of a building, measured from the outside of external walls or the centre of party walls, and includes all roofed areas.                                                                                                                                                                                                  |
| **Ground level**                 | The natural level of a site at any point.                                                                                                                                                                                                                                                                                                |
| **Habitable room**               | Any room of a dwelling or residential building other than a bathroom, laundry, toilet, pantry, walk-in wardrobe, corridor, stair, lobby, photographic darkroom, clothes drying room and other space of a specialised nature occupied neither frequently nor for extended periods.                                                                                                                            |
| **High quality productive agricultural land** | Land which is used for animal husbandry or crop raising, and is capable of continuing to sustain agricultural production, and:  
  a) is of prime, or very good, agricultural quality, having regard to soil type, growing season, and availability of infrastructure, and is of sufficient extent to support agricultural activities on an economically viable scale; or  
  b) has been identified through a regional, sub-regional, or local study as being of particularly good quality and strategic significance for agriculture in the regional or local context. |
<p>| <strong>Hume region</strong>                  | The area covered by the Alpine, Benalla, Greater Shepparton, Indigo, Mansfield, Mitchell, Moira, Murrindindi, Strathbogie, Towong, Wangaratta and Wodonga planning schemes.                                                                                                                                                                        |
| <strong>Land capability assessment</strong>   | The assessment of the physical ability of the land to sustain specific uses having regard to its management, and without long term on-site detriment to the environment.                                                                                                                                                  |</p>
<table>
<thead>
<tr>
<th>General term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leasable floor area</td>
<td>That part of the net floor area able to be leased. It does not include public or common tenancy areas, such as malls, verandahs, or public conveniences.</td>
</tr>
<tr>
<td>Loddon Mallee North region</td>
<td>The area covered by the Buloke, Campaspe, Gannawarra, Mildura and Swan Hill planning schemes.</td>
</tr>
<tr>
<td>Loddon Mallee South region</td>
<td>The area covered by the Central Goldfields, Greater Bendigo, Loddon, Macedon Ranges and Mount Alexander planning schemes.</td>
</tr>
<tr>
<td>Lot</td>
<td>A part (consisting of one or more pieces) of any land (except a road, a reserve, or common property) shown on a plan, which can be disposed of separately and includes a unit or accessory unit on a registered plan of strata subdivision and a lot or accessory lot on a registered cluster plan.</td>
</tr>
<tr>
<td>Mean building height</td>
<td>The vertical distance between the mean ground level and the finished roof height at its highest point.</td>
</tr>
<tr>
<td>Mean ground level</td>
<td>One half the sum of the highest and lowest levels along ground level of the outer surface of all external building walls.</td>
</tr>
<tr>
<td>Metropolitan Melbourne</td>
<td>The area covered by the Banyule, Bayside, Boroondara, Brimbank, Cardinia, Casey, Darebin, Frankston, Glen Eira, Greater Dandenong, Hobsons Bay, Hume, Kingston, Knox, Manningham, Maribyrnong, Maroondah, Melbourne, Melton, Monash, Moonee Valley, Moreland, Mornington Peninsula, Nillumbik, Port of Melbourne, Port Phillip, Stonnington, Whitehorse, Whittlesea, Wyndham, Yarra and Yarra Ranges Planning Schemes and the area within the urban growth boundary in the Mitchell Planning Scheme.</td>
</tr>
<tr>
<td>Mineral</td>
<td>Any substance which occurs naturally as part of the earth's crust, including: a) oil shale and coal; and b) hydrocarbons and mineral oils contained in oil shale or coal, or extracted from oil shale or coal by chemical or industrial processes. It does not include water, stone, or petroleum.</td>
</tr>
<tr>
<td>Movable building</td>
<td>A structure, other than a tent, caravan, or vehicle, which is designed to be moved from place to place on more than one occasion.</td>
</tr>
<tr>
<td>Native vegetation</td>
<td>Plants that are indigenous to Victoria, including trees, shrubs, herbs, and grasses.</td>
</tr>
<tr>
<td>Net floor area</td>
<td>The total floor area of all floors of all buildings on a site. It includes half the width of any party wall and the full width of all other walls. It does not include the area of stairs, loading bays, accessways, or car parking areas, or any area occupied by machinery required for air conditioning, heating, power supply, or lifts.</td>
</tr>
<tr>
<td>Plot ratio</td>
<td>The gross floor area of all buildings on a site, divided by the area of the site.</td>
</tr>
<tr>
<td>Private open space</td>
<td>An outdoor area of a dwelling or residential building or land for the exclusive use of the occupants.</td>
</tr>
<tr>
<td>Property vegetation plan</td>
<td>A plan which relates to the management of native vegetation within a property, and which is contained within an agreement made pursuant to section 69 of the Conservation, Forests and Lands Act 1987.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Prostitution</td>
<td>The provision by one person to or for another person (whether or not of a different sex) of sexual services in return for payment or reward.</td>
</tr>
<tr>
<td>Public land manager</td>
<td>The Minister, government department, public authority or municipal council having responsibility for the care or management of public land. In relation to Crown land reserved under an Act and managed or controlled by a committee of management, other than Parks Victoria or a municipal council, it means the Minister administering that Act and does not include the committee of management.</td>
</tr>
<tr>
<td>Radio mast</td>
<td>A mast, for radio transmission or reception in a dwelling, that is: a) with antenna, more than 14 metres above the ground; b) if attached to a building, with antenna, more than 5 metres above the roof line; c) including antenna, wider than 6 metres; or d) excluding antenna, wider than 50 centimetres at any point exceeding 3 metres above the ground.</td>
</tr>
<tr>
<td>Retail</td>
<td>The sale of goods or materials, in any quantity or manner, other than by wholesale.</td>
</tr>
<tr>
<td>Secluded private open space</td>
<td>That part of private open space primarily intended for outdoor living activities which enjoys a reasonable amount of privacy.</td>
</tr>
<tr>
<td>Setback</td>
<td>The minimum distance from any allotment boundary to a building.</td>
</tr>
<tr>
<td>Sexual services</td>
<td>Has the same meaning as it has in the Sex Work Act 1994.</td>
</tr>
<tr>
<td>Site coverage</td>
<td>The proportion of a site covered by buildings.</td>
</tr>
<tr>
<td>Stone</td>
<td>Basalt, freestone, granite, limestone, sandstone, or other building stone, or rock, ordinarily used for building, manufacturing, road making, or construction; or clay (not fine clay, bentonite, or kaolin), earth, gravel, quartz (not quartz crystals), sand, soil, slate, or other similar material.</td>
</tr>
<tr>
<td>Storey</td>
<td>That part of a building between floor levels. If there is no floor above, it is the part between the floor level and ceiling. It may include an attic, basement, built over car parking area, and mezzanine.</td>
</tr>
<tr>
<td>Stormwater</td>
<td>The net increase in run-off from urban development due to water not being able to seep into the ground because of impervious surfaces, such as roofs and roads.</td>
</tr>
<tr>
<td>Street leg length</td>
<td>The distance between street intersections or junctions, or points and locations where vehicles must slow down, usually to a maximum speed of 20 kilometres per hour.</td>
</tr>
<tr>
<td>Street reserve</td>
<td>Land set aside for a street pavement and verge.</td>
</tr>
<tr>
<td>Sustainable agriculture</td>
<td>The use of farming practices and systems which maintain or enhance: a) the economic viability of agricultural production; b) the natural resource base; and c) other ecosystems which are influenced by agricultural activities.</td>
</tr>
<tr>
<td>General term</td>
<td>Definition</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>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>
SIGN TERMS

The following table lists terms which may be used in this planning scheme in relation to signs. A term listed in the first column, under the heading "Sign term", has the meaning set out beside that term in the second column, under the heading "Definition".

<table>
<thead>
<tr>
<th>Sign term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Above-verandah sign</td>
<td>A sign above a verandah or, if no verandah, that is more than 3.7 metres above pavement level, and which projects more than 0.3 metre outside the site.</td>
</tr>
<tr>
<td>Display area</td>
<td>The area of that part of a sign used to display its content, including borders, surrounds and logo boxes.</td>
</tr>
<tr>
<td></td>
<td>It does not include safety devices, platforms and lighting structures.</td>
</tr>
<tr>
<td></td>
<td>If the sign does not move or rotate, the area is one side only.</td>
</tr>
<tr>
<td>Animated sign</td>
<td>A sign that can move, contains moving or scrolling parts, changes its message, flashes, or has a moving or flashing border.</td>
</tr>
<tr>
<td>Bed and breakfast sign</td>
<td>A sign at a dwelling that advertises bed and breakfast accommodation in the dwelling.</td>
</tr>
<tr>
<td>Bunting sign</td>
<td>An advertisement that consists of bunting, streamers, flags, wind vanes, 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.</td>
</tr>
<tr>
<td></td>
<td>The information may include the name of the business or building, the street number of the business premises,</td>
</tr>
<tr>
<td></td>
<td>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.</td>
</tr>
<tr>
<td></td>
<td>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,</td>
</tr>
<tr>
<td></td>
<td>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:&lt;br&gt; a) on or above the roof of a building, but not a verandah;&lt;br&gt; b) fixed to the wall of a building and which projects above the wall; or&lt;br&gt; c) fixed to a structure (not a building) so that part of it is more than 7 metres above the ground.</td>
</tr>
</tbody>
</table>
LAND USE TERMS

The table to this clause lists terms which may be used in this planning scheme in relation to the use of land. A term describing a use or activity in relation to land which is not listed in the table must not be characterised as a separate use of land if the term is obviously or commonly included within one or more of the terms listed in the table.

Meaning of terms
A term listed in the first column, under the heading "Land use term", has the meaning set out beside that term in the second column, under the heading "Definition".

No definition of listed term indicates ordinary meaning
A term listed in the first column, under the heading "Land use term", which does not have a meaning set out beside that term in the second column, under the heading "Definition", has its ordinary meaning.

Terms which specifically include other listed terms
A term listed in the first column, under the heading "Land use term", which has other terms listed beside it in the third column, under the heading "Includes", includes any term so listed in the third column and any term included within that term in the third column, but does not include any other term listed in the first column.

A term listed in the first column which has other terms listed beside it in the third column may also include other terms which are not listed in the first column.

All terms listed in the third column are also listed in the first column.

Terms which do not specifically include other listed terms
If a term listed in the first column, under the heading "Land use term", does not have any term listed beside it in the third column, under the heading "Includes", that term does not include any term listed in the first column.

However, a term listed in the first column which does not have any term listed beside it in the third column may include other terms which are not listed in the first column.

Terms which are included within other listed terms
A term listed in the first column, under the heading "Land use term", which has a term listed beside it in the fourth column, under the heading "Included in", is included within the term so listed in the fourth column and any term which includes that term in the fourth column.

All terms listed in the fourth column are also listed in the first column.

Terms which are not included within other listed terms
If a term listed in the first column, under the heading "Land use term", does not have a term listed beside it in the fourth column, under the heading "Included in", that term is not included within any other term listed in the first column.

Table to Clause 73.03

<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abattoir</td>
<td>Land used to slaughter animals, including birds. It may include the processing of animal products.</td>
<td>Rural industry</td>
<td></td>
</tr>
<tr>
<td>Accommodation</td>
<td>Land used to accommodate persons.</td>
<td>Camping and caravan park</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>---------------------</td>
<td>---------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Adult sex product shop</td>
<td>Land used to sell or hire sexually explicit material, including: a) publications classified as restricted under the Classification (Publications, Films and Computer Games) (Enforcement) Act 1995; and b) materials and devices (other than contraceptives and medical treatments) used in conjunction with sexual behaviour.</td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td>Agriculture</td>
<td>Land used to: a) propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables; b) keep, breed, board, or train animals, including livestock, and birds; or c) propagate, cultivate, rear, or harvest living resources of the sea or inland waters.</td>
<td>Animal husbandry</td>
<td>Aquaculture</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Crop raising</td>
</tr>
<tr>
<td>Airport</td>
<td></td>
<td></td>
<td>Transport terminal</td>
</tr>
<tr>
<td>Amusement park</td>
<td></td>
<td></td>
<td>Outdoor recreation facility</td>
</tr>
<tr>
<td>Amusement parlour</td>
<td></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>
</tr>
<tr>
<td>--------------------</td>
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<td>---------------------------</td>
</tr>
<tr>
<td>b) one or more coin, card, or token operated amusement machines with more than one screen or console that can be played by three or more people simultaneously; or c) two or more coin, card, or token operated billiard, snooker, or pool tables. It does not include coin, card, or token operated children's rides, amusement machines if there is the ability to receive a monetary reward, or premises used for a Hotel or Tavern.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Animal boarding</td>
<td>Land used to board domestic pets, such as boarding kennels and a cattery.</td>
<td>Animal keeping</td>
<td>Animal keeping</td>
</tr>
<tr>
<td>Animal husbandry</td>
<td>Land used to keep, breed, board, or train animals, including birds.</td>
<td>Animal keeping</td>
<td>Agriculture</td>
</tr>
<tr>
<td>Animal keeping</td>
<td>Land used to:</td>
<td></td>
<td>Animal husbandry</td>
</tr>
<tr>
<td></td>
<td>a) breed or board domestic pets; or</td>
<td>Animal boarding</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) keep, breed, or board racing dogs.</td>
<td>Dog breeding</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 husbandry</td>
</tr>
<tr>
<td>Animal training</td>
<td>Land used to train animals.</td>
<td>Horse riding school</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 husbandry</td>
<td></td>
</tr>
<tr>
<td>Aquaculture</td>
<td>Land used to keep or breed aquatic animals, or cultivate or propagate aquatic plants.</td>
<td></td>
<td>Agriculture</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>-------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Art and craft centre</td>
<td>Land used to manufacture, display, and sell, works of art or craft, such as handicrafts, paintings, and sculptures.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Art gallery</td>
<td>Land used to display works of art, including ceramics, furniture, glass, paintings, 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>Beauty salon</td>
<td></td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Bed and breakfast</td>
<td>A dwelling used, by a resident of the dwelling, to provide accommodation for persons away from their normal place of residence.</td>
<td></td>
<td>Dwelling</td>
</tr>
<tr>
<td>Betting agency</td>
<td>Land used for gambling by wagering, and where there is the ability to receive a monetary reward.</td>
<td></td>
<td>Gambling premises</td>
</tr>
<tr>
<td>Boat and caravan storage</td>
<td>Land used to store boats, caravans, or vehicle-towed boat trailers.</td>
<td></td>
<td>Store</td>
</tr>
<tr>
<td>Boat launching facility</td>
<td>Land used to launch boats into the water and to retrieve boats from the water.</td>
<td>Boat ramp Slipway</td>
<td>Recreational boat facility</td>
</tr>
<tr>
<td>Boat ramp</td>
<td></td>
<td></td>
<td>Boat launching facility</td>
</tr>
<tr>
<td>Bottle shop</td>
<td>Land used to sell packaged liquor for consumption off the premises.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Broiler farm</td>
<td>Land used to keep broiler chickens for the production of meat.</td>
<td></td>
<td>Poultry farm</td>
</tr>
<tr>
<td>Brothel</td>
<td>Land made available for prostitution by a person carrying on the business of providing prostitution services at the business's premises.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bus terminal</td>
<td></td>
<td></td>
<td>Transport terminal</td>
</tr>
<tr>
<td>Camping and caravan park</td>
<td>Land used to allow accommodation in caravans, cabins, tents, or the like.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Caretaker's house</td>
<td>A dwelling on the same site as a building, operation, or plant, and occupied by a supervisor of that building, operation, or plant.</td>
<td></td>
<td>Dwelling</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Carnival</td>
<td>Land, other than an Exhibition centre or trade fair, used for a temporary fair or amusements which provide entertainment such as side shows, merry-go-rounds, and stalls for games or snacks.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Car park</td>
<td>Land used to park motor vehicles.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Car sales</td>
<td>Motor vehicle, boat, or caravan sales</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Car wash</td>
<td>Service industry</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cattle feedlot</td>
<td>Land used for a cattle feedlot as defined by the Victorian Code for Cattle Feedlots 1995.</td>
<td>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></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></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 and emergency accommodation. It may include supervisory staff and support services for residents and visitors.</td>
<td>Residential building</td>
<td></td>
</tr>
<tr>
<td>Conference centre</td>
<td>Function centre</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>---------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
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</tr>
<tr>
<td>Convenience restaurant</td>
<td>Land used to prepare and sell food and drink for immediate consumption, where substantial provision is made for consumption both on and off the premises.</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td>Convenience shop</td>
<td>A building with a leasable floor area of no more than 240 square metres, used to sell food, drinks, and other convenience goods. It may also be used to hire convenience goods.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Corrective institution</td>
<td>Land used to hold and reform persons committed to it by the courts, such as a prison, remand centre, and other type of detention facility.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Crematorium</td>
<td>Land used to cremate human remains. It may include funeral chapels or the like.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Crop raising</td>
<td>Land used to propagate, cultivate or harvest plants, including cereals, flowers, fruit, seeds, trees, turf, and vegetables.</td>
<td>Horticulture</td>
<td>Agriculture</td>
</tr>
<tr>
<td>Dancing school</td>
<td></td>
<td></td>
<td>Indoor recreation facility</td>
</tr>
<tr>
<td>Department store</td>
<td></td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Dependent person's unit</td>
<td>A movable building on the same lot as an existing dwelling and used to provide accommodation for a person dependent on a resident of the existing dwelling.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Display home</td>
<td>A building constructed as a dwelling, but used for display, to encourage people to buy or construct similar dwellings.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dog breeding</td>
<td></td>
<td></td>
<td>Animal keeping</td>
</tr>
<tr>
<td>Drive-in theatre</td>
<td></td>
<td></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></td>
<td>Service industry</td>
</tr>
<tr>
<td>Dry cleaning agent</td>
<td>Land used to arrange for professional cleaning or laundring of clothing or household articles.</td>
<td></td>
<td>Shop</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>---------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
<td>-------------------</td>
</tr>
</tbody>
</table>
| Dwellings     | 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 closet pan and wash basin.  
   It includes out-buildings and works normal to a dwelling.                                                                                                                                                | Bed and breakfast Caretaker's house                                    | Accommodation      |
| Education centre | Land used for education.                                                                                                                                                                                                                                                                                                              | Employment training centre  
   Primary school  
   Secondary school  
   Tertiary institution                                                                                                                        |                                                                      |
| Earth and energy resources industry | 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.                                                                                                                                                       | Greenhouse gas sequestration  
   Greenhouse gas sequestration exploration  
   Geothermal energy exploration  
   Geothermal energy extraction  
   Mineral exploration  
   Mineral extraction  
   Petroleum exploration  
   Petroleum extraction  
   Stone exploration  
   Stone extraction                                                                                                                                   |                                                                      |
<p>| Electoral office | An office used for electioneering by a candidate in a local, State, or Federal Government election.                                                                                                                                                                                                                                     |                                                                         | Office            |
| Emergency services facility | 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.                                                                                                       |                                                                         |                  |</p>
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employment training centre</td>
<td></td>
<td></td>
<td>Education centre</td>
</tr>
<tr>
<td>Energy generation facility</td>
<td>Land used to generate energy for use off site other than geothermal energy extraction. It includes any building or other structure or thing used in or in connection with the generation of energy.</td>
<td>Renewable energy facility</td>
<td></td>
</tr>
<tr>
<td>Equestrian supplies</td>
<td></td>
<td></td>
<td>Restricted retail premises</td>
</tr>
<tr>
<td>Exhibition centre</td>
<td>Land used to display works of art, artefacts, or historical, cultural, or other like works or artefacts.</td>
<td>Art gallery</td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Food and drink premises</td>
<td>Land used to prepare and sell food and drink for immediate consumption on, or off, the premises.</td>
<td>Convenience restaurant</td>
<td>Retail premises</td>
</tr>
<tr>
<td>Freeway service centre</td>
<td>Land which has direct access to a freeway and is used to provide essential services and facilities which encourage drivers to stop and take an effective break in the interests of driver safety.</td>
<td>Hotel</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Restaurant</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Take away food premises</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Tavern</td>
<td></td>
</tr>
<tr>
<td>Freezing and cool storage</td>
<td></td>
<td>Liquid fuel depot</td>
<td>Store</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Solid fuel depot</td>
<td></td>
</tr>
<tr>
<td>Fuel depot</td>
<td>Land used to store, sell, and distribute fuel.</td>
<td>Conference centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reception centre</td>
<td></td>
</tr>
<tr>
<td>Function centre</td>
<td>Land used, by arrangement, to cater for 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>Conference centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reception centre</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>Gaming premises</td>
<td>Retail premises</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>--------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------</td>
<td>--------------------------------------------------</td>
</tr>
<tr>
<td>Gaming premises</td>
<td>Land used for gambling by gaming, and where there is the ability to receive a monetary reward.</td>
<td></td>
<td>Gambling premises</td>
</tr>
<tr>
<td>Garden supplies</td>
<td>Land used to sell and distribute garden supplies such as sand, soil, railway sleepers, screenings, rock, and the like.</td>
<td></td>
<td>Landscape gardening supplies</td>
</tr>
<tr>
<td>Geothermal energy exploration</td>
<td>Land used for geothermal energy exploration in accordance with the Geothermal Energy Resources Act 2005.</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td>Geothermal energy extraction</td>
<td>Land used for geothermal energy extraction in accordance with the Geothermal Energy Resources Act 2005.</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td>Golf course</td>
<td></td>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
<tr>
<td>Golf driving range</td>
<td></td>
<td>Outdoor recreation facility</td>
<td></td>
</tr>
</tbody>
</table>
| Grazing animal production       | Land used for animal production where the animals’ food is obtained by directly grazing, browsing or foraging plants growing on the land. It includes:  
  - 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 plans 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 plans growing on the land; | Animal production                |                                                  |
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
<th>Included in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supplementary feeding</td>
<td>Providing feed to animals to supplement the food the animals obtain by directly grazing, browsing or foraging plants growing on the land.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Greenhouse gas sequestration</td>
<td>Land used for greenhouse gas substance injection and monitoring in accordance with the Greenhouse Gas Geological Sequestration Act 2008.</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td>Greenhouse gas sequestration exploration</td>
<td>Land used for the exploration of greenhouse gas sequestration formations in accordance with the Greenhouse Gas Geological Sequestration Act 2008.</td>
<td>Earth and energy resources industry</td>
<td></td>
</tr>
<tr>
<td>Group accommodation</td>
<td>Land, in one ownership, containing a number of dwellings used to accommodate persons away from their normal place of residence.</td>
<td>Accommodation</td>
<td></td>
</tr>
<tr>
<td>Hairdresser</td>
<td></td>
<td>Shop</td>
<td></td>
</tr>
<tr>
<td>Hall</td>
<td></td>
<td>Place of assembly</td>
<td></td>
</tr>
<tr>
<td>Helicopter landing site</td>
<td>Land used for the take-off and landing of a helicopter, with or without a permanent landing pad, but without permanent facilities for the assembly and distribution of goods or passengers.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Heliport</td>
<td></td>
<td>Transport terminal</td>
<td></td>
</tr>
<tr>
<td>Home based business</td>
<td>An occupation carried on in a dwelling, or on the land around a dwelling, by a resident of the dwelling. It may include a use defined elsewhere, but not a Brothel.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Horse riding school</td>
<td></td>
<td>Animal training</td>
<td></td>
</tr>
<tr>
<td>Horse stables</td>
<td></td>
<td>Animal husbandry</td>
<td></td>
</tr>
<tr>
<td>Horticulture</td>
<td>Land used to propagate, cultivate, or harvest flowers, fruit, vegetables, vines, or the like.</td>
<td>Market garden</td>
<td>Crop raising</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>--------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>---------------------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>Hospital</td>
<td>Land used to provide health services (including preventative care, diagnosis, medical and surgical treatment, and counselling) to persons admitted as in-patients. It may include the care or treatment of out-patients.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Host farm</td>
<td>An agricultural property used to provide accommodation for persons, away from their normal place of residence, to experience living on land used for agricultural purposes.</td>
<td>Accommodation</td>
<td></td>
</tr>
<tr>
<td>Hotel</td>
<td>Land used to sell liquor for consumption on and off the premises. It may include accommodation, food for consumption on the premises, entertainment, dancing, amusement machines, and gambling.</td>
<td>Food and drink premises</td>
<td></td>
</tr>
<tr>
<td>Indoor recreation facility</td>
<td>A building used for indoor leisure, recreation, or sport.</td>
<td>Dancing school</td>
<td>Minor sports and recreation facility</td>
</tr>
<tr>
<td>Industry</td>
<td>Land used for any of the following operations:</td>
<td>Materials recycling</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) any process of manufacture;</td>
<td>Refuse disposal</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) dismantling or breaking up of any article;</td>
<td>Transfer station</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) treating waste materials;</td>
<td>Research and development centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) winning clay, gravel, rock, sand, soil, stone, or other materials (other than Mineral, stone, or soil extraction);</td>
<td>Rural industry</td>
<td></td>
</tr>
<tr>
<td></td>
<td>e) laundering, repairing, servicing or washing any article, machinery, or vehicle, other than on-site work on a building, works, or land; or f) any process of testing or analysis.</td>
<td>Service industry</td>
<td></td>
</tr>
<tr>
<td></td>
<td>If on the same land as any of these operations, it also includes:</td>
<td></td>
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<tr>
<td></td>
<td>a) storing goods used in the operation or resulting from it;</td>
<td></td>
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<tr>
<td></td>
<td>b) providing amenities for people engaged in the operation;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) selling by wholesale, goods resulting from the operation; and</td>
<td></td>
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<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</tr>
<tr>
<td>d) accounting or administration in connection with the operation.</td>
<td></td>
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<tr>
<td>If Materials recycling, goods resulting from the operation may be sold by retail.</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, picnic or barbecue area, playground, and walking or jogging track.</td>
<td></td>
<td>Minor sports and recreation facility</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></td>
<td>Intensive animal production</td>
</tr>
<tr>
<td>Jetty</td>
<td></td>
<td></td>
<td>Marina</td>
</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</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>Plant nursery</td>
<td></td>
</tr>
<tr>
<td>Leisure and recreation</td>
<td>Land used for leisure, recreation, or sport.</td>
<td>Major sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Minor sports and recreation facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>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>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</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</td>
<td>Recreational boat facility</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mooring pole</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pier</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Pontoon</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td>Land used to sell goods, including foodstuffs, from stalls.</td>
<td></td>
<td>Retail premises</td>
</tr>
<tr>
<td>Market garden</td>
<td>Land used to collect, dismantle, treat, process, store, recycle, or sell, used or surplus materials.</td>
<td></td>
<td>Horticulture</td>
</tr>
<tr>
<td>Materials recycling</td>
<td>Land used to collect, dismantle, treat, process, store, recycle, or sell, used or surplus materials.</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>Medical centre</td>
<td>Land used to provide health services (including preventative care, diagnosis, medical and surgical treatment, and counselling) to out-patients only.</td>
<td></td>
<td>Office</td>
</tr>
<tr>
<td>Milk depot</td>
<td>Land used to receive milk and milk products for distribution to consumers, but where milk is not processed or pasteurised.</td>
<td></td>
<td>Warehouse</td>
</tr>
<tr>
<td>Mineral exploration</td>
<td>Land used for the exploration of minerals in accordance with the <em>Mineral Resources (Sustainable Development) Act 1990.</em></td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Mineral extraction</td>
<td>Land used for extraction of minerals in accordance with the <em>Mineral Resources (Sustainable Development) Act 1990.</em></td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Minor sports and recreation facility</td>
<td>Land used for leisure, recreation, or sport, without substantial provision for spectators, and which is usually open to non-paying spectators.</td>
<td>Indoor recreation facility</td>
<td>Leisure and recreation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Informal outdoor recreation</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Open sports ground</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</tr>
<tr>
<td>Minor utility installation</td>
<td>Land used for a utility installation comprising any of the following:</td>
<td>Water retarding basin</td>
<td>Utility installation</td>
</tr>
<tr>
<td></td>
<td>a) sewerage or water mains;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) storm or flood water drains or retarding basins;</td>
<td></td>
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<td></td>
<td>c) flow measurement device or a structure to gauge waterway flow;</td>
<td></td>
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<td></td>
<td>d) gas mains providing gas directly to consumers;</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>e) a sewerage treatment plant, and any associated disposal works, required to serve a neighbourhood;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>f) a pumping station required to serve a neighbourhood;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>g) power lines designed to operate at less than 220,000 volts but excluding any power lines directly associated with an Energy generation facility or Geothermal energy extraction; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>h) an electrical sub-station designed to operate at no more than 66,000 volts but excluding any sub-station directly associated with an Energy generation facility or Geothermal energy extraction.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mooring pole</td>
<td>Land used to provide accommodation in serviced rooms for persons away from their normal place of residence, and where provision is made for parking guests' vehicles convenient to the rooms.</td>
<td>Marina</td>
<td>Residential hotel</td>
</tr>
<tr>
<td>Motel</td>
<td>Land used to race, rally, scramble, or test, vehicles, including go-karts, motor boats, and motorcycles, and includes other competitive motor sports.</td>
<td>Leisure and recreation</td>
<td>Service industry</td>
</tr>
<tr>
<td>Motor racing track</td>
<td>Land used to repair or service motor vehicles, and includes the fitting of accessories.</td>
<td>Panel beating</td>
<td>Service industry</td>
</tr>
<tr>
<td>Motor repairs</td>
<td>Land used to 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>Marina</td>
<td>Residential hotel</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</tr>
<tr>
<td>Motor vehicle, boat, or caravan sales</td>
<td>Land used to sell or hire motor vehicles, boats, or caravans. It may include the minor repair or servicing of motor vehicles, boats, or caravans, and the sale or fitting of accessories.</td>
<td>Car sales</td>
<td>Retail premises</td>
</tr>
<tr>
<td>Museum</td>
<td>Land used to display archaeological, biological, cultural, geographical, geological, historical, scientific, or other like works or artefacts.</td>
<td></td>
<td>Exhibition centre</td>
</tr>
<tr>
<td>Natural systems</td>
<td>Land in substantially its natural state which is used to maintain ecological systems, or to preserve an area of historic, scientific, aesthetic, or cultural significance.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nightclub</td>
<td>A building used to provide entertainment and dancing. It may include the provision of food and drink for consumption on the premises. It does not include the sale of packaged liquor, or gaming.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Office</td>
<td>Land used for administration, or clerical, technical, professional or other like business activity. No goods or materials intended for manufacture, sale, or hire may be stored on the land. Other than electoral office and medical centre, it does not include any other defined use.</td>
<td>Bank, Electoral office, Medical centre, Real estate agency, Travel agency</td>
<td></td>
</tr>
<tr>
<td>Open sports ground</td>
<td>Land used for sport, but which is available for informal outdoor leisure or recreation when not being used or prepared for an organised game. It may include lights, change rooms, pavilions, and shelters.</td>
<td></td>
<td>Minor sports and recreation facility</td>
</tr>
<tr>
<td>Outdoor recreation facility</td>
<td>Land used for outdoor leisure, recreation, or sport.</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></td>
<td></td>
<td>Outdoor recreation facility</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</tr>
<tr>
<td>Panel beating</td>
<td>Land used to repair or replace damaged motor vehicle bodies and panels, and carry out any associated mechanical work or spray painting.</td>
<td></td>
<td>Motor repairs</td>
</tr>
<tr>
<td>Party supplies</td>
<td></td>
<td></td>
<td>Restricted retail premises</td>
</tr>
<tr>
<td>Petroleum exploration</td>
<td>Land used for petroleum exploration in accordance with the <em>Petroleum Act 1998</em>.</td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Petroleum extraction</td>
<td>Land used for petroleum extraction in accordance with the <em>Petroleum Act 1998</em>.</td>
<td></td>
<td>Earth and energy resources industry</td>
</tr>
<tr>
<td>Pier</td>
<td></td>
<td></td>
<td>Marina</td>
</tr>
<tr>
<td>Pig farm</td>
<td>Land used to keep or breed pigs.</td>
<td></td>
<td>Animal production</td>
</tr>
<tr>
<td>Place of assembly</td>
<td>Land where people congregate for religious or cultural activities, entertainment, or meetings.</td>
<td>Amusement parlour</td>
<td>Carnival</td>
</tr>
<tr>
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<td></td>
<td></td>
<td>Cinema</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Circus</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Drive-in theatre</td>
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<td></td>
<td></td>
<td></td>
<td>Exhibition centre</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Function centre</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Hall</td>
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<td></td>
<td></td>
<td></td>
<td>Library</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Nightclub</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Place of worship</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Restricted place of assembly</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>Land use term</td>
<td>Definition</td>
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<tr>
<td>Poultry hatchery</td>
<td>Land used to incubate and hatch poultry eggs.</td>
<td></td>
<td>Animal production</td>
</tr>
<tr>
<td>Primary produce sales</td>
<td>Land used to display and sell primary produce, grown on the land or adjacent land. It may include processed goods made substantially from the primary produce.</td>
<td></td>
<td>Retail premises</td>
</tr>
<tr>
<td>Primary school</td>
<td></td>
<td></td>
<td>Education centre</td>
</tr>
<tr>
<td>Race course</td>
<td></td>
<td></td>
<td>Major sports and recreation facility</td>
</tr>
<tr>
<td>Racing dog keeping</td>
<td></td>
<td></td>
<td>Animal keeping</td>
</tr>
<tr>
<td>Racing dog training</td>
<td></td>
<td></td>
<td>Animal training</td>
</tr>
<tr>
<td>Railway station</td>
<td>Land used to assemble and distribute goods and passengers and includes facilities to park and manoeuvre vehicles. It may include the selling of food, drinks and other convenience goods and services.</td>
<td></td>
<td>Transport terminal</td>
</tr>
<tr>
<td>Real estate agency</td>
<td></td>
<td></td>
<td>Office</td>
</tr>
<tr>
<td>Reception centre</td>
<td></td>
<td></td>
<td>Function centre</td>
</tr>
<tr>
<td>Recreational boat facility</td>
<td>Land used to provide facilities for boats operated primarily for pleasure or recreation, including boats operated commercially for pleasure or recreation.</td>
<td>Boat launching facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Marina</td>
<td></td>
</tr>
<tr>
<td>Refuse disposal</td>
<td>Land used to dispose of refuse, by landfill, incineration, or other means.</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>Renewable energy facility</td>
<td>Land used to generate energy using resources that can be rapidly replaced by an ongoing natural process. Renewable energy resources include the sun, wind, the ocean, water flows, organic matter and the earth’s heat. It includes any building or other structure or thing used in or in connection with the generation of energy by a renewable resource. It does not include a renewable energy facility principally used to supply energy for an existing use of the land.</td>
<td>Wind energy facility</td>
<td>Energy generation facility</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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</tr>
<tr>
<td>Research and development centre</td>
<td>Land used to develop or test electronic technology, biotechnology, or any other scientific discipline. It may include administration, promotion, conference, display, laboratory, assembly, and manufacturing areas.</td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>Research centre</td>
<td>Land used only for scientific research.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reservoir</td>
<td></td>
<td></td>
<td>Utility installation</td>
</tr>
<tr>
<td>Residential aged care facility</td>
<td>Land used to provide accommodation and personal or nursing care for the aged. It may include recreational, health or laundry facilities and services for residents of the facility.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Residential building</td>
<td>Land used to accommodate persons, but does not include camping and caravan park, corrective institution, dependent person's unit, dwelling, group accommodation, host farm, residential village or retirement village.</td>
<td>Community care accommodation</td>
<td>Accommodation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Residential hotel</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Rooming house</td>
<td></td>
</tr>
<tr>
<td>Residential hotel</td>
<td>Land used to provide accommodation in serviced rooms for persons away from their normal place of residence. If it has at least 20 bedrooms, it may include the sale of liquor for consumption on, or off, the premises, function or conference rooms, entertainment, dancing, amusement machines, and gambling.</td>
<td>Motel</td>
<td>Residential building</td>
</tr>
<tr>
<td>Residential village</td>
<td>Land, in one ownership, containing a number of dwellings, used to provide permanent accommodation and which includes communal, recreation, or medical facilities for residents of the village.</td>
<td></td>
<td>Accommodation</td>
</tr>
<tr>
<td>Restaurant</td>
<td>Land used to prepare and sell food and drink, for consumption on the premises. It may include: a) entertainment and dancing; and</td>
<td></td>
<td>Food and drink premises</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
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<tr>
<td></td>
<td>b) the supply of liquor other than in association with the serving of meals, provided that tables and chairs are set out for at least 75% of patrons present on the premises at any one time. It does not include the sale of packaged liquor.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restricted place of assembly</td>
<td>Land used by members of a club or group, or by members’ guests, for religious or cultural activities, entertainment, or meetings. It may include food and drink for consumption on the premises, and gaming.</td>
<td></td>
<td>Place of assembly</td>
</tr>
<tr>
<td>Restricted recreation facility</td>
<td>Land used by members of a club or group, members’ guests, or by the public on payment of a fee, 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.</td>
<td></td>
<td>Minor sports and recreation facility</td>
</tr>
<tr>
<td>Restricted retail premises</td>
<td>Land used to sell or hire: a) automotive parts and accessories; b) camping, outdoor and recreation goods; c) electric light fittings; d) animal supplies including equestrian and pet goods; e) floor and window coverings; f) furniture, bedding, furnishings, fabric and manchester and homewares; g) household appliances, household electrical goods and home entertainment goods; h) party supplies; i) swimming pools; j) office equipment and supplies; k) baby and children’s goods, children’s play equipment and accessories;</td>
<td>Equestrian supplies Party supplies</td>
<td>Shop</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
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</tr>
<tr>
<td></td>
<td>l) sporting, cycling, leisure, fitness goods and accessories; or m) goods and accessories which: ▪ Require a large area for handling, display and storage of goods; or ▪ Require direct vehicle access to the building by customers for the purpose of loading or unloading goods into or from their vehicles after purchase or hire. It does not include the sale of food, clothing and footwear unless ancillary to the primary use.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retail premises</td>
<td>Land used to: a) sell goods by retail, or by retail and wholesale; b) sell services; or c) hire goods.</td>
<td></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>
</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 <em>Residential Tenancies Act 1997</em>.</td>
<td></td>
<td>Residential building</td>
</tr>
<tr>
<td>Rural industry</td>
<td>Land used to: a) handle, treat, process, or pack agricultural produce;</td>
<td></td>
<td>Abattoir Sawmill</td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>-------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
<td>----------------------</td>
</tr>
<tr>
<td></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</td>
<td>Store</td>
<td></td>
</tr>
<tr>
<td></td>
<td>agriculture.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Saleyard</td>
<td>Land used to hold, sell, and buy farm animals.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sawmill</td>
<td>Land used to handle, cut, and process timber from logs.</td>
<td></td>
<td>Rural industry</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Secondary school</td>
<td></td>
<td></td>
<td>Education centre</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Service industry</td>
<td>Land used to launder, repair, service or wash articles, machinery, or</td>
<td>Car wash</td>
<td>Industry</td>
</tr>
<tr>
<td></td>
<td>vehicles.</td>
<td>Dry cleaner</td>
<td></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</td>
<td>a) selling of motor vehicle</td>
<td></td>
</tr>
<tr>
<td></td>
<td>include the:</td>
<td>accessories or parts;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) selling of motor vehicle</td>
<td>b) selling of food, drinks and other convenience goods;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>accessories or parts;</td>
<td>c) hiring of trailers;</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) selling of food, drinks and other convenience goods;</td>
<td>d) servicing or washing of motor vehicles; and</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) hiring of trailers;</td>
<td>e) installing of motor vehicle</td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) servicing or washing of motor vehicles; and</td>
<td>accessories or parts.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>e) installing of motor vehicle</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shipping container</td>
<td>Land used to store shipping containers. It may include the cleaning,</td>
<td>Store</td>
<td></td>
</tr>
<tr>
<td>storage</td>
<td>repair, servicing, painting or fumigation of the shipping containers.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shop</td>
<td>Land used to sell goods or services, or to hire goods. It includes the</td>
<td>Adult sex product shop</td>
<td>Retail premises</td>
</tr>
<tr>
<td></td>
<td>selling of bread, pastries, cakes or other products baked on the premises.</td>
<td>Beauty salon</td>
<td></td>
</tr>
<tr>
<td></td>
<td>It does not include food and drink premises, gambling premises,</td>
<td>Bottle shop</td>
<td></td>
</tr>
<tr>
<td></td>
<td>landscape gardening supplies, manufacturing sales, market, motor vehicle,</td>
<td>Convenience shop</td>
<td></td>
</tr>
<tr>
<td></td>
<td>boat, or caravan sales, postal agency, primary produce sales, or trade</td>
<td>Dry cleaning agent</td>
<td></td>
</tr>
<tr>
<td></td>
<td>supplies.</td>
<td>Department store</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hairdresser</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Laundromat</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>-----------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
<td>-------------------------------------------------</td>
</tr>
<tr>
<td>Included in</td>
<td>Restricted retail premises</td>
<td></td>
<td>Supermarket</td>
</tr>
<tr>
<td>Definition</td>
<td>Land use term</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Includes</td>
<td>Included in</td>
<td></td>
</tr>
<tr>
<td><strong>Sign</strong></td>
<td>Boat launching facility</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Slipway</strong></td>
<td>Solid fuel depot</td>
<td>Fuel depot</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Land used to sell solid fuel, such as briquettes, coal, and fire wood.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Stone exploration</strong></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) costeaming 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><strong>Stone extraction</strong></td>
<td>Land used for the extraction or removal of stone in accordance with the Mineral Resources (Sustainable Development) Act 1990.</td>
<td>Earth and energy resources industry</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>Shop</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 the premises.</td>
<td>Food and drink premises</td>
<td></td>
</tr>
<tr>
<td>Tavern</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>Food and drink premises</td>
<td></td>
</tr>
<tr>
<td>Telecommunications facility</td>
<td>Land used to accommodate any part of the infrastructure of a Telecommunications network. It</td>
<td>Utility installation</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>
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</tr>
<tr>
<td></td>
<td>includes any telecommunications line, equipment, apparatus, telecommunications tower, mast, antenna, tunnel, duct, hole, pit, pole, or other structure or thing used, or for use in or in connection with a Telecommunications network.</td>
<td>Tertiary institution</td>
<td>Education centre</td>
</tr>
<tr>
<td>Timber production</td>
<td>Land used to propagate, cultivate, manage and harvest timber.</td>
<td>Crop raising</td>
<td></td>
</tr>
<tr>
<td>Timber yard</td>
<td>Land used to sell sawn, dressed, and treated timber, wood fibre boards, and the like. It includes cutting the timber and boards to order, and selling hardware, paints, tools, and materials used in conjunction with the use and treatment of timber.</td>
<td>Trade supplies</td>
<td></td>
</tr>
<tr>
<td>Trade supplies</td>
<td>Land used to sell by both retail and wholesale, or to hire, materials, tools, equipment, machinery or other goods for use in:</td>
<td>Timber yard</td>
<td>Retail premises</td>
</tr>
<tr>
<td></td>
<td>a) automotive repairs and servicing;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) building;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) commerce;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) industry;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>e) landscape gardening;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>f) the medical profession;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>g) primary production; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>h) local government, government departments or public institutions.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tramway</td>
<td>Land used to provide a system of transport in vehicles connected to a network of tracks, and includes tram stops, shunting areas and associated passenger facilities.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfer station</td>
<td>Land used to collect, consolidate, temporarily store, sort or recover refuse or used materials before transfer for disposal or use elsewhere.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Industry</td>
<td></td>
</tr>
<tr>
<td>Land use term</td>
<td>Definition</td>
<td>Includes</td>
<td>Included in</td>
</tr>
<tr>
<td>----------------------</td>
<td>-----------------------------------------------------------------------------</td>
<td>-----------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td>Transport terminal</td>
<td>Land used to assemble and distribute goods or passengers. It includes facilities to park and manoeuvre vehicles. It does not include a Tramway.</td>
<td>Airport</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bus terminal</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Heliport</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Railway station</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Road freight terminal</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Wharf</td>
<td></td>
</tr>
<tr>
<td>Travel agency</td>
<td></td>
<td>Office</td>
<td></td>
</tr>
<tr>
<td>Utility installation</td>
<td>Land used:</td>
<td>Minor utility installation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) for telecommunications;</td>
<td>Reservoir</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) to transmit or distribute gas, oil, or power;</td>
<td>Telecommunications facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) to collect, treat, transmit, store, or distribute water; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>d) to collect, treat, or dispose of storm or flood water, sewage, or sullage.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>It includes any associated flow measurement device or a structure to gauge waterway flow.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vehicle store</td>
<td>Land used to park or store vehicles in connection with a goods or passenger transport business.</td>
<td>Store</td>
<td></td>
</tr>
<tr>
<td>Veterinary centre</td>
<td>Land used to:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a) diagnose animal diseases or disorders;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) surgically or medically treat animals; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c) prevent animal diseases or disorders.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>It may include keeping the animals on the premises for treatment.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td>Land used to store or display goods. It may include the storage and distribution of goods for wholesale and the storage and distribution of goods for online retail. It does not include premises allowing in-person retail or display of goods for retail, or allowing persons to collect goods that have been purchased online.</td>
<td>Commercial display area</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fuel depot</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mail centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Milk depot</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Store</td>
<td></td>
</tr>
<tr>
<td>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>
</tbody>
</table>

---
<table>
<thead>
<tr>
<th>Land use term</th>
<th>Definition</th>
<th>Includes</th>
</tr>
</thead>
<tbody>
<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>
</tr>
<tr>
<td>Wind energy facility</td>
<td>Land used to generate electricity by wind force. It includes land used for:</td>
<td>Renewable energy facility</td>
</tr>
<tr>
<td></td>
<td>a) any turbine, building or other structure or thing used in or in connection with the generation of electricity by wind force</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b) an anemometer.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>It does not include turbines principally used to supply electricity for domestic or rural use of the land.</td>
<td></td>
</tr>
<tr>
<td>Winery</td>
<td>Land used to display, and sell by retail, vineyard products, in association with the growing of grape vines and the manufacture of the vineyard products. It may include the preparation and sale of food and drink for consumption on the premises.</td>
<td></td>
</tr>
<tr>
<td>Zoo</td>
<td></td>
<td>Outdoor recreation facility</td>
</tr>
</tbody>
</table>
NESTING DIAGRAMS

The information in the table to Clause 73.03 is set out in the following diagrams as a means of indicating the nesting of land use terms.

The table to Clause 73.03 prevails if there is any inconsistency between the table and the diagrams or list.

Land use terms that are not nested are listed at Clause 73.04-18.

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
- Grazing animal production
  - Cattle feedlot
    - Intensive dairy farm
  - Pig farm
  - Poultry farm
  - Broiler farm
  - Poultry hatchery

Child care centre group

- Child care centre
- Kindergarten

Education centre group

- Education centre
  - 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
Leisure and recreation group

- Major sports and recreation facility
- Race course
- Indoor recreation facility
- Dancing school
- Open sports ground
- Amusement park
- Golf course
- Outdoor recreation facility
- Golf driving range
- Paintball games facility
- Restricted recreation facility
- Zoo
- Motor racing track
Office group

- Bank
- Electoral office
- Office
- Medical centre
- Real estate agency
- Travel agency
Place of assembly group

- Amusement parlour
- Carnival
- Cinema
- Circus
  - Drive-in theatre
  - Art gallery
- Place of assembly
  - Exhibition centre
  - Museum
- Function centre
  - Conference centre
- Hall
  - Reception centre
- Library
- Nightclub
- Place of worship
- Restricted place of assembly
Recreational boat facility group

- Recreational boat facility
  - Boat launching facility
    - Boat ramp
    - Slipway
  - Marina
    - Jetty
    - Mooring pole
    - Pier
    - Pontoon
Retail premises group (sub-group of Shop)

- Adult sex product shop
- Beauty salon
- Bottle shop
- Convenience shop
- Dry cleaning agent
- Department store
- Hairdresser
- Laundromat
- Restricted retail premises
- Equestrian supplies
- Party supplies
- Supermarket
Transport terminal group

- Airport
- Bus terminal
- Heliport
- Railway station
- Road freight terminal
- Wharf

Utility installation group

- Minor utility installation
- Water retarding basin
- Reservoir
- Telecommunications facility
Land use terms that are not nested

Art and craft centre
Brothel
Car park
Cemetery
Cinema based entertainment facility
Crematorium
Display home
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.
This section lists the amendments which have been made to this scheme.
## LIST OF AMENDMENTS

<table>
<thead>
<tr>
<th>Amendment number</th>
<th>In operation from</th>
<th>Brief description</th>
</tr>
</thead>
<tbody>
<tr>
<td>C1</td>
<td>13 MAY 1999</td>
<td>Removes requirement in the Rural Zone schedule that timber production on land greater than 40ha requires a planning permit.</td>
</tr>
<tr>
<td>VC7</td>
<td>16 AUG 1999</td>
<td>Makes changes to the SPPF relating to Melbourne Airport and brothels; clarifies that land identified in a schedule to the Public Park and Recreation Zone or the Public Conservation and Resource Zone may be used and developed in accordance with the schedule or the specific controls contained in an incorporated document corresponding to the land; introduces a new State Resources Overlay; amends the Airport Environs Overlay to establish the lessee of Melbourne Airport in decision guidelines and as a referral authority; extends the expiry date of major promotion signs displayed in accordance with a permit granted between 19 September 1993, and 18 September 1997; amends definitions in accordance with changes to the Prostitution Control Act 1994.</td>
</tr>
<tr>
<td>VC9</td>
<td>25 MAY 2000</td>
<td>Makes changes to the Settlement and Housing policies in the State Planning Policy Framework to recognise neighbourhood character.</td>
</tr>
<tr>
<td>C3</td>
<td>15 JUN 2000</td>
<td>Rezones Lot 1 on Title Plan No. 001312N from Public Use Zone – Local Government to Residential 1 Zone.</td>
</tr>
<tr>
<td>VC8</td>
<td>17 AUG 2000</td>
<td>Makes changes to the SPPF in relation to biodiversity; introduces an operations clause for the LPPF; amends the rural zones in relation to the construction of outbuildings; amends the residential and rural zones to accommodate the keeping of pet racing dogs; amends the flooding zones and overlays to require the incorporation of local floodplain development plans; amends subdivision and dwelling provisions in the Restructure Overlay; amends clause 52.01 to clarify its relationship with the Subdivision Act 1988; amends clause 52.03 to enable the schedule to prohibit a use or development on specific sites; makes formatting and other changes arising from panel reports and operational experience.</td>
</tr>
<tr>
<td>C7</td>
<td>28 SEP 2000</td>
<td>Implements Section 48 of the Heritage Act by introducing a new or amended registration to the Victorian Heritage Register into the planning scheme maps and schedule to the Heritage Overlay. Also makes some formatting changes to the schedule to the Heritage Overlay.</td>
</tr>
<tr>
<td>C2</td>
<td>26 OCT 2000</td>
<td>Rectifies inaccuracies in the Comprehensive Development Zone, schedule 1, which occurred during the drafting of the planning scheme; improves the clarity of the wording within the Comprehensive Development Plan and removes conflicting controls contained in the schedules to the Erosion Management Overlay and Salinity Management Overlay.</td>
</tr>
<tr>
<td>C4</td>
<td>26 OCT 2000</td>
<td>Introduces a Road Closure Overlay over the Bretonneux Street road reserve between Villers Street and Callen Street, Seymour.</td>
</tr>
<tr>
<td>C5</td>
<td>26 OCT 2000</td>
<td>Introduces a Public Acquisition Overlay over part of Crown Allotment 164C, North Mountain Road, Heathcote Junction to enable acquisition and construction of a water supply storage tank by Goulburn Valley Water.</td>
</tr>
<tr>
<td>VC10</td>
<td>14 DEC 2000</td>
<td>Makes changes to the Table of uses in the Public Conservation and Resource Zone relating to Utility installation and makes typographical corrections.</td>
</tr>
<tr>
<td>C11</td>
<td>1 FEB 2001</td>
<td>Includes a new registration to the Victorian Heritage Register being the Exhibition Goods Shed at 330 Union Lane, Bylands within the schedule to</td>
</tr>
<tr>
<td>Amendment number</td>
<td>In operation from</td>
<td>Brief description</td>
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<tr>
<td>VC11</td>
<td>29 MAR 2001</td>
<td>Introduces ability to require permits for outbuildings larger than a specified size in the Low Density Residential Zone; introduces ability to require permits for restaurants in specified areas in the Business 1 Zone; provides more flexibility in the purpose of the Specific Sites and Exclusions provisions; simplifies the operation of the Advertising Signs provisions; reorganises and clarifies the Car Parking provisions; corrects the referral provisions in Clause 61 relating to construction of building or works on land within 60 metres of a major electricity transmission line; introduces a new definition of Retirement village; and makes various formatting and typographical corrections.</td>
</tr>
<tr>
<td>VC12</td>
<td>24 AUG 2001</td>
<td>Makes changes to the SPPF, LPPF, Zones, Overlays, Particular Provisions, Definitions and list of Incorporated documents based on the general review of residential development provisions and the recommendations of the ResCode Advisory Committee. The changes include the introduction of schedules to four residential zones, a Neighbourhood Character Overlay, new residential development provisions in Clauses 54, 55 and 56 for dwellings and subdivision, and transitional arrangements for subdivision, medium-density housing and residential buildings. Corrects an inconsistency between Amendment S74 and the VPP in relation to public open space contributions in subdivision. Clarifies the definition of Trade supplies.</td>
</tr>
<tr>
<td>VC13</td>
<td>27 SEP 2001</td>
<td>Introduces Victorian Code for Broiler Farms as an incorporated document; amends the SPPF and the Rural Zone and introduces a new Particular provision and definition relating to broiler farm; amends the Advertising signs provisions relating to major promotion signs, business logos and street numbers; includes domestic rainwater tanks as exempt buildings and works except in the Heritage Overlay; updates references in the Environmental Audit Overlay to amended sections of the Environment Protection Act 1970, following amendments to that Act; makes corrections to the Residential 1 Zone and Business 1 Zone; and updates the User Guide.</td>
</tr>
<tr>
<td>VC14</td>
<td>22 NOV 2001</td>
<td>Makes corrections to the Residential 1 Zone, Clause 54.04 and Clause 55.04.</td>
</tr>
<tr>
<td>C22</td>
<td>7 FEB 2002</td>
<td>Amends the schedule and map to the Heritage Overlay to include the Victorian Railway Institute Building, Railway Place, Seymour and introduces a new reference document at Clause 22.01-1.</td>
</tr>
<tr>
<td>C24</td>
<td>7 FEB 2002</td>
<td>Rezones land on the corner of Tallarook and High Streets, Seymour to a Public Use Zone, Other Public Use (PUZ7) to facilitate the redevelopment of the existing 24-hour Seymour Police Station.</td>
</tr>
<tr>
<td>C23</td>
<td>28 FEB 2002</td>
<td>Rezones Crown Allotment 10, Section 11, Township of Kilmore, Parish of Bylands, (No. 111) Powlett Street, Kilmore on the south west corner of Green and Powlett Streets to Public Use Zone, Other Public Use (PUZ7) to accommodate a new 24-hour Kilmore Police Station, inserts a new Schedule to the Public Use Zone and rezones part of road reserve of Green Street to a Residential 1 Zn.</td>
</tr>
<tr>
<td>C21</td>
<td>7 MAR 2002</td>
<td>Introduces a Public Acquisition Overlay along the eastern bank of the Goulburn River within parts of Crown Allotments 34 and 35, Parish of Seymour to enable the completion of the Seymour Multi-Purpose Trail along the bank of the Goulburn River.</td>
</tr>
<tr>
<td>C26</td>
<td>21 MAR 2002</td>
<td>Amends Planning Scheme Map 13HO to ensure that the boundaries of the Habbies Howe Homestead, Dropmore Road, Dropmore are consistent.</td>
</tr>
<tr>
<td>Amendment number</td>
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<tr>
<td>C9</td>
<td>11 APR 2002</td>
<td>Rezones Crown Allotments 1, 2, 3 and 12, Section 8, Township of Kilmore, Parish of Bylands, (No’s. 100-106) White Street, Kilmore to a Residential 1 Zone. with the place listed in the Victorian Heritage Register.</td>
</tr>
<tr>
<td>C10</td>
<td>27 JUN 2002</td>
<td>Introduces a Public Acquisition Overlay to land known as Crown Portions 3, 4, 13, 14, 18, 25 and 25A, Parish of Moranding, Boundary Road, Kilmore to enable Goulburn Valley Region Water Authority to acquire the land for reuse by irrigation of reclaimed wastewater from the Kilmore Wastewater Management Facility. Introduces a Road Closure Overlay to land known as an unused government road reserve running generally east from Ryans Creek to a government road reserve (Durkins Lane) between Crown Portion 18 to the north and Crown Portions 13 and 14 to the south to enable the land to be incorporated into the adjoining land to be used for reuse by irrigation of reclaimed wastewater from the Kilmore Wastewater Management Facility.</td>
</tr>
<tr>
<td>VC16</td>
<td>8 OCT 2002</td>
<td>Restructures Clauses 11, 12 and 13 of the State Planning Policy Framework and amends zone maps of 17 Melbourne metropolitan fringe planning schemes to introduce an Urban Growth Boundary and a legend designation for land outside the Urban Growth Boundary; introduces a renewable energy policy in Clause 15 of the SPPF; introduces a new Particular provision and Land use term for Wind energy facility; includes Wind energy facility in the Table of uses in the Public Conservation and Resource Zone; includes a temporary anemometer in the list of buildings and works not requiring a permit; makes the Minister for Planning the responsible authority in planning schemes for considering Wind energy facilities with a capacity greater than 30 megawatts; and introduces Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria, 2002 as an incorporated document in planning schemes; amends Clause 18 of the SPPF to require the design of transport routes to provide for grade separation at railways.</td>
</tr>
<tr>
<td>VC15</td>
<td>31 OCT 2002</td>
<td>Updates reference to tourism guidelines in SPPF; clarifies the nature of “school” in the SPPF and Clause 56.07 and in conditions opposite various uses in the industrial and business zones; introduces a new Particular provision and Land use term for Shipping container storage; includes Shipping container storage in the Table of uses in the Industrial 1, Business 3 and Business 4 Zones; exempts outdoor swimming pools associated with dwellings from permit requirements in the Design and Development Overlay and Neighbourhood Character Overlay; exempts removal of native vegetation from permit requirements in the Heritage Overlay and Public Acquisition Overlay if it presents an immediate risk of injury or damage; amends Clause 52.01 to establish consistency with the Subdivision Act 1988 and to clarify the Class 1 exemption for subdivision of residential buildings; extends the expiry date in Clause 52.04-3 for transitional arrangements for residential development; amends Standard C21 in Clause 56.06-4 to facilitate the use of building envelopes on lots in new subdivisions; amends definitions of Wall height, Materials recycling and Store; and makes minor format changes.</td>
</tr>
<tr>
<td>C25</td>
<td>7 NOV 2002</td>
<td>Introduces an Incorporated Plan Overlay to the Seymour Abattoir, Old Hume Highway, Seymour, and includes the Seymour Abattoir Incorporated Plan as an incorporated document.</td>
</tr>
<tr>
<td>VC17</td>
<td>24 DEC 2002</td>
<td>Provides permit exemption in the Public Acquisition Overlay for proposals that are consistent with the purpose for which the land was or is to be acquired; and provides permit exemptions and introduces an incorporated</td>
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<tr>
<td>C15 (Part 1)</td>
<td>20 FEB 2003</td>
<td>The first general review of the Mitchell Planning Scheme makes various zoning and overlay map changes to correct or amend controls for various properties throughout the Shire, and revises the Hidden Valley Comprehensive Development Plan.</td>
</tr>
<tr>
<td>C29</td>
<td>3 JUL 2003</td>
<td>Introduces a Public Acquisition Overlay to land known as Lot 1 Title Plan 214423Q (also known as part of lot 8, LP 203106T), 160 Smiths Lane, Broadford to enable Goulburn Valley Region Water Authority to acquire the land for construction of a water storage tank and continued use of the land for water storage purposes.</td>
</tr>
<tr>
<td>VC19</td>
<td>24 JUL 2003</td>
<td>Makes changes to the SPPF and various Overlays and Particular provisions relating to Government policies and strategies on native vegetation management, coastal planning and management, highway management and Development Contributions Plans; introduces a particular provision for satellite dishes; makes high rise residential development in residential zones subject to car parking requirements in Clause 52.06; provides permit exemptions for direction signs to emergency facilities at hospitals and buildings and works associated with a Dependent person’s unit; clarifies that permit exemption for subdivision applies to an authority acquiring land rather than generally to an acquiring authority; amends the definition of Shop to clarify that it includes the sale of bread and other products baked on the premises; updates references to Ministers, Government departments and agencies; updates references to legislation and incorporated documents; and makes various formatting and typographical corrections.</td>
</tr>
<tr>
<td>VC21</td>
<td>9 OCT 2003</td>
<td>Corrects Clause 52.05-9 to restore provisions relating to High-wall signs deleted in Amendment VC19.</td>
</tr>
<tr>
<td>C31</td>
<td>26 FEB 2004</td>
<td>Rezones most of the land to the east of the railway line from Junction Road to Dry Creek Road from a Township Zone to a Low Density Residential Zone; rezones Arkells Lane Road Reserve from a Road Zone Category 1 to a Rural Zone; rezones Lot 1 PS307611K Parish of Bylands from a Low Density Residential Zone to a Business 1 Zone; rezones part of the land along Dry Creek Road land zoned Township Zone to a Public Park and Recreation Zone – drainage reserve; and rezones land at part CA 9 Sec E, (part Lots 1 &amp; 2 PS307611K), part CA 10, 11 &amp; 12 Sec E, (CP 105049) &amp; CA 9A Sec E, (Lot 2 LP222493A) from a Rural Zone to a Low Density Residential Zone.</td>
</tr>
<tr>
<td>C15 (Part 2)</td>
<td>18 MAR 2004</td>
<td>Changes the Municipal Strategic Statement and local policies in response to the first review of the MSS; updates structure plans for each of the townships in the municipality; makes a number of rezoning changes including the rezoning of two areas of land in Wallan to Residential 1; applies an Environmental Significance Overlay, Schedule 3 to land in Wallan, applies the Vegetation Protection Overlay, Schedule 1 to land including roadsides; inserts two new schedules to the Development Plan Overlay affecting land around Wallan and applies an Environmental Audit Overlay to land south of Willowmavin-Tantaraboo Road.</td>
</tr>
<tr>
<td>C33</td>
<td>25 MAR 2004</td>
<td>Corrects a mapping anomaly in the planning scheme by rezoning the property known as 5 Railway Court Kilmore (shown on Title as Vol. 10065 Fol. 539), from the Public Use Zone 2 – Education to the Residential 1 Zone.</td>
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<tr>
<td>C28</td>
<td>8 APR 2004</td>
<td>Introduces a Public Acquisition Overlay to land known as lots 8 and 9 LP 6746, Parish of Merriang, County of Bourke (Cameron’s Lane, Beveridge) to enable Goulburn Valley Region Water Authority to acquire the land for reuse by irrigation of reclaimed wastewater from the Wallan Wastewater Management Facility.</td>
</tr>
<tr>
<td>VC24</td>
<td>11 JUN 2004</td>
<td>Introduces the Farming Zone and Rural Activity Zone in the VPP and amends Clause 17.05 in the SPPF, the Low Density Residential Zone and the Rural Living Zone.</td>
</tr>
<tr>
<td>VC25</td>
<td>1 JUL 2004</td>
<td>Removes reference to 4 Star energy rating in Standard B10, Clause 55.03-5 to ensure consistency between the VPP and the 5 Star energy rating in the Building Regulations.</td>
</tr>
<tr>
<td>VC26</td>
<td>26 AUG 2004</td>
<td>Makes changes to the SPPF to implement recommendations of the Live Music Task Force; removes anomalies that allow dwellings to be constructed or extended on common property and existing dwellings to be internally altered and converted to multiple dwellings without permits; updates references to current transport legislation; makes corrections to the Advertising sign provisions; amends the list of incorporated documents to refer to updated documents; restructures the list of incorporated documents in Clause 81 and the Schedule to Clause 81.</td>
</tr>
<tr>
<td>VC27</td>
<td>9 SEP 2004</td>
<td>Establishes all referral and notice requirements in Clause 66 and schedules to Clause 66.</td>
</tr>
<tr>
<td>VC28</td>
<td>6 OCT 2004</td>
<td>Introduces a Particular provision, Clause 52.34, for Bicycle facilities.</td>
</tr>
<tr>
<td>C34</td>
<td>28 OCT 2004</td>
<td>The amendment rezones areas of private land on the northern edge of the Broadford Golf Course in Davidson Street, Broadford (described as Part Lot 3, PS 448279) from Public Use 7 to Residential 1 and land in the northwestern section of the golf course (described as Lot 1, PS 442014) from Residential 1 to Public Use 7 (Other Public Use).</td>
</tr>
<tr>
<td>VC29</td>
<td>4 NOV 2004</td>
<td>Makes a change to Clause 52.17 to clarify that the exemption from the need for a planning permit for the removal, destruction or lopping of native vegetation for farm structures does not include the establishment or operation of a central pivot irrigation system.</td>
</tr>
<tr>
<td>VC31</td>
<td>25 NOV 2004</td>
<td>Introduces a new Residential 3 Zone; introduces a new Particular provision and amends Clause 19 to require an urban context report and design response for residential development of four (4) or more storeys; includes a reference to Design Guidelines for Higher Density Housing in Clause 19; and amends the ResCode provisions at Clauses 54.03-2 and 55.03-2 to give effect to residential height provisions.</td>
</tr>
<tr>
<td>VC32</td>
<td>23 DEC 2004</td>
<td>Makes changes to Clause 15.08 of the SPPF to refer to the land use and development polices expressed in the Great Ocean Road Region – A Land Use and Transport Strategy.</td>
</tr>
<tr>
<td>C37</td>
<td>19 MAY 2005</td>
<td>Deletes Schedules 2 and 3 to the SLO as they apply to public land and removes the Department of Sustainability and Environment as a referral authority in Schedule 2 to the SLO.</td>
</tr>
<tr>
<td>VC33</td>
<td>1 SEP 2005</td>
<td>Removes the requirement for a Clause 54 assessment for Heritage Overlay applications in a residential zone.</td>
</tr>
<tr>
<td>VC34</td>
<td>22 SEP 2005</td>
<td>Introduces a new Clause 12 with consequential changes to other clauses in the SPPF, including Clauses 14, 15, 17, 18 &amp; 19; includes reference to Alpine Resorts 2020 Strategy in Clause 15.13 and Activity Centre Design Guidelines and Safer Design Guidelines in Clause 19.03.3; amends subdivision requirements in Clauses 35.04, 35.05, 35.06; makes changes...</td>
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<td>VC35</td>
<td>15 DEC 2005</td>
<td>Includes a reference to the Planning Guidelines for Land Based Aquaculture in Victoria in Clause 17; makes Education centre a prohibited use in green wedge areas; includes Emergency services facility as a Section 2 use in Clauses 35.06 and 35.07; makes Business identification signs permissible for private land owners in Clause 45.07; removes the need to consider operational guidelines in Clause 52.17; amends the re-subdivision requirements in Clause 57.01-2; introduces an “Emergency services facility” definition.</td>
</tr>
<tr>
<td>VC36</td>
<td>22 DEC 2005</td>
<td>Amends Clause 62 to provide exemption from planning scheme requirements for events on public land.</td>
</tr>
<tr>
<td>VC37</td>
<td>19 JAN 2006</td>
<td>Amends the format of the Victoria Planning Provisions and all planning schemes to facilitate the ZAPP electronic amendment administration system.</td>
</tr>
<tr>
<td>C27</td>
<td>25 JAN 2006</td>
<td>Amends flooding controls in the planning scheme by rezoning land in the Seymour township from Urban Floodway to Residential 1 and Business 4, replacing Floodway Overlay and Land Subject to Inundation Overlay mapping with updated mapping, amending strategic directions for flooding in Clause 21.05-1, replacing the Floodway Overlay and Land Subject to Inundation Overlay Schedules and including a new incorporated document for floodplain management in the Goulburn River precinct.</td>
</tr>
<tr>
<td>VC38</td>
<td>16 MAR 2006</td>
<td>Makes changes to Clauses 15.09, 52.17, 66.02 and 72 to provide for a new approach to native vegetation management.</td>
</tr>
<tr>
<td>VC40</td>
<td>30 AUG 2006</td>
<td>Makes changes to the Clauses 32.01, 32.02, 32.04, 32.05, 32.06, 34.01, 34.02, 34.03, 34.04, 34.05, 43.01, 44.02, 62, and 72 to exempt various minor works from requiring a planning permit.</td>
</tr>
<tr>
<td>VC41</td>
<td>1 SEP 2006</td>
<td>Amends the metropolitan growth areas strategies in Clause 12 of the SPPF by introducing the Growth Area Framework Plans as an incorporated document.</td>
</tr>
<tr>
<td>VC42</td>
<td>9 OCT 2006</td>
<td>Introduces the Sustainable Neighbourhoods Provisions for residential subdivision, including changes to Clauses 19, 55.03 and 56 to 56.09; Introduces new transitional arrangements for subdivision at Clause 56.10; modifies subdivision application requirements in the residential zones; applies Clause 56 provisions as subdivision application requirements to the Comprehensive Development Zone, Priority Development Zone, Incorporated Plan Overlay and Development Plan Overlay; Amend the coastal areas policies in Clause 15.08 to give effect to the land use and development strategies of the Victorian Coastal Strategy 2002; Makes changes to the VPP to provide for geothermal energy extraction in Clauses 35.06, 35.07, 35.08, 42.01, 42.02, 42.03, 44.01, 44.02, 52.08, 52.17, 62, 66, 74 and 75; Amends Clause 52.29 to introduce a decision</td>
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<td>guideline for road network safety and efficiency regarding access to adjoining properties to respond to the Road Management Act 2004; Introduces a new Particular Provision - Clause 52.36 that includes the Director of Public Transport as a referral authority; and Makes other administrative changes, updates and corrections to the VPP.</td>
</tr>
<tr>
<td>VC39</td>
<td>18 OCT 2006</td>
<td>Amends the provisions relating to gaming in clauses 19.02, 52.28 and 72 to implement Government policy and to accord with the Gambling Regulation Act 2003.</td>
</tr>
<tr>
<td>VC43</td>
<td>31 OCT 2006</td>
<td>Introduces provisions for the further protection of green wedges in Clauses 35.04, 35.05 and 35.06; and clarifies the term ‘in conjunction with’ in Clause 64. Amends SPPF Clauses 12 and 16 to introduce statewide affordable housing policies and makes other administrative corrections to the VPP and various planning schemes.</td>
</tr>
<tr>
<td>VC44</td>
<td>14 NOV 2006</td>
<td>Introduces additional exemptions in Clause 52.17 for the removal of native vegetation near buildings used for Accommodation to manage risks to life and property from wildfire.</td>
</tr>
<tr>
<td>C32</td>
<td>14 DEC 2006</td>
<td>Replaces existing and introduces new Wildfire Management Overlay to align building and planning fire risk mapping.</td>
</tr>
<tr>
<td>VC30</td>
<td>14 MAY 2007</td>
<td>Amends Clause 18 to update reference to the Australian Noise Exposure Forecast (ANEF) and relevant reference documents and provides in Clause 66.05 for notice of permit applications to be given to the airport lessee of Melbourne airport.</td>
</tr>
<tr>
<td>C48</td>
<td>2 AUG 2007</td>
<td>Introduces the Rural Conservation and Farming Zones into the Scheme and rezones all land in the Environmental Rural Zone to the Rural Conservation Zone and all land in the Rural Zone to the Farming Zone. The Environmental Rural Zone and Rural Zone are deleted from the Scheme.</td>
</tr>
<tr>
<td>VC45</td>
<td>17 SEP 2007</td>
<td>Amends Clauses 12, 15, 17, 19, 35.04, 35.05, 43.01, 52.09, 52.17, 52.18, 52.32 &amp; 57 to give effect to the operation of the Aboriginal Heritage Act 2006; amends the schedule to Clause 61.01 to refer to Division 1A of Part 4 of the Act; deletes reference to ‘local provisions page header’ in Clause 61.03; updates reference to the Development Contribution Guidelines in Clause 18.12; corrects reference to the Victorian Commission for Gambling Regulation in Clause 52.28; includes the document relating to Rail Infrastructure Projects in Clause 81.01 of the Ballarat, Greater Geelong and Wyndham planning schemes; updates reference to the amended Mineral Resources (Sustainable Development) Act 1990 in Clauses 17, 42.01, 42.02, 42.03, 44.01, 44.02, 52.08, 52.17 and 66.02; updates list of reference documents relating to soil contamination under Clause 15.06; amends the definition for Restricted retail premises in Clause 74; introduces a new purpose in the Rural Activity Zone, which provides for a specific purpose to be included in a schedule to the zone and amends the schedules in the Mansfield &amp; Bass Coast Planning Schemes to include new purpose statements; amends Clause 52.04 (satellite dish) to include reference to the R3Z; amends Clauses 17.07, 52.18 &amp; 81.01 to reflect the updated Timber Code; makes Veterinary centre a Section 2 use in the Farming Zone; includes new provisions for electronic billboard signage to Clause 52.05, including making VicRoads a referral authority under Clause 66.03 and a new definition in Clause 73; extending the expiry date for major promotion signage from 18/09/07 to 18/09/08 under Clause 52.05; and makes other administrative changes, other minor updates and corrections to the VPP and planning schemes.</td>
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<tr>
<td>C35</td>
<td>31 JAN 2008</td>
<td>Rezones the former VicRoads depot land on the western side of Goulburn Valley Highway, south of Lighthouse Drive and north of Telegraph Road, Seymour (described as Lot 1, PS 206896S, Certificate of Title Volume 9749 Folio 913) from Public Conservation and Resource Zone to Industrial 1 Zone.</td>
</tr>
<tr>
<td>VC46</td>
<td>4 FEB 2008</td>
<td>Introduces an exemption in Clauses 42.01, 42.02, 42.03, 44.01, 44.02 and 52.17 for the removal of native vegetation to construct strategic fuelbreaks of up to 40 metres width for wildfire protection.</td>
</tr>
<tr>
<td>C53</td>
<td>13 MAR 2008</td>
<td>Amends the Schedule to the Public Conservation and Resource Zone, amends Schedule 3 to the Environmental Significance Overlay, amends Schedules 1 and 2 to the Vegetation Protection Overlay, amends Schedule 2 to the Significant Landscape Overlay and amends the Schedule to the Erosion Management Overlay, Salinity Management Overlay, Floodway Overlay, Significant Landscape Overlay and Clause 52.17 Native Vegetation to facilitate the construction of the Broadford Water Supply Project.</td>
</tr>
<tr>
<td>VC47</td>
<td>7 APR 2008</td>
<td>Translates provisions from the <em>Melbourne Docklands Area Planning Provisions, September 2006</em> into Clause 37.05; and introduces new purpose statements and decision guidelines to Clause 52.27 to address cumulative impact of licensed premises.</td>
</tr>
<tr>
<td>VC48</td>
<td>10 JUN 2008</td>
<td>Introduces the Urban Growth Zone (UGZ) and accompanying schedule at 37.07 to the VPP and applies the UGZ to five planning schemes (Cardinia, Casey, Hume, Melton &amp; Wyndham); amends reference to Precinct Structure Plans in Clauses 12 and 14 and amends Clause 66.03 to include a referral requirement in the new UGZ.</td>
</tr>
<tr>
<td>VC49</td>
<td>15 SEP 2008</td>
<td>Exempts further ‘minor matters’ from requiring a planning permit to streamline Victoria’s planning system and improve the workability of provisions; refines referral requirements for Director of Public Transport, Country Fire Authority and VicRoads; introduces new referral requirements under the UGZ for the City of Greater Geelong; Clarifies the notice provisions under the MAEO; introduces the Public Transport Guidelines for Land Use and Development as a reference document; changes the advertising sign provisions under Clause 52.05, including new decision guidelines and application requirements; provides a final extension of time to 31 December 2008 for lodgement of applications for existing Major promotion signs allowed under the continuance provision in Clause 52.05-5; changes the UGZ Part A advertising sign controls from Category 4 to Category 3; introduces new exemptions under the Clause 52.17 native vegetation provisions to improve their operation; introduces a new particular provision for native vegetation precinct plans in Clause 52.16; and makes other administrative changes, updates and corrections to the VPP.</td>
</tr>
<tr>
<td>C58</td>
<td>16 OCT 2008</td>
<td>Rezones Lot 18 and part of Lots 75, 76, 77, 78, 79, 80, 81, 82 and 83 Donaldson Drive Broadford from the Public Conservation and Resource Zone (PCRZ) to the Residential 1 Zone (R1Z), and rezones Council Land RES NO. 3 PS 524111U Donaldson Drive Broadford from the Residential 1 Zone (R1Z) to the Public Conservation and Resource Zone (PCRZ).</td>
</tr>
</tbody>
</table>
| C40              | 23 OCT 2008       | Makes corrective and procedural changes to the Mitchell Planning Scheme by:  
  - Correcting zone anomalies in Pyalong, Tallarook, Seymour, Kilmore, Broadford, Wandong – Heathcote Junction and Bylands;  
  - Amending the Heritage Overlay 71 notation in Piper Street, Kilmore; |
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<tr>
<td></td>
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<td>• Deleting the Incorporated Plan Overlay from the State Motorcycle Sports Complex near Broadford;</td>
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<td>• Applying the Environmental Audit Overlay to 56-58 First Street, Broadford;</td>
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<td>• Correcting Development Plan Overlay 1 references to land in northern and southern Wallan to DPO 8 and 9 respectively;</td>
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<td>• Amending Clauses 21.05 and 21.06 to make minor department name corrections;</td>
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<td>• Amending Clause 22.01 to update the list of ‘adopted studies, strategies and other council documents’ (policy documents) that apply to the Mitchell Planning Scheme;</td>
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<td>• Amending Clause 22.03 to make minor department name changes and update reference to the <em>Septic Tank Code of Practice, Publication 891, March 2003</em>;</td>
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<td>• Amending Clause 22.06 to correctly reference the Clause 22.06-3 title;</td>
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<td>• Allowing outbuildings up to 100 square metres without a permit in the Low Density Residential Zone;</td>
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<td>• Allowing extensions to dwellings up to 150 square metres without a permit and permit requirement for a building within specified setbacks in the Rural Living Zone;</td>
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<td>• Providing for no permits for use or development on public land owned by the Department of Sustainability and Environment in accordance with a management plan in the Public Use Zone, Public Park and Recreation Zone and Public Conservation and Resource Zone;</td>
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<td>• Including ‘market’, ‘primary produce sales’, ‘restaurant’ and ‘take away food premises’ as uses that require permits in Schedules 2, 3 and 4 to the Special Use Zone;</td>
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<td>• Amending Schedules 1 (Residential 1 Zone), 2 (Low Density Residential Zone) and 7 (Rural Living Zone) to the Development Plan Overlay to provide a more detailed performance based approach to guide future layout, servicing and development;</td>
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<td>• Amending Schedules 4 (Wallan), 8 (Wallan Part Crown Portion A, 625 Northern Highway, Wallan Development Plan) and 9 (Wallan South West Development Plan) to the Development Plan Overlay to delete existing development plans in the schedules, make minor department name changes and delete incorrect subdivision requirements;</td>
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<td>• Amending the Schedules to the Floodway Overlay and Land Subject to Inundation Overlay to provide additional exemptions from planning permits for minor buildings and works.</td>
</tr>
<tr>
<td>C63</td>
<td>11 DEC 2008</td>
<td>Corrects a mapping anomaly to HO53 - the Former Primitive Methodist Church, (Masonic Hall), at 13 – 15 Bourke Street, Kilmore.</td>
</tr>
<tr>
<td>VC50</td>
<td>15 DEC 2008</td>
<td>Introduces new provisions for residential aged care facilities in Clause 16, the residential zones and in Clauses 74 and 75; makes certain minor buildings and works associated with an Education centre exempt from the requirement for a planning permit in Clause 62.02; makes corrections and clarifications to the native vegetation provisions; specifies advertising sign requirements for situations where the PUZ4 and RDZ abut each other; introduces new dry stone wall provisions in Clause 52.37 together with decision guidelines for post boxes and dry stone walls and inserts the schedule to Clause 52.37 in all planning schemes and specifies a</td>
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<td>Amendment number</td>
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<tr>
<td>VC52</td>
<td>18 DEC 2008</td>
<td>Amends the coastal areas policies in Clause 15.08 of the SPPF to give effect to the land use and development strategies of the Victorian Coastal Strategy 2008.</td>
</tr>
<tr>
<td>C52</td>
<td>15 JAN 2009</td>
<td>Amends Clauses 21.05, 22.01, 22.02, 22.03, 22.06 to include the Mitchell Shire Domestic Wastewater Management Plan Final Report, RMCG, November 2006 and accompanying assessment tools document into the Mitchell Planning Scheme to guide domestic wastewater disposal and management in the municipality.</td>
</tr>
<tr>
<td>VC53</td>
<td>23 FEB 2009</td>
<td>Introduces a new particular provision, Clause 52.38 - 2009 Bushfire Recovery and amends Clause 62.02-1 to include a permit exemption for buildings and works carried out by or on behalf of a municipality with an estimated cost of $1,000,000 or less.</td>
</tr>
<tr>
<td>C43</td>
<td>5 MAR 2009</td>
<td>Removes the Heritage Overlay 85 (HO85) in part from areas with no built form heritage significance at 39 Sutherland Street, Kilmore (Assumption College), known as Lot 4 PS501303 in part and all of Portion 9 Parish of Bylands.</td>
</tr>
<tr>
<td>VC54</td>
<td>12 MAR 2009</td>
<td>Amends Clause 44.06-1 of the Wildfire Management Overlay to make rebuilding a dwelling damaged or destroyed by the 2009 bushfires exempt from the requirement for a permit if it is sited in the same location on the land.</td>
</tr>
<tr>
<td>VC57</td>
<td>14 MAY 2009</td>
<td>Introduces a new particular provision, Clause 52.39 - 2009 Bushfire replacement buildings providing a permit exemption for specified uses and buildings and works that were damaged or destroyed by bushfire in 2009. Amends the schedule to Clause 53 of the Yarra Ranges Planning Scheme to exempt buildings and works to which Clause 52.39 applies.</td>
</tr>
<tr>
<td>VC56</td>
<td>22 MAY 2009</td>
<td>Introduces a new particular provision, Clause 52.40 - Government Funded Education Facilities, providing a permit exemption for specified government funded buildings and works. Amends the Schedule to Clause 61.01 to establish the Minister for Planning as the responsible authority associated with clause 52.40. Introduces a new particular provision, Clause 52.41 - Government Funded Social Housing providing a permit exemption for specified government funded accommodation. Amends the schedule to Clause 61.01 to establish the Minister for Planning as the responsible authority associated with Clause 52.41. Corrects the general provisions, Clause 62.02-2 dot point 6, replaces the first word of the provision, ‘building’ with the word ‘furniture’.</td>
</tr>
<tr>
<td>C70</td>
<td>6 AUG 2009</td>
<td>Rezones land at 14 Pioneer Street, Tallarook from Public Conservation and Resource Zone to Township Zone.</td>
</tr>
<tr>
<td>C47</td>
<td>13 AUG 2009</td>
<td>Amends the Mitchell Planning Scheme to facilitate the future upgrade of Hume Freeway and access restoration roads between Kalkallo and Beveridge.</td>
</tr>
<tr>
<td>C73</td>
<td>27 AUG 2009</td>
<td>Implements Section 48 of the Heritage Act 1995 to ensure that places in the Planning Scheme are consistently identified with places in the Victorian Heritage Register.</td>
</tr>
<tr>
<td>C57</td>
<td>10 SEP 2009</td>
<td>Applies the Public Acquisition Overlay to the land at Part Crown Allotment 3, Section 3, Parish of Tooborac, Lot 1 on TP 875118F (formerly part Crown Allotment 3, Section 3, Parish of Tooborac), Crown Allotment 2, Section 3, Parish of Tooborac and Lot 2 on TP 865152M (formerly Crown Allotment 12A, Section 3, Parish of Tooborac) known as 50 Middle Springs Road, Tooborac to enable Coliban Water to acquire the site of...</td>
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<td>Amendment number</td>
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<tr>
<td>VC61</td>
<td>10 SEP 2009</td>
<td>Introduces a new particular provision, <em>Clause 52.43 - Interim measures for bushfire protection</em>, providing an exemption from planning scheme and planning permit requirements for the removal, destruction of lopping of vegetation for bushfire protection. Amends the schedule to Clause 53 of the Yarra Ranges Planning Scheme to exempt the removal, destruction or lopping of vegetation to which Clause 52.43 applies.</td>
</tr>
<tr>
<td>C68</td>
<td>17 SEP 2009</td>
<td>Nominates the Minister for Planning as the Responsible Authority for issuing Planning Certificates in the Schedule to Clause 61.01.</td>
</tr>
<tr>
<td>VC60</td>
<td>21 SEP 2009</td>
<td>Amends Clause 15.14 to provide an overarching renewable energy statement, Clause 74 and 75 to include a new land use term and group for renewable energy facility, Clause 35.06 (RCZ), 35.07 (FZ) and 36.03 (PCRZ) to include a renewable energy facility as a permit required use. Introduces a new particular provision Clause 52.42 – Renewable energy facility. Amends Clause 15 and 81 to update the Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria to the 2009 guidelines. Amends Clause 52.32 Wind Energy Facility and the reference to wind energy facilities in the schedule to Clause 61.01 to be consistent with the new guidelines. Amends the definition of anemometers in Clause 72 and Wind Energy Facility in Clause 74. Amends Clause 62.02 to make the installation of solar energy systems exempt from a permit. Amends Clause 12.05 to include a new maritime precinct policy, including two new reference documents. Amends Clause 15, 44.03 (FO) and 44.04 (LSIO) to include reference, purposes and decision guidelines regarding river health strategies and regional wetland plans. Amends Clause 16, 17 and 81.01 to include reference to the new Victorian Code for Broiler Farms 2009, amends Clause 52.31, 66.05 and 74 to reference the new code and introduce new notice requirements and update the definition for broiler farms. Amends Clause 52.17 (Native vegetation) regarding existing buildings and works in the Farming Zone and Rural Activity Zone to clarify that the extent of permit exemptions. Amends Clause 64 to allow a permit application to be made for the subdivision of land in more than one zone. Amends the permit exemptions in Clause 62.02-2 to include cat cages and other domestic animal enclosures. Amendment VC60 introduces a number of administrative changes amending: 52.13, 56.06, 66.03, 66.02-9, 37.07, 43.04, 52.19, 34.01 to correct wording discrepancies, clarify the provisions or remove unnecessary requirements.</td>
</tr>
<tr>
<td>VC58</td>
<td>1 OCT 2009</td>
<td>Amends Clause 56.05-2 Residential subdivision, Public open space to include reference to the Precinct Structure Plan Guidelines and amends the objectives and standards of Clause 56.05-2. The amendment includes new and amended public open space objectives, distribution and standards, for active open space, local parks, open space links and linear parks.</td>
</tr>
<tr>
<td>C39</td>
<td>22 OCT 2009</td>
<td>Undertakes technical changes and procedural improvements to overlays by amending and deleting maps for the Environmental Significance Overlay and Erosion Management Overlay, amending Vegetation Protection Overlay maps, changing the status of the municipal land capability study from an incorporated document to a reference document, amending Schedules 1, 2 and 3 to the Environmental Significance Overlay, deleting Schedule 4 to the Environmental Significance Overlay, amending Schedules 1 and 2 to the Vegetation Protection Overlay, amending Schedules 1 and 2 to the Significant Landscape Overlay and amending the Schedule to the Erosion Management Overlay.</td>
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<td>Amendment number</td>
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<td>VC64</td>
<td>23 DEC 2009</td>
<td>Amends Clause 52.27 – Licensed Premises to remove the requirement for a permit where the change in a liquor licence is solely as a result of the changes to the licence categories to be introduced on 1 January 2010.</td>
</tr>
<tr>
<td>VC65</td>
<td>22 JAN 2010</td>
<td>Amends Clause 52.43 – Interim Measures for Bushfire Protection to clarify that the permit exemptions for vegetation removal apply to existing and not proposed buildings. The amended provision further clarifies that an existing building specifically refers to an existing building constructed before the operation of Clause 52.43 (10 September 2009) or is an existing building constructed after that date, but approved by a planning permit or building permit before the operation of Clause 52.43.</td>
</tr>
<tr>
<td>VC70</td>
<td>14 MAY 2010</td>
<td>Amends Clause 52.38 to: reinstate planning scheme exemptions for bushfire recovery until 31 March 2011; extend the time by which uses must be bought into compliance with the planning scheme until 31 March 2012; and to clarify its purpose and operation.</td>
</tr>
<tr>
<td>C66</td>
<td>27 MAY 2010</td>
<td>The amendment introduces Clause 43.02 Design &amp; Development Overlay and schedule 3 to Clause 43.02 to facilitate the co-existing use of accommodation and horse stables on land within the north east township area of Kilmore</td>
</tr>
<tr>
<td>VC62</td>
<td>18 JUN 2010</td>
<td>Clarifies the status of the Secretary to the Department of Sustainability and Environment in various overlays and Clauses 52.16, 52.17, 52.18 and 66.02; removes a permit requirement relating to greenhouse gas sequestration in most zones, various overlays and Clauses 52.08, 52.16, 52.17 and 62.02-2; amends Clause 66.02-2 to include the Secretary administering the Greenhouse Gas Geological Sequestration Act 2008 as a referral authority; amends Clause 12 and 18 to incorporate the Victorian Cycling Strategy 2009; makes an Emergency Services Facility a Section 2 use in Clause 36.03; amends Clause 44.01 and the schedules to Clause 44.01 in the Mornington Peninsula Planning Scheme to change certain standard exemptions for buildings and works; makes minor changes to Clause 56.06, 64.03 and 74.</td>
</tr>
<tr>
<td>C50</td>
<td>24 JUN 2010</td>
<td>Introduces the Mitchell Shire Gaming Policy Framework, October 2007 as a ‘reference document’ at Clause 22.01 and introduces a local Gaming Policy at Clause 22.07, amends Clause 21.05-2 Economic Development to include reference to the Gaming Policy, amends Clause 21.06 to require monitoring and review of gaming machine numbers and specifies shopping areas within the schedules at Clauses 52.28-3 and 52.28-4 where gaming machines are prohibited.</td>
</tr>
<tr>
<td>C65</td>
<td>22 JUL 2010</td>
<td>The amendment removes redundant flooding overlays from the East Wallan industrial precinct and applies the Flood Overlay to the land in part</td>
</tr>
<tr>
<td>VC66</td>
<td>27 JUL 2010</td>
<td>Makes changes to Clauses 12 and 14 of the SPPF to give effect to the land use and development strategies of Ready for Tomorrow: A Blueprint for Regional and Rural Victoria.</td>
</tr>
<tr>
<td>VC69</td>
<td>2 AUG 2010</td>
<td>Makes changes relating to waste management to Clauses 12.07 and 18.10 of the SPPF. Introduces a particular provision for resource recovery (Clause 52.45), revises Clause 52.10 and changes land use terms for ‘Materials recycling’ and ‘Refuse transfer station’ throughout the VPP. Prohibits a Transfer station and Materials recycling in the Mixed Use Zone. Introduces a permit requirement for a Transfer Station in the Township Zone, the Industrial 1 Zone, the Business 3 and 4 Zones and the Farming Zone.</td>
</tr>
<tr>
<td>VC68</td>
<td>6 AUG 2010</td>
<td>Amends the Casey, Hume, Melton, Mitchell, Whittlesea and Wyndham</td>
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<td>Amendment number</td>
<td>In operation from</td>
<td>Brief description</td>
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<td>planning schemes to expand Melbourne’s Urban Growth Boundary (UGB). Changes the definition of Metropolitan Melbourne (Clause 72) to include part of the Mitchell planning scheme. Introduces a particular provision ‘Statement of Underlying Provisions’ (Clause 52.44) and an associated incorporated document in relevant planning schemes. Applies the Public Acquisition Overlay to identify and reserve land for the Regional Rail Link (RRL), Outer Metropolitan Ring/E6 Transport Corridor and Western Grasslands Reserves in relevant planning schemes (schedule to Clause 45.01). Makes the Minister for Planning the Responsible Authority for the RRL (schedule to Clause 61.01) and enables land to be used and developed in accordance with a new incorporated document for the RRL (schedule to Clauses 52.03 and 81.01). Introduces five new schedules to the Environmental Significance Overlay (Clause 42.01) in relevant planning schemes. Introduces a new incorporated document - The Truganina Cemetery Environmental Management Plan in the Wyndham Planning scheme. Removes the Restructure Overlay from land rezoned to Urban Growth Zone in the Mitchell Planning Scheme.</td>
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<tr>
<td>VC73 31 AUG 2010</td>
<td>Extends the expiry date of the particular provision, Clause 52.43 - Interim measures for bushfire protection, until 1 March 2012.</td>
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<tr>
<td>VC63 13 SEP 2010</td>
<td>Amends Clause 52.15 to exempt heliports and helipads in association with agricultural use and emergency operations from the permit requirement of the Clause. Changes references to the Extractive Industries Development Act 1995 to refer to the Mineral Resources (Sustainable Development) Act 1990. Clarifies references to the Secretary to the Department of Sustainability and Environment in Clauses 42.01, 42.02, 52.16 and 52.17. Amends Clause 62 to exempt extractive industry from the need for a planning permit where an exemption exists under the Mineral Resources (Sustainable Development) Act 1990. Removes the permit requirement for Greenhouse gas sequestration and Greenhouse gas sequestration exploration in the Urban Growth Zone. Makes changes to the nesting of the terms Geothermal energy extraction, Greenhouse gas sequestration and Greenhouse gas sequestration exploration in Clause 74 and Clause 75 and makes associated updates to the table of uses in the Urban Growth Zone, Rural Activity Zone, Farming Zone and Rural Conservation Zone. Updates the local provisions of 36 planning schemes to establish consistent use of the term Transfer station, in line with Clause 74.</td>
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<tr>
<td>VC71 20 SEP 2010</td>
<td>Replaces Clauses 10 to 19 of the SPPF with new revised Clauses 10 to 19 and redistributes the existing policies under the following new SPPF themes: Settlement, Environmental and landscape values, Environmental risk, Natural resource management, Built environment and heritage, Housing, Economic development, Transport and Infrastructure. The revised SPPF updates references to various Government documents. Introduces new policies into the SPPF to give effect to The Victorian Integrated Housing Strategy (Clause 16) and Melbourne 2030: A planning update Melbourne @ 5 Million (Clauses 11, 12, 16, and 19). Amends Clause 52.02 Easement, restrictions and reserves to introduce a new objective and decision guideline as a consequential change to the SPPF review. Introduces a new Clause 52.46 Brothels as a consequential change to the SPPF review with a new requirement to place a condition on permit for a brothel. Updates the incorporated document Activity Centres and Principal Public Transport Network 2010 in Clause 81.01.</td>
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<tr>
<td>VC74 25 OCT 2010</td>
<td>Amends Clause 52.27 to include a permit exemption for variation of liquor licence prescribed under the Liquor Control Reform Regulations 2009. Amends Clause 66 to make the Director of Liquor Licensing a referral</td>
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<td>Amendment number</td>
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<td>VC76</td>
<td>118 NOV 2010</td>
<td>Amends Clause 52.43 to introduce a new planning permit exemption for buildings and works associated with a private bushfire shelter.</td>
</tr>
<tr>
<td>C74</td>
<td>25 NOV 2010</td>
<td>The amendment introduces schedule 5 to Clause 43.02 to facilitate the co-existing use of accommodation and horse stables on land within the south east township area of Seymour.</td>
</tr>
<tr>
<td>VC75</td>
<td>16 DEC 2010</td>
<td>Amends references in Clause 16 of the SPPF that relate to the location of residential development and strategic redevelopment sites.</td>
</tr>
<tr>
<td>VC78</td>
<td>15 MAR 2011</td>
<td>Removes the Minister’s decision-making powers regarding a Wind energy facility with a capacity of 30 megawatts or greater in Clause 61.01; amends Clause 19.01 and the application requirements and decision guidelines of Clause 52.32 to support consideration of local amenity impacts of a Wind energy facility. Updates the <em>Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria</em> and substitutes the 1998 New Zealand Standard for Wind Farm Noise - NZS6808 with the 2010 edition; introduces transitional arrangements for pre-existing Wind energy facility permits.</td>
</tr>
<tr>
<td>VC79</td>
<td>8 APR 2011</td>
<td>Amends Clause 52.27 to require a planning permit to use land to sell packaged liquor; clarify the circumstances when a planning permit is required under the Clause; and improve the readability of the Clause.</td>
</tr>
<tr>
<td>C71</td>
<td>21 JUL 2011</td>
<td>Remove the Vegetation Protection Overlay (VPO2) and Salinity Management Overlay from stage 1 of the Wallara Waters residential estate, Wallan East.</td>
</tr>
<tr>
<td>VC82</td>
<td>29 AUG 2011</td>
<td>Amends Clause 52.32 to identify locations where a Wind energy facility is prohibited, include additional application requirements and permit the use and development of an anemometer for more than three years. Amends Clause 37.07 to prohibit a Wind energy facility. Amends Clause 19.01 and Clause 52.32 to reference the updated <em>Policy and planning guidelines for development of Wind energy facilities in Victoria (August 2011)</em>, and removes the current guidelines from the list of incorporated documents in Clause 81.01. Amends Clause 36.03 to clarify the condition that relates to land described in the <em>National Parks Act 1975</em>.</td>
</tr>
<tr>
<td>VC77</td>
<td>23 SEP 2011</td>
<td>Amends Clause 52.17 to exempt DSE and Parks Victoria from permit requirements on public roads. Amends Clause 37.07 to exempt applications from notice and review which are in accordance with a precinct structure plan. Amends Clause 74 and 75 to include flow measurement devices in the definition of Minor Utility Installation and Utility Installation and updates and includes new terminology and definitions for Earth and energy resources, Greenhouse gas sequestration and Geothermal energy extraction. The uses Earth and energy resources, Greenhouse gas sequestration and Geothermal energy extraction, Circus, Carnival, Apiculture, Telecommunications facility, Natural Systems and Road are deleted in Section 1 of all zones and included in Clause 62. Makes administrative changes or corrections to clauses 11.04, 17.03, 18.02, 18.03, 19.03, 45.08, 52.04, 52.19, 52.28, 81.01. Amends existing Extractive Industry schedules to Clause 37.01 in 21 Planning Schemes. Amends the Banyule Planning Scheme to remove Aboriginal Affairs Victoria as a referral authority in Schedule 1 to Clause 42.01.</td>
</tr>
<tr>
<td>VC83</td>
<td>18 NOV 2011</td>
<td>Introduces a new bushfire planning policy in the SPPF to replace Clause 13.05; Introduces a new Bushfire Management Overlay (BMO) to replace...</td>
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<td>Amendment number</td>
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<td>the Wildfire Management Overlay at Clause 44.06; Introduces a new particular provision for Bushfire Protection at Clause 52.47 that applies objectives, standards and decision guidelines under the provisions of the BMO; Introduces a new particular provision at Clause 52.48 that consolidates and updates planning permit exemptions for bushfire protection purposes (the Interim Measures at Clause 52.43 have been amended to only apply to Yarra Ranges Planning Scheme); Amends Clauses 42.01, 42.02, 42.03, 44.01, 44.02, 52.16 and 52.17 to address vegetation removal when creating defendable space and reducing the risk from bushfire; Introduces a range of consequential changes that include defining defendable space, changing WMO references to BMO and updating wildfire references to bushfire.</td>
</tr>
<tr>
<td>VC86</td>
<td>18 NOV 2011</td>
<td>Amends particular provisions, Clause 52.38 (2009 Bushfire recovery) and Clause 52.39 (2009 Bushfire – Replacement buildings) to extend the timeframes to 30 April 2013.</td>
</tr>
<tr>
<td>VC88</td>
<td>20 JAN 2012</td>
<td>Amends the definition for Restricted retail premises in Clause 74 to expand the types of goods that can be sold; Deletes the land use term for a Lighting shop from Clauses 74 and 75; Amends Clauses 33.01, 33.03, 34.03 and 34.04 to remove floor space restrictions related to Restricted retail premises.</td>
</tr>
<tr>
<td>C64</td>
<td>25 JAN 2012</td>
<td>The amendment applies the Road Zone Category 1 to part of Goulburn Valley Freeway, Mangalore and part of Goulburn Valley Highway (Emily Street), Seymour declared respectively as freeway and arterial road; rezones land where the Road Zone Category 1 incorrectly applies, to its underlying zone and adds a Floodway Overlay over part of Goulburn Valley Highway (Emily Street), Seymour.</td>
</tr>
<tr>
<td>C84</td>
<td>23 FEB 2012</td>
<td>Amends the schedules to Clause 52.03 and Clause 81.01 to insert a new document titled ‘Mitchell Community Health GP Super Clinic, November 2011’, which will facilitate the development of 7 to 11 High Street Wallan as a Medical Centre.</td>
</tr>
<tr>
<td>C83</td>
<td>29 MAR 2012</td>
<td>Amends the schedules to Clause 52.17 and Clause 81.01 to insert the Goulburn-Murray Water Native Vegetation Code of Practice, February 2011 as a Utility installation code of practice. A planning permit is not required to remove destroy or lop native vegetation that accords with the Goulburn-Murray Water Native Vegetation Code of Practice, February 2011.</td>
</tr>
<tr>
<td>C54</td>
<td>17 MAY 2012</td>
<td>The amendment is a corrective amendment addressing mapping and ordinance anomalies within the Mitchell Planning Scheme.</td>
</tr>
<tr>
<td>C45</td>
<td>31 MAY 2012</td>
<td>Introduces three new schedules to the Design and Development Overlay to control the development of land adjacent to the Emergency Medical Services (EMS) helipad at the Kilmore and Seymour District Hospitals to protect the EMS helicopter flight paths.</td>
</tr>
<tr>
<td>VC90</td>
<td>5 JUN 2012</td>
<td>Changes the VPP to introduce a new Clause 45.09 – Parking Overlay. Changes the VPP and all planning schemes to amend Clause 52.06 – Car Parking and amends Clauses 54.03 and 55.03 to remove references to car parking rates and design. Amends Clause 37.05 of the VPP and the Melbourne planning scheme to align references to sub-clause numbers between the new Clause 52.06 and Clause 37.05.</td>
</tr>
<tr>
<td>C81</td>
<td>28 JUN 2012</td>
<td>The Amendment incorporates the Lockerbie Precinct Structure Plan, the Lockerbie Development Contributions Plan and the Lockerbie Native Vegetation Precinct Plan and the Small Lot Housing Code standards for construction of a single Class 1 building and associated Class 10a</td>
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<tr>
<td>Amendment number</td>
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<td>buildings on an allotment into the Mitchell Planning Scheme. It also introduces and applies Schedule 1 to the Urban Growth Zone and applies the Rural Conservation Zone and Incorporated Plan Overlay to selected parts of the PSP area. The Amendment amends the Schedule to the Business 1 Zone and applies the Development Contributions Plan Overlay. Amends the Environmental Significance Overlay and Land Subject to Inundation Overlay maps and makes consequential changes to the Schedules of Clauses 52.01, 52.16, 61.03, 66.04 and 81.01.</td>
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<tr>
<td>C82 28 JUN 2012</td>
<td>Incorporates the Lockerbie North Precinct Structure Plan, March 2012, the Lockerbie North Native Vegetation Precinct Plan, March 2012 and the Lockerbie North Development Contributions Plan, March 2012 into the Mitchell Planning Scheme. Introduces Schedule 2 to the UGZ and Schedule 2 to the DCPO in relation to the Lockerbie North Precinct Structure Plan area. Updates the Schedules to Clause 34.01, Clause 52.01, Clause 52.16, Clause 61.03, Clause 66.04 and Clause 81.01.</td>
<td></td>
</tr>
<tr>
<td>VC92 29 JUN 2012</td>
<td>Amends Clause 11.04-4 Central Melbourne of the VPP and all planning schemes to introduce a new objective and strategy for major development opportunities that support Central Melbourne’s capital city functions.</td>
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</tr>
<tr>
<td>VC94 4 JUL 2012</td>
<td>The amendment introduces new strategies in Clause 13.01 Climate change impacts related to sea level rise. Changes Clause 18.03 Ports to strengthen the objective and strategies related to planning for ports and their environs. Changes Clause 52.06 Car parking to clarify instances where the car parking provisions do not apply.</td>
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<tr>
<td>VC91 31 JUL 2012</td>
<td>Amends Clause 52.32 Wind energy facility to clarify the application requirement, to obtain written consent from dwelling owners located within two kilometres of a turbine, does not apply to a proposed turbine in a residential, an industrial, a business or a special purpose zone.</td>
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<tr>
<td>VC87 8 AUG 2012</td>
<td>Aligns the provisions of Clauses 52.08 and 52.09 with the Mineral Resources Amendment (Sustainable Development) Act 2010. Differentiates between a dry cleaner and a dry cleaning agent and defines a laundromat. Clarifies that a land use listed in Clause 62.01 is permissible in the Rural Conservation Zone, the Farming Zone, the Urban Floodway Zone and the Urban Growth Zone, if the relevant condition is not met. Makes minor administrative and clerical changes to terminology introduced in Amendment VC77.</td>
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</tr>
<tr>
<td>C100 13 SEP 2012</td>
<td>Expands Melbourne’s Urban Growth Boundary to include the township and surrounds of Wallan.</td>
<td></td>
</tr>
<tr>
<td>VC96 15 OCT 2012</td>
<td>Changes the VPP and all planning schemes to amend Clause 11 Settlement of the SPPF to protect and enhance the significant river corridors of Metropolitan Melbourne. Changes the Boroondara Planning Scheme to strengthen the planning provisions along the Yarra River corridor.</td>
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<tr>
<td>C89 1 NOV 2012</td>
<td>The Amendment updates the Schedules to Clause 52.03 and 81.01 to replace the existing Incorporated Document ‘Mitchell Community Health GP Super Clinic, November 2011’ with ‘Nexus Primary Health GP Super Clinic, October 2012’ which will provide provisions for the Wallan Super Clinic at 7-11 High Street, Wallan including a medical centre and separate pharmacy as well as increase the number of practitioners from six to eight and allow operating hours from 9am to noon on Saturdays.</td>
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<tr>
<td>VC93 18 DEC 2012</td>
<td>Amends Clause 52.31 to allow on outdoor range area to establish on existing lawfully established broiler farms; and amends Clauses 52.15, 62, 74 and 75 to no longer require a permit for a helicopter landing site that</td>
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<td>Amendment number</td>
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<tr>
<td>VC81</td>
<td>18 FEB 2013</td>
<td>Amends Clause 33.03 to prohibit a materials recycling or transfer station within 30 metres of a residential zone, Business 5 Zone or land used or to be acquired for a hospital or education centre. Amends the schedule to Clause 45.01 in the Wyndham, Melton, Greater Geelong and Moorabool planning schemes to replace Department of Sustainability and Environment (DSE) as the current acquiring authority with ‘the Minister responsible for administering Part 2 of the Crown Land (Reserves) Act 1978’. Amends Clause 52.05 to remove the permit requirement for changing the content of an animated or internally-illuminated sign. Amends Clause 52.17 to remove the permit requirement for removing native vegetation by or on behalf of DSE and where it is on Crown land managed by DSE. Amends Clause 52.27 to clarify that a planning permit is not required for a packaged liquor outlet that had a liquor licence before 8 April 2011. Amends clauses 52.27 and 66 to update the title of the ‘Director of Liquor Licensing’ with the ‘Victorian Commission for Gambling and Liquor Regulation’. Amends Clause 52.48 so that a building constructed to replace a dwelling or dependent persons unit damaged or destroyed by a bushfire that occurred between 1 January 2009 and 31 March 2009 can access these exemptions. Amends Clause 66 to replace the current referral and permit condition requirements for telecommunications facilities with mandatory standard permit conditions on subdivision permits. Amends Clauses 62 and 81.01 to replace references to the outdated <em>Apiary Code of Practice, May 1997</em> with <em>Apiary Code of Practice, May 2011</em>.</td>
</tr>
<tr>
<td>VC89</td>
<td>5 MAR 2013</td>
<td>Removes Clause 52.43 (Interim measures for bushfire protection) from the <em>Victoria Planning Provisions</em> (VPP) and all planning schemes. Amends the schedule to Clause 53.01 (Upper Yarra Valley and Dandenong Ranges Region) in the Yarra Ranges Planning Scheme to exempt buildings and works of this schedule for any building and works to which Clause 52.48 (Bushfire protection: exemptions) applies. Amends the schedule to Clause 53.01 (Upper Yarra Valley and Dandenong Ranges Region) in the Yarra Ranges Planning Scheme to introduce an exemption to enable the removal, destruction or lopping of any vegetation to reduce fuel loads on roadsides without a planning permit and undertaken in accordance with the written agreement of the Secretary to the Department of Sustainability and Environment.</td>
</tr>
<tr>
<td>VC97</td>
<td>5 MAR 2013</td>
<td>Amends Clause 52.38 (2009 Bushfire recovery) to extend the timeframe for continued use of a building for temporary accommodation without a planning permit to 30 April 2014. Amends Clause 52.39 (2009 Bushfire - Replacement buildings) to extend the timeframe for submitting a site plan to the responsible authority for rebuilding a dwelling, dependent person’s unit or building used for agriculture to 30 April 2014.</td>
</tr>
<tr>
<td>VC85</td>
<td>14 MAR 2013</td>
<td>Amends all local schedules to Clause 43.01 (Heritage Overlay) to reference the correct clause in the sixth column header from 43.01-4 to 43.01-3. Amends Clause 52.36 (Integrated Public Transport Planning) and Clause 66 (Referral and Notice Provisions) to change references of the ‘Director of Public Transport’/’Public Transport Division’ to ‘Public Transport Victoria’. Amends Clause 62 (Uses, buildings, works, subdivisions and demolition not requiring a permit) in accordance with Amendment VC93. Amends Clause 66 (Referral and Notice Provisions) to read ‘The subdivision of land into lots each containing an existing dwelling or car parking space.’ Amends the Schedule to Clause 45.01 (Public Acquisition Overlay) in the Melton Planning Scheme in accordance with Amendment C125.</td>
</tr>
<tr>
<td>Amendment number</td>
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<tr>
<td>C86</td>
<td>21 MAR 2013</td>
<td>Removes land from the Mitchell Planning Scheme that is no longer within Mitchell Shire following a municipal boundary realignment.</td>
</tr>
<tr>
<td>VC95</td>
<td>19 APR 2013</td>
<td>The amendment changes the Victoria Planning Provisions (VPP) and all planning schemes by amending Clauses 18, 52.06 and 55.03. The amendment changes all planning schemes by deleting the schedule to Clause 52.06. The amendment changes the VPP and the Melbourne Planning Scheme by deleting the parking precinct plan from the schedule to Clause 81.01; replacing Clause 45.09 Parking Overlay with a new Clause 45.09 and inserting schedules to the overlay. The amendment changes the Banyule, Campaspe, Casey, Glen Eira, Greater Dandenong, Greater Shepparton, Manningham, Moira, Monash, Surf Coast, Wangaratta and Wodonga planning schemes by deleting parking precinct plans as incorporated documents from the schedule to Clause 81.01; inserting Clause 45.09 Parking Overlay; inserting schedules to the Parking Overlay. The amendment changes the Baw Baw and Boroondara Planning Schemes by inserting Clause 45.09 Parking Overlay and schedules to the overlay. The amendment changes the Boroondara Planning Scheme by deleting Clause 22.03. The amendment changes the Glen Eira Planning Scheme by replacing schedule 2 to Clause 37.06 with a new schedule 2. The amendment changes the Surf Coast Planning Scheme by replacing schedule 2 to Clause 43.05 with a new schedule 2.</td>
</tr>
<tr>
<td>C88</td>
<td>2 MAY 2013</td>
<td>The amendment makes minor alterations to Schedule 2 (&quot;the Schedule&quot;) to Clause 37.02 Comprehensive Development Zone and to the Incorporated Document “Beveridge (Mandalay) Comprehensive Development Plan.</td>
</tr>
<tr>
<td>C79</td>
<td>9 MAY 2013</td>
<td>The amendment implements a number of the recommended actions included in the Kilmore Strategy Plan June 2008 by rezoning and applying overlays to various parcels of land in Kilmore to guide the future development of the township and environs.</td>
</tr>
<tr>
<td>VC100</td>
<td>15 JUL 2013</td>
<td>The amendment changes the Victoria Planning Provisions (VPP) and all planning schemes to introduce reformed zones. Amends Clause 32.03 Low Density Residential Zone and schedules to 10 planning schemes to specify a minimum lot size for land connected to reticulated sewerage. Amends Clause 32.04 Mixed Use Zone and schedule to 53 planning schemes and Clause 32.05 Township Zone and schedule to 52 planning schemes to align them with the three residential zones introduced by Amendment V8. Amends Clause 33.01 Industrial 1 Zone and schedule to 73 planning schemes, Clause 33.02 Industrial 2 Zone and introduces a new schedule to 16 planning schemes and Clause 33.03 Industrial 3 Zone and schedule to 53 planning schemes to remove the default 500 square metre floor area cap for an Office use and to allow a local cap to be specified. Amends Clause 33.03 Industrial 3 Zone to allow a supermarket up to 1800sqm and associated shops without a permit, if conditions are met. Introduces a new Clause 34.01 Commercial 1 Zone and Clause 34.02</td>
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<td>Amendment number</td>
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<tr>
<td>C101</td>
<td>1 AUG 2013</td>
<td>Translates existing floor area restrictions into the relevant schedules to the Urban Growth Zone and makes other changes to implement the reformed zones in the metropolitan growth areas.</td>
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<tr>
<td>VC104</td>
<td>22 AUG 2013</td>
<td>The amendment changes the Victoria Planning Provisions and planning schemes by amending Clause 32.07 - Residential Growth Zone, Clause 32.08 - General Residential Zone and Clause 32.09 - Neighbourhood Residential Zone to include transitional provisions to exempt an existing application to construct or extend a residential development of four storeys from the requirements of clause 55 gazetted in Amendment VC100. Amending Clause 32.09 – Neighbourhood Residential Zone to include transitional provisions ensuring that approved development is not prohibited from being subdivided (Clause 32.09-2) and that existing applications lodged, but not yet decided, are not subject to the maximum number of dwellings (Clause 32.09-3) and maximum building height provisions (Clause 32.09-8). Amending Clause 32.01 - Residential 1 Zone and Clause 32.02 - Residential 2 Zone to update the reference for development exempted from Clause 55 from four to five storeys to be consistent with other residential zones. Amending Clause 34.01 - Commercial 1 Zone to ensure that neighbourhood and site description and design response plans are provided for residential development subject to Clause 55 and to delete an unnecessary reference to precinct structure plans.</td>
</tr>
<tr>
<td>C93</td>
<td>29 AUG 2013</td>
<td>The amendment deletes the Salinity Management Overlay from Springridge Estate, Northern Highway, Wallan and Newbridge Estate, Station Street, Wallan.</td>
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<tr>
<td>VC103</td>
<td>5 SEP 2013</td>
<td>The amendment changes the Victoria Planning Provisions (VPP) and planning schemes to introduce reformed rural zones. It amends Clause 35.03 – Rural Living Zone, Clause 35.04 – Green Wedge Zone, Clause 35.05 – Green Wedge A Zone, Clause 35.06 – Rural Conservation Zone and schedules to 49 planning schemes, Clause 35.07 – Farming Zone and Clause 35.08 – Rural Activity Zone. Makes consequential changes to Clause 11 and Clause 16 of the State Planning Policy Framework to support the reformed rural zones. Amends Clause 57 of the Particular Provisions to align with the provisions of the reformed rural zones and to give affect to changes applying to green wedge land. Amends Clause 62 of the General Provisions to exempt crop support and</td>
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| **VC102**        | 28 OCT 2013      | The amendment changes the *Victoria Planning Provisions* (VPP) and all planning schemes by:  
- amending Clause 52.01 – Public open space contribution and subdivision  
- amending Clause 52.29 – Land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road  
- amending Clause 66 – Referral and notice provisions.  
The amendment changes the VPP and some planning schemes by amending Clause 45.01 – Public Acquisition Overlay.  
The amendment changes all planning schemes by amending the schedule to Clause 66.04 – Referral of permit applications under local provisions.  
The amendment changes the schedule to Clause 45.01 – Public Acquisition Overlay in 69 planning schemes. |
| **C87**          | 5 DEC 2013       | The amendment implements the findings of the Mitchell Planning Scheme Review (2012). The amendment re-writes the MSS and LPPF by replacing existing clauses, inserting new clauses and repositioning local policy into the MSS. |
| **VC99**         | 10 DEC 2013      | The amendment changes the Victoria Planning Provisions and all planning schemes by modifying Standards A10, A11 and A13 in Clauses 54.04-1, 54.04-2 and 54.04-4 and Standards B17, B18 and B20 in Clauses 55.04-1, 55.04-2 and 55.04-4 to:  
- Increase the distance between a wall and a side or rear boundary threshold from 150mm to 200mm for the wall to be considered a wall on boundary.  
- Increase the average maximum height of a wall on boundary from 3.0 metres to 3.2 metres.  
- Update Diagrams A1 and B1 – Side and rear setbacks and Diagrams A3 and B3 – North-facing windows to include dimensions up to 13.5 metres. |
| **C94**          | 19 DEC 2013      | The amendment amends Schedule 9 to the Development Plan Overlay (Wallan South West Development Plan) to replace the requirement for minimum lot sizes of 4,000 square metres with performance based requirements. |
| **VC105**        | 20 DEC 2013      | The amendment implements reforms to Victoria’s native vegetation and biodiversity provisions by:  
- Amending Clause 12.01 (Biodiversity) to reflect the new ‘no net loss’ approach rather than the previous ‘net gain’ approach.  
- Amending Clause 52.16 (Native vegetation precinct plan) to reflect the intent of the native vegetation and biodiversity reform package; and  
- Amending Clause 52.17 (Native vegetation) to rationalise information requirements, implement the new risk-based assessment pathways, include a simplified approach for applications under a low-risk based pathway and streamline the determination of offset requirements.  
- Amending Clause 66.02-2 (Native Vegetation - Referral and Notice Provisions) to require the class of application in the high risk pathway as defined in the document ‘Permitted clearing of native vegetation –
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<td>Biodiversity assessment guidelines’ (Department of Environment and Primary Industries, September 2013) be referred to the Secretary to the Department of Environment and Primary Industries as a recommending referral authority; and</td>
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<td>• Amending Clause 81.01 (Table of incorporated documents in this scheme) to replace ‘Victoria’s Native Vegetation – Framework for Action’ with a new incorporated document ‘Permitted clearing of native vegetation – Biodiversity assessment guidelines’ (Department of Environment and Primary Industries, September 2013).</td>
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<td>The amendment also updates outdated references to the Department of Sustainability and Environment to reflect the department’s new name, the Department of Environment and Primary Industries in relevant clauses.</td>
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<tr>
<td>VC115</td>
<td>4 APR 2014</td>
<td>Changes the Victoria Planning Provisions and relevant planning schemes by:</td>
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<td>• providing that the permit exemptions at Clauses 62.01, 62.02-1 and 62.02-2 do not apply to permit requirements in Clause 36.03 ‘Public Conservation and Resource Zone’;</td>
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<td>• amending Clause 36.03-1 ‘Tables of Uses’ to require a use listed in Clause 62.01 be subject to conditions that a use must be conducted by, on behalf of a public land manager or be specified in an incorporated plan; and</td>
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<td>• amending Clause 36.03-3 to require an application for a permit to be accompanied by the written consent of the Secretary to the Department of Environment and Primary Industries where there is no public land manager for the subject land.</td>
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<td>VC108</td>
<td>16 APR 2014</td>
<td>• Amends Clause 52.38 (2009 Bushfire recovery) to extend the timeframe for continued use of a building for temporary accommodation without a planning permit to 30 April 2015.</td>
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<td>• Amends Clause 52.39 (2009 Bushfire – Replacement buildings) to extend the timeframe for submitting a site plan to the responsible authority for rebuilding a dwelling, dependent person’s unit or building used for agriculture to 30 April 2015.</td>
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<tr>
<td>VC111</td>
<td>16 APR 2014</td>
<td>Amends Clause 37.07 – Urban Growth Zone in “Part A – Provisions for land where no precinct structure plan applies” to align with the reformed Farming Zone approved by VC103 by:</td>
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<td>• Reducing the restrictions for alterations and extensions to dwellings, out-buildings and farm buildings.</td>
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<td>• Removing the requirement for a mandatory section 173 agreement which restricts future subdivision after an initial subdivision is approved.</td>
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<td>• Removing the prohibition on camping and caravan park, funeral parlour, helicopter landing site, industry (other than rural industry), landscape gardening supplies, market, motor racing track, pleasure boat facility, service station, trade supplies, transport terminal, warehouse (other than rural store) and any use listed in Clause 62.01 if any requirement is not met.</td>
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<td>• Removing conditions restricting group accommodation, place of assembly (other than carnival, circus and place of worship), residential hotel, restaurant and store (other than freezing and cool storage and rural store).</td>
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<td>• Removing permit requirements for primary produce sales, rural industry (other than abattoir and sawmill) and rural store, if the condition opposite the use is met.</td>
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<td>• Increasing the threshold for persons that can be accommodated in a bed and breakfast from six to 10 without a permit.</td>
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<td>• Making amusement parlour and nightclub prohibited.</td>
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<td>VC106</td>
<td>30 MAY 2014</td>
<td>The <em>Victoria Planning Provisions</em> (VPP) and all planning schemes are amended to recognise <em>Plan Melbourne</em> and Victoria’s regional growth plans by:</td>
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<td>- Inserting a new clause 9, which requires any references in the planning scheme to <em>Melbourne 2030</em> and <em>Melbourne 2030: A planning update Melbourne @ 5 Million</em> (Department of Planning and Community Development, 2008) to be disregarded and requires planning and responsible authorities to consider and apply <em>Plan Melbourne</em>.</td>
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<td>- Deleting clauses 11.04-1 to 11.04-5 in the State Planning Policy Framework (SPPF), which set out planning objectives and strategies from <em>Melbourne 2030</em>, and introducing new clauses 11.04-1 to 11.04-6 which set out objectives and strategies taken from the vision in <em>Plan Melbourne</em>. Existing clauses 11.04-6 to 11.04-8 have been renumbered as 11.04-7 to 11.04-9 respectively.</td>
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<td>- Inserting clauses 11.06 – 11.13 in the SPPF which set out the objectives and strategies of Victoria’s eight regional growth plans.</td>
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<td>- Removing references to <em>Melbourne 2030</em>, <em>Melbourne 2030: A planning update Melbourne @ 5 Million</em>, the Activity Centres and Principal Public Transport Network Plan, 2010 and <em>Ready for Tomorrow – a Blueprint for Regional and Rural Victoria</em> from the following clauses in the State Planning Policy Framework:</td>
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<td>- clause 11 (Settlement);</td>
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<td>- clause 16 (Housing);</td>
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<td>- clause 17 (Economic Development);</td>
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<td>- clause 18 (Transport); and</td>
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<td>- clause 19 (Infrastructure).</td>
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<td>- Deleting the Activity Centres and Principal Public Transport Network Plan, 2010 from the list of incorporated documents in clause 81.01.</td>
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<tr>
<td>C96</td>
<td>5 JUN 2014</td>
<td>The amendment implements the <em>King and Queen Streets (Wallan) Structure Plan 2014</em> (the structure plan) by including the structure plan as a reference document in Clause 21.12 (Implementation) of the Local Planning Policy Framework and applying a Development Plan Overlay (Schedule 14) to land generally bound by William Street to the north, Queen Street to the south, Windham Street to the west and Mittagong Creek to the east as well as land between Wallan Community Park and Mittagong Creek.</td>
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<tr>
<td>GC9</td>
<td>13 JUN 2014</td>
<td>The amendment replaces all land in the Residential 1 Zone and Residential 2 Zone with the General Residential Zone and updates the planning scheme maps to reflect the reformed commercial zones.</td>
</tr>
<tr>
<td>VC116</td>
<td>1 JUL 2014</td>
<td>Amendment VC116 changes the VPP and all planning schemes by replacing the User Guide and Clauses 52.04, 52.06, 52.35, 54, 55 and 56 to delete references to the Residential 1 Zone, Residential 2 Zone and Residential 3 Zone; deletes Clause 32.01 - Residential 1 Zone from the VPP and 24 planning schemes; deletes Clause 32.02 - Residential 2</td>
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<tr>
<td>VC109</td>
<td>31 JUL 2014</td>
<td>The amendment changes the <em>Victorian Planning Provisions</em> (VPP) and all Victorian planning schemes by amending:</td>
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<td>• Clause 44.06 ‘Bushfire Management Overlay’ (BMO) to move the application requirements to Clause 52.47 and include a new mandatory condition for bushfire bunkers.</td>
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<td>• Clause 52.17 ‘Native Vegetation’ to enable the clearing of native vegetation to be undertaken by private landholders on Crown land with the written permission of the Secretary of the Department of Environment and Primary Industries for the purposes of maintaining wild dog exclusion fences.</td>
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<td>• Clause 52.47 ‘Planning for bushfire’ to provide approved and alternative bushfire safety measures for new single dwellings, replacement or extension to an existing dwelling and other buildings.</td>
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<td>• Clause 52.48 ‘Bushfire Protection: Exemptions’ to provide exemptions for the provision of defendable space for a dwelling approved under the BMO.</td>
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<td>• Clause 66 ‘Referral and Notice Provisions’ to change the referral authority status for relevant fire authorities for some development from determining to recommending referral authority.</td>
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<tr>
<td>VC113</td>
<td>31 JUL 2014</td>
<td>The amendment changes the <em>Victoria Planning Provisions</em> (VPP) and all planning schemes by amending Clause 52.32 – Wind energy facility to enable minor amendments to be made to a Wind energy facility planning permit issued prior to 15 March 2011.</td>
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<tr>
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| VC118            | 22 AUG 2014       | The amendment changes the *Victoria Planning Provisions* (VPP) and all Victorian planning schemes by:  
  - Amending Clause 52.09 to correct errors.  
  - Replacing references to the “Prostitution Control Act 1994” with the “Sex Work Act 1994” in Clause 52.46 and Clause 72 in the to reflect the change to the name of that Act.  
  - Replacing the reference to “Clause 55.09-1” with “Clause 56.09-1” in Clause 56.09.  
  - Deleting the expired Clause 56.10  
  - Replacing the number “3” with the word “three” in Clause 62 to improve the grammatical form of that clause.  
  - Amending Clause 66 to correct outdated references to planning scheme provisions and to update references to regulations.  
  - Deleting the reference to “Laundromat” from the definition of “Service Industry” in Clause 74. Amendment VC87 moved “Laundromat” to the “Shop” definition but omitted to remove it from the “Service Industry definition”.  
  - Amending the list of land uses under the definition of “Earth and Energy Industry” in Clause 74 to remove minor technical errors.  
  - Amends a condition in the use ‘Supermarket’ in the section 2 table to Clause 34.02-1 in the VPP and all relevant planning schemes to remove an inadvertent error.  
  - Deletes the reference to ‘Clause 52.05-6’ in Clause 37.04-5 of the Capital City Zone in the VPP and all relevant planning schemes because Clause 52.05-6 does not specify a category of advertising control.  
  - Updates and corrects the descriptions of people, bodies or departments in:  
    - The schedule to Clause 66.04 - Referral of permit applications under local provisions, in the Latrobe, South Gippsland and Wellington planning schemes.  
    - Schedule 1 to the State Resource Overlay (SRO) in the Latrobe and Wellington Planning Schemes. |
| C95              | 28 AUG 2014       | Replaces Schedule 1 with a new Schedule 1 to Clause 37.07 to amend the provisions of the Small Lot Housing Code. Replaces Schedule 2 with a new Schedule 2 to Clause 37.07 to amend the provisions of the Small Lot Housing Code. |
| VC120            | 4 SEP 2014        | The Amendment changes the Victoria Planning Provisions and all planning schemes by introducing a new Clause 52.43 Live music and entertainment noise. |
| VC114            | 19 SEP 2014       | The amendment changes the *Victoria Planning Provisions* (VPP) and all planning schemes by:  
  - Introducing a new Clause 90 to create a new section in the VPP for the VicSmart planning assessment provisions.  
  - Introducing a new Clause 91 which sets out the planning assessment process for VicSmart applications.  
  - Introducing a new Clause 92 which sets out the classes of application that are a State VicSmart application and the relevant provision of Clause 93 that contains the information requirements and decision guidelines that apply to each class of State VicSmart application.  
  - Introducing a new Clause 93 which sets out the information requirements and decision guidelines for each class of State VicSmart application. |
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<td>C90</td>
<td>16 OCT 2014</td>
<td>Deletes the Restructure Overlay from 19 privately owned properties along Telegraph Road, Seymour and adjoining Crown land and inserts a new incorporated document titled “Restructure plan, Telegraph Road, Seymour, Mitchell Planning Scheme, May 2013” in the Schedule to Clause 45.05 and the Schedule to Clause 81.01 to allow 820 and 890 Telegraph Road, Seymour to be consolidated and developed as specified in the new incorporated document.</td>
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<tr>
<td>VC123</td>
<td>13 NOV 2014</td>
<td>The amendment changes the Victoria Planning Provisions and most application.</td>
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- Introducing a new Clause 94 to provide the ability to specify classes of local VicSmart applications and the relevant clause or schedule that contains the information requirements and decision guidelines that apply to each class.
- Introducing a new Clause 95 which sets out the information requirements and decision guidelines for each class of local VicSmart application.
- Amending the Schedules to Clause 61.01 to specify the Chief Executive Officer of the council as the responsible authority for deciding a VicSmart application in the planning scheme. For the French Island and Sandstone Island Planning Scheme, Port of Melbourne Planning Scheme and Alpine Resorts Planning Scheme specify the Minister for Planning as the responsible authority for deciding a VicSmart application in the planning scheme.
- Making consequential changes to the VPP User Guide to recognise the new VicSmart provisions and to turn off consideration of Clause 65 decision guidelines for a VicSmart application.

The amendment changes the Ballarat Planning scheme by:

- Introducing a schedule to Clause 94 to create local VicSmart classes of application for buildings and works and subdivision affected by Clause 42.02-2 Design and Development Overlay Schedules 1 and 3-16 (inclusive).
- Introducing a schedule to Clause 95 to create information requirements and decision guidelines for the local VicSmart classes of application.

The amendment changes the Greater Geelong Planning scheme by:

- Introducing a schedule to Clause 94 to create additional local VicSmart classes of application for the following applications under the Activity Centre Zone:
  - Boundary realignment
  - Subdivision of an existing building or car space
  - Subdivision of land into two lots
  - Buildings and works up to $250,000
  - Advertising signs
  - Reducing car parking spaces
  - Licensed premises.
- Introducing a schedule to Clause 95 to create information requirements and decision guidelines for the local VicSmart classes of application:
  - Buildings and works up to $250,000
  - Licensed premises.
- The State information requirements and decision guidelines set out in Clause 93 are used for the other local VicSmart classes of application.
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<tr>
<td>planning schemes in Victoria by amending Clause 34.02 – Commercial 2 Zone to make small scale supermarkets (up to 1800 square metres) adjoining, or with access to, a Road Zone not requiring a planning permit in the City of Greater Geelong (consistent with the treatment of supermarkets in this zone in metropolitan Melbourne). Supermarkets greater than 1800 square metres will require a planning permit in the City of Greater Geelong (consistent with metropolitan Melbourne). Other non-metropolitan planning schemes supermarkets larger than 1800 square metres are prohibited in the C2Z.</td>
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<td>GC21 27 NOV 2014</td>
<td>Inserts a new incorporated document titled “Amaroo and Lockerbie Main Sewer Project Incorporated Document” in the Schedule to Clause 52.03 and the Schedule to Clause 81.01 and applies a Public Acquisition Overlay over land.</td>
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<tr>
<td>GC22 4 DEC 2014</td>
<td>Amends the Schedule to Clause 81.01 in the Hume, Melton, Mitchell, Whittlesea and Wyndham Planning Schemes to replace older (differing) versions of the Small Lot Housing Code with the new version of the Small Lot Housing Code, titled ‘Small Lot Housing Code, August 2014’.</td>
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</tbody>
</table>
| VC124 2 APR 2015 | The amendment changes the Victoria Planning Provisions (VPP) and all planning schemes by:  
  - Amending Clause 19.01-1 ‘Provision of Renewable Energy’ to reference the updated Policy and planning guidelines for development of wind energy facilities in Victoria (Guidelines).  
  - Amending Clauses 42.01 ‘Environmental Significance Overlay’, 42.02 ‘Vegetation Protection Overlay’, 42.03 ‘Significant Landscape Overlay’, 44.01 ‘Erosion Management Overlay’, 44.02 ‘Salinity Management Overlay’, 52.16 ‘Native Vegetation Precinct Plan’ and 52.17 ‘Native Vegetation’ to introduce an exemption from requirements to obtain a permit to remove, destroy or lop vegetation and to update references to the name of a government department. The permit exemption applies to vegetation removed, destroyed or lopped on Crown land and by a person acting under and in accordance with an authorisation order made under sections 82 or 84 of the Traditional Owner Settlement Act 2010.  
  - Amending Clause 52.32 ‘Wind Energy Facility’ to  
    - reduce the allowable distance of a turbine to a dwelling from two kilometres to one kilometre (consent is required from the owner of a dwelling to locate a turbine closer than one kilometre to the dwelling)  
    - clarify the application of the one kilometre rule to applications for minor amendments to existing permits  
    - reference the updated Guidelines.  
  - Amending Clause 61.01-1 ‘Minister is the Responsible Authority’ to make the Minister for Planning the responsible authority for all new planning permit applications for the use and development of land for the purpose of a Wind energy facility. |
| VC119 30 APR 2015 | The Amendment changes the Victoria Planning Provisions and all planning schemes by:  
  - amending Clause 52.38 (2009 Bushfire recovery) to extend the timeframe for continued use of a building for temporary accommodation without a planning permit to 30 September 2018;  
  - amending Clause 52.39 (2009 Bushfire – Replacement buildings) to extend the timeframe for submitting a site plan to the responsible authority for rebuilding a dwelling, dependent person’s unit or building used for agriculture to 30 September 2017. |
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<tr>
<td>C91(Part 1)</td>
<td>14 MAY 2015</td>
<td>Corrects ordinance and mapping anomalies, inserts ‘Mitchell Open Space Strategy’ and ‘Kilmore East Railway Station Heritage Citation Report’ as Reference Documents and makes associated changes to the Local Planning Policy Framework.</td>
</tr>
</tbody>
</table>
| VC125            | 11 JUN 2015      | The amendment changes the *Victoria Planning Provisions* and all planning schemes by amending:  
  - Amending Clause 19.01-1 ‘Provision of Renewable Energy’ to reference the updated Policy and planning guidelines for development of wind energy facilities in Victoria (Guidelines).  
  - Amending Clause 52.32 ‘Wind energy facility’ to reference the updated Guidelines and update the application requirements to address the electricity transmission or distribution system.  
  - Amending Clause 74 ‘Land Use Terms’ to change the definition of Wind energy facility to include the use of the transmission or distribution system of power lines to connect the wind energy facility to the electricity network. |
| C56              | 24 SEP 2015      | The amendment implements the recommendations of four heritage studies by applying the Heritage Overlay to places and precincts of heritage significance; correcting errors in the existing Schedule to the Heritage Overlay and associated planning scheme maps; applying a new Schedule 3 to the Significant Landscape Overlay to the Kilmore Creek Environs; renaming and revising the Schedule 1 to the Significant Landscape Overlay; updating the Municipal Strategic Statement at Clause 21.06 (Built Environment and Heritage) and Clause 21.12 (Implementation); introducing a new Clause 22.02 (Heritage Policy); and including three documents as incorporated documents in the Mitchell Planning Scheme. |
| VC128            | 8 OCT 2015       | The Amendment changes the *Victoria Planning Provisions* and all planning schemes by:  
  - Amending Clause 18.04-1 (Melbourne Airport) and Clause 18.04-2 (Planning for airports) to include the National Airports Safeguarding Framework (NASF) as a policy guideline.  
  - Amending Clause 18.04-1 (Melbourne Airport) to update the policy guidelines by replacing Melbourne Airport Master Plan (Australia Pacific Airports (Melbourne) Pty Ltd, September 2008) with Melbourne Airport Master Plan, 2013.  
  - Amending Clause 11.14-1 (Localised planning statements) to include the Bellarine Peninsula Localised Planning Statement (Victorian Government, 2015) (BPLPS) as a policy guideline. |
| VC101            | 29 OCT 2015      | The Amendment:  
  - Removes the following reference documents from the VPP and all planning schemes:  
    - A Vision for Victoria to 2010; Growing Victoria Together (Department of Premier and Cabinet, 2005) from Clause 11 (Settlement);  
    - *Alpine Development Code 1997* from Clause 12 (Environmental and Landscape Values) and from Clause 21.03 (Key planning strategies) in the Alpine Planning Scheme;  
    - *Growing Victoria Together* (Department of Premier and Cabinet, 2001) from Clause 11 (Settlement); and  
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<td></td>
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<td>Updates a number of reference and incorporated documents with new versions in the VPP and all planning schemes, by:</td>
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<td>- Updating the reference document <em>Apiary Code of Practice</em> (May 1997) to <em>Apiary Code of Practice</em> (May 2011) in Clause 14 (Natural resource management) and Clause 62 (Uses, buildings, works, subdivisions and demolition not requiring a permit);</td>
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<td>- Updating the reference document <em>Alpine Resorts 2020 Strategy</em> to <em>Alpine Resorts Strategic Plan</em> (State Government of Victoria, Alpine Resorts Co-ordinating Council 2012) in Clause 12 (Environmental and landscape values) and in schedules 1 and 2 to Clause 37.02 (Comprehensive Development Zone) in the Alpine Resorts Planning Scheme;</td>
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<td>- Updating the incorporated document <em>Code of Practice for Fire Management on Public Land</em>, (Department of Sustainability and Environment, 2006) to <em>Code of Practice for Bushfire Management on Public Land</em> (Department of Sustainability and Environment, 2012) in Clause 81.01 (Table of documents incorporated in this scheme);</td>
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<td>- Updating the incorporated and reference document <em>Code of Practice for Timber Production</em> (Department of Sustainability and Environment, 2007) to <em>Code of Practice for Timber Production</em> (Department of Environment and Primary Industries, 2014) in Clause 14 (Natural resource management), Clause 52.18 (Timber Production) and Clause 81.01 (Table of documents incorporated in this scheme);</td>
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<td>- Updating the incorporated and reference document Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management (Publication 891.2, EPA, 2008) to Guidelines for Environmental Management: Code of Practice – Onsite Wastewater Management (Publication 891.3, EPA, February 2013) in Clause 19 (Infrastructure) and Clause 81.01 (Table of documents incorporated in this scheme);</td>
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<td>- Updating the reference document Guidelines for planning permit applications in open, potable water supply catchment areas (Department of Planning and Community Development, 2009) to Guidelines for planning permit applications in open, potable water supply catchment areas (Department of Sustainability Environment, 2012) in Clause 14 (Natural resource management) and Clause 19 (Infrastructure);</td>
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<td></td>
<td>Removes Particular Provisions 52.40 (Government funded education facilities) and 52.41 (Government funded social housing) from the VPP and all planning schemes as these provisions expired on 30 June 2012 and supported the Commonwealth’s completed Nation Building Economic Stimulus Plan.</td>
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<td></td>
<td>Makes a number of corrections, clarification and updates to the VPP and all planning schemes including:</td>
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<td>- Updating Clause 19 (Infrastructure) and 52.32 (Wind Energy Facility) to insert the publication information for the <em>Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria</em>;</td>
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<td>- Updating Clause 52.06 (Car parking) to remove a double reference to the car parking demand assessment;</td>
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<td>- Updating Clause 52.33 (Shipping container storage) to reflect that in addition to land in a Special Use Zone established for port-related activities, the Particular Provision also does not apply to land in the Port Zone;</td>
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</table>
| VC107            | 26 NOV 2015      | The Amendment makes changes to the Victoria Planning Provisions (VPP) and all planning schemes by:  
|                  |                  | • Amending Clause 19.01-1 (Provision of Renewable Energy) to reference the updated Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria (guidelines);  
|                  |                  | • Amending Clause 52.32 (Wind energy facility) to reference the updated guidelines and make changes to wording;  
|                  |                  | • Amending Clause 61.01-1 (Minister is Responsible Authority) to make the Minister for Planning the responsible authority for all new planning permit applications for use or development of land for the purpose of a utility installation and minor utility installation used to transmit or distribute electricity generated by a Wind energy facility; and  
<p>|                  |                  | • Amending Clause 74 (Land Use Terms) to change the definition of |</p>
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<tr>
<td></td>
<td></td>
<td>Wind energy facility to remove reference to the use of the transmission or distribution systems of power lines to connect the wind energy facility to the electricity network.</td>
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<td>• Amending Clause 18.04-2 (Planning for airports) to include the recently approved Avalon Airport Master Plan (Avalon Airport Australia Pty Ltd, September 2015) as a policy guideline; and</td>
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<td>• Amending Clause 45.02 (Airport Environments Overlay) and Clause 45.08 (Melbourne Airport Environments Overlay) to replace reference to <em>Australian Standard AS 2021-2000, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction</em>, with the 2015 revision issued by Standards Australia Limited.</td>
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<tr>
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<td></td>
<td>• Amending schedules to Clause 81.01 in some planning schemes applying an Airport Environments Overlay or Melbourne Airport Environments Overlay to update the list of incorporated documents to replace reference to <em>Australian Standard AS 2021-2000, Acoustics - Aircraft Noise Intrusion - Building Siting and Construction</em>, with the 2015 revision issued by Standards Australia Limited.</td>
</tr>
<tr>
<td>VC121</td>
<td>21 DEC 2015</td>
<td>The amendment changes the State Planning Policy Framework (SPPF) of the Victoria Planning Provisions (VPP) and all planning schemes by relocating an updated Clause 11.04-9 (River corridors) to a new Clause 12.05 (Rivers), and introduces a new Clause 12.05-2 (Yarra River protection).</td>
</tr>
<tr>
<td>VC126</td>
<td>28 JAN 2016</td>
<td>The Amendment changes the <em>Victoria Planning Provisions</em> (VPP) and all planning schemes by:</td>
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<td></td>
<td>• Amending Clause 52.32 (Wind energy facility) to:</td>
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<td>• exempt an application to amend a permit for a wind energy facility made under section 97I of the Planning and Environment Act 1987 (the Act) from requirements in section 97E (if the amendment of the permit does not increase the number of turbines or change the location of a turbine in specified circumstances),</td>
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<td>• clarify that the location of a turbine is measured from the centre of its tower at ground level for the purpose of provisions relating to the amendment of a permit,</td>
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<td>• update the reference to the Policy and Planning Guidelines for Development of Wind Energy Facilities in Victoria (the guidelines), which have been amended to reflect the amendments to Clause 52.32, and</td>
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<td>• make minor corrections.</td>
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<td>• Amending Clause 19.01-1 (Provision of renewable energy) to update the reference to the guidelines and delete reference to the outdated Renewable Energy Action Plan (Department of Sustainability and Environment, July 2006).</td>
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<td></td>
<td></td>
<td>• Amending Clause 61.01 (Administration and enforcement of this scheme) to remove the Minister for Planning’s designation as the responsible authority for matters under expired Clauses 52.40 (Government funded education facilities) and 52.41 (Government funded social housing).</td>
</tr>
<tr>
<td>VC127</td>
<td>4 FEB 2016</td>
<td>The Amendment changes the <em>Victoria Planning Provisions</em> and all planning schemes by:</td>
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<td>• Amending Clauses 11 (Settlement), 12 (Environmental and Landscape Values) and 13 (Environmental Risks) of the State Planning Policy Framework to update reference to the <em>Victorian Coastal Strategy</em> (Victorian Coastal Council, 2008) with reference to the 2014 version.</td>
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<td>• Amending Clause 52.23 (Shared Housing) to clarify that only the use of land and not development is exempt from a permit under the...</td>
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<tr>
<td>C91(Part 2)</td>
<td>18 FEB 2016</td>
<td>Amends Planning Scheme Map 16HO to correctly identify HO81 ‘The Camp’ former police station and residence at 5 Ryans Road, Kilmore, and amends Planning Scheme Maps 15DPO and 16DPO by deleting the Development Plan Overlay Schedule 7 Rural Living Zone from 99 properties in Kilmore East.</td>
</tr>
<tr>
<td>C92</td>
<td>3 MAR 2016</td>
<td>‘Applies the Environmental Significance Overlay (Schedule 2) to land within the Eppalock and Mollison Creek (Pyalong) Special Water Supply Catchment Areas and applies the Environmental Significance Overlay (Schedule 3) to watercourses within the municipality; amends Schedules 2 and 3 to Clause 42.01 and the Schedule to Clause 66.04.’</td>
</tr>
<tr>
<td>C108</td>
<td>19 MAY 2016</td>
<td>The amendment introduces the Wallan Structure Plan into the Mitchell Planning Scheme as a reference document, rezones land at 6A Butler Court, Wallan from the Farming Zone to the General Residential Zone and applies the Development Plan Overlay to two residential areas, land in the vicinity of Eden Place/McCarthy Court, Wallan and land at the junction of Darraweit Road and Rowes Lane, Wallan. The amendment also makes a number of related and subsequent changes to the Local Planning Policy Framework, including the Municipal Strategic Statement.</td>
</tr>
<tr>
<td>VC130</td>
<td>4 JUL 2016</td>
<td>The Amendment changes the <em>Victoria Planning Provisions</em> (VPP) and all planning schemes by amending Clause 52.32 (Wind energy facility) to delete clause 52.32-8.</td>
</tr>
<tr>
<td>C115</td>
<td>25 AUG 2016</td>
<td>The amendment amends the Schedule to Clause 43.01 (Heritage Overlay) and Planning Map No 25HO to apply interim heritage controls to 59 High Street, Wallan, expiring on 18 May 2017.</td>
</tr>
</tbody>
</table>
| GC52             | 29 SEP 2016       | • The amendment deletes the PAO2 from 445 Flemington Road, North Melbourne.  
• The amendment applies the EAO to part of 1080A Frankston-Flinders Road, Somerville.  
• The amendment rezones:  
  • 15 School Road, Warrenbayne, from PCRZ to FZ.  
  • Rear of 39 East Street, Daylesford, from PUZ1 to IN1Z.  
  • 27 Wilson Avenue and 325-327 Barkly Street, Brunswick, from PUZ4 to C1Z.  
  • 331 Barkly Street and 17-19 Union Street, Brunswick, from PUZ4 to MUZ.  
  • 54 Tallarook Street, Seymour, from PUZ7 to C1Z.  
  • Part of 1080A Frankston-Flinders Road, Somerville, from PUZ4 to GRZ1.  
  • 2230 Snow Road, Markwood, from PUZ2 to FZ.  
  • 823 Weir Road, Glenmaggie, from PUZ1 to RCZ. |
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<tr>
<td>VC131</td>
<td>24 NOV 2016</td>
<td>The amendment changes the <em>Victoria Planning Provisions</em> and all planning schemes by amending Clause 52.19 - Telecommunications facility, to exempt a permit application for a telecommunications facility funded (or partly funded) under the Commonwealth Government's <em>Mobile Black Spot Programme</em> from the notice and review requirements of the <em>Planning and Environment Act 1987</em>.</td>
</tr>
<tr>
<td>C107</td>
<td>1 DEC 2016</td>
<td>The amendment applies an Environmental Audit Overlay (EAO) to Lots 1 &amp; 2, 122 Eliza Street, Seymour.</td>
</tr>
<tr>
<td>C111</td>
<td>22 DEC 2016</td>
<td>The amendment applies the Public Acquisition Overlay to part of the land at 185 O'Sheas Road, Kilmore East.</td>
</tr>
<tr>
<td>VC110</td>
<td>27 MAR 2017</td>
<td>Implements the government's response to the recommendations of the Managing Residential Development Advisory Committee by amending Clause 72 to introduce a new general term, &quot;garden area&quot; and amending the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone, Mixed Use Zone and Township Zone.</td>
</tr>
<tr>
<td>VC135</td>
<td>27 MAR 2017</td>
<td>The amendment introduces additional classes of application into the VicSmart provisions, and increases the 'cost of development' threshold of some existing VicSmart buildings and works classes of application.</td>
</tr>
<tr>
<td>VC134</td>
<td>31 MAR 2017</td>
<td>The Amendment changes the <em>Victoria Planning Provisions</em> and all planning schemes in Victoria by introducing the new Metropolitan Planning Strategy and making corresponding updates to the State Planning Policy Framework. It also restructures Clause 11, includes policy-neutral updates and administrative changes and introduces new and updated incorporated and reference documents.</td>
</tr>
<tr>
<td>C118</td>
<td>6 APR 2017</td>
<td>Implements Sections 48 of the Heritage Act 1995 to ensure that places in the Planning Scheme are consistently identified with places in the Victorian Heritage Register.</td>
</tr>
<tr>
<td>VC136</td>
<td>13 APR 2017</td>
<td>Amendment VC136 introduces state-wide planning requirements for apartment developments. The Amendment changes the <em>Victoria Planning Provisions</em> (VPP) and all planning schemes in Victoria by:</td>
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<td>• Inserting a new Particular Provision at Clause 58 (Apartment developments) to introduce new requirements for apartment developments of five or more storeys (excluding a basement) in a residential zone and all apartment developments in other zones.</td>
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<td>• Amending Clause 55 (Two or more dwellings on a lot and residential buildings) to include new requirements for apartment developments.</td>
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<td>• Deleting Clause 52.35 (Urban context report and design response for residential development of five or more storeys). The content of Clause 52.35 is translated into Clause 58.01.</td>
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<td>• Amending clauses 32.04 (Mixed Use Zone), 32.05 (Township Zone), 32.07 (Residential Growth Zone) and 32.08 (General Residential Zone) to:</td>
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<td>• Require an application for an apartment development of five or more storeys (excluding a basement) to meet the requirements of Clause 58.</td>
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<td>• Update the decision guidelines to require the responsible authority to consider the objectives, standards and decision guidelines of Clause 58 before deciding on an application for an apartment development of five or more storeys (excluding a basement).</td>
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<td>• Specify application requirements for an apartment development in the Residential Growth Zone and the General Residential Zone.</td>
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<td>• Include transitional provisions for applications lodged before the</td>
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<td>approval date of this Amendment.</td>
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<td>• Amending Clause 32.09 (Neighbourhood Residential Zone) to include transitional provisions for applications lodged before the approval date of this Amendment.</td>
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<td>• Amending clauses 34.01 (Commercial 1 Zone), 37.01 (Special Use Zone), 37.02 (Comprehensive Development Zone), 37.04 (Capital City Zone), 37.05 (Docklands Zone), 37.06 (Priority Development Zone) and 37.08 (Activity Centre Zone) to:</td>
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<td>• Require an application for an apartment development to meet the requirements of Clause 58.</td>
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<tr>
<td></td>
<td></td>
<td>• Update the decision guidelines to require the responsible authority to consider the objectives, standards and decision guidelines of Clause 58 before deciding on an application for an apartment development.</td>
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<tr>
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<td></td>
<td>• Specify application requirements for an apartment development.</td>
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<td></td>
<td>• Include transitional provisions for applications lodged before the approval date of this Amendment.</td>
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<td>• Amending Clause 43.05 (Neighbourhood Character Overlay) to prevent Standards B35 to B49 (inclusive) of Clause 55 from being modified in a schedule to the overlay.</td>
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<td>• Amending Clause 72 (General Terms) to introduce a definition for the term ‘Apartment’.</td>
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<tr>
<td>VC133</td>
<td>25 MAY 2017</td>
<td>The Amendment corrects inconsistencies and improves the structure of planning schemes to enable their migration into the Planning Scheme Information Management System (PSIMS) to improve access to, and more efficient amendment of, the planning schemes in Victoria. The changes are administrative and technical corrections and will align with a new Ministerial Direction on The Form and Content of Planning Schemes issued under section 7(5) of the Planning and Environment Act 1987 (the Act).</td>
</tr>
<tr>
<td>VC137</td>
<td>27 JUL 2017</td>
<td>The amendment introduces additional classes of application into the VicSmart provisions for residential zones.</td>
</tr>
<tr>
<td>VC139</td>
<td>29 AUG 2017</td>
<td>The amendment:</td>
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<td>• Introduces new planning requirements for racing dog keeping and training facilities;</td>
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<td>• Introduces new guidelines for apartment developments;</td>
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<td>• Removes redundant references to the Guidelines for Higher Density Residential Development (Department of Sustainability and Environment, 2005), Design Guidelines for Higher Density Residential Development (Department of Sustainability and Environment, 2004), Safer Design Guidelines for Victoria (Crime Prevention Victoria and Department of Sustainability and Environment, 2005) and Activity Centre Design Guidelines (Department of Sustainability and Environment, 2005) in the State Planning Policy Framework (SPPF) and zones and inserts references to the Urban Design Guidelines for Victoria (Department of Environment, Land, Water and Planning, 2017) in the SPPF; and</td>
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<td>• Introduces a new State planning policy for Healthy neighbourhoods.</td>
</tr>
<tr>
<td>VC132</td>
<td>19 SEP 2017</td>
<td>Amendment VC132 is a general amendment that makes a number of administrative corrections and other changes to the Victoria Planning Provisions (VPP) and all planning schemes in Victoria.</td>
</tr>
<tr>
<td>GC13</td>
<td>3 OCT 2017</td>
<td>The Amendment updates the mapping and ordinance for the Bushfire Management Overlay across Victoria by:</td>
</tr>
<tr>
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<tr>
<td><strong>C109</strong></td>
<td>12 OCT 2017</td>
<td>The Amendment amends Schedule 3 to the Special Use Zone (SUZ3) to permit a range of uses associated with Kilmore Racetrack.</td>
</tr>
<tr>
<td><strong>C117(Part 1)</strong></td>
<td>12 OCT 2017</td>
<td>The Amendment amends the Schedule to the Salinity Management Overlay and revises the extent of the Salinity Management Overlay throughout Mitchell Shire with associated mapping changes.</td>
</tr>
<tr>
<td><strong>C119</strong></td>
<td>19 OCT 2017</td>
<td>The Amendment amends the Comprehensive Development Zone Schedule 2 to update the planning framework for the Mandalay Estate in Beveridge, includes VicRoads as a referral authority in Clause 66.04, and updates Clause 81.01 to reference the revised Mandalay Comprehensive Development Plan, April 2017.</td>
</tr>
<tr>
<td><strong>C113</strong></td>
<td>2 NOV 2017</td>
<td>The Amendment implements the recommendations of the <strong>Wandong and Heathcote Junction Heritage Gap Study 2016.</strong></td>
</tr>
<tr>
<td><strong>GC28</strong></td>
<td>3 NOV 2017</td>
<td>The Amendment implements the <strong>Donnybrook-Woodstock Precinct Structure Plan, October 2017</strong> by incorporating the document into the Mitchell and Whittlesea Planning Schemes, inserting Schedules 4 and 6 to the Urban Growth Zone, applying overlays and making a number of other associated changes to the planning schemes to facilitate urban development and protect identified conservation areas within the precinct.</td>
</tr>
<tr>
<td><strong>GC61</strong></td>
<td>3 NOV 2017</td>
<td>The Amendment incorporates the <strong>Donnybrook-Woodstock Metropolitan Greenfield Growth Area Standard Levy Infrastructure Contributions Plan, August 2017</strong> into the Mitchell and Whittlesea Planning Schemes, introduces Schedule 1 to the Infrastructure Contributions Plan Overlay (ICPO1), and applies the ICPO1 to land within the Donnybrook-Woodstock Precinct Structure Plan area.</td>
</tr>
<tr>
<td><strong>GC75</strong></td>
<td>9 NOV 2017</td>
<td>The Amendment makes changes to the Community Infrastructure Levy (CIL) payable in 43 existing Development Contributions Plans (DCPs) across 13 planning schemes. The Amendment changes the 13 planning schemes to:</td>
</tr>
<tr>
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<td>• Amend 36 schedules to Clause 45.06 (DCPO) and incorporated DCPs to update the CIL payable and include a provision that the CIL can be varied in specific circumstances.</td>
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<td>• Amend 2 schedules to Clause 45.06 (DCPO) and incorporated DCPs to change the CIL payable from an amount payable per hectare to an amount payable per dwelling consistent with the Planning and Environment Act 1987 and include a provision that the CIL can be varied in specific circumstances.</td>
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<td>• Amend 5 schedules to Clause 45.06 (DCPO) and incorporated DCPs to include a provision that the CIL can be varied in specific circumstances.</td>
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<td>• Amend 13 schedules to Clause 81.01 to update the references to the incorporated DCPs.</td>
</tr>
<tr>
<td><strong>VC141</strong></td>
<td>21 NOV 2017</td>
<td>The Amendment changes the Victoria Planning Provisions (VPP) and all planning schemes by:</td>
</tr>
<tr>
<td>Amendment number</td>
<td>In operation from</td>
<td>Brief description</td>
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<tr>
<td>• Amending Clause 43.01 – Heritage Overlay, to ensure that an application to subdivide land for a place which is included in the Victorian Heritage Register is referred to the Executive Director under the Heritage Act 2017.</td>
<td></td>
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</tr>
<tr>
<td>• Amending Clause 52.19 – Telecommunications facility, to exempt a permit application for a telecommunications facility funded (or partly funded) under the Commonwealth Government’s Mobile Black Spot Program from the notice and review requirements of the Planning and Environment Act 1987 (the P&amp;E Act).</td>
<td></td>
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</tr>
<tr>
<td>• Amending Clause 52.32 – Wind Energy Facilities, to reflect changes proclaimed through the Planning and Building Legislation Amendment (Housing Affordability and Other Matters) Act 2017 in relation to an amendment to a planning permit for a windfarm.</td>
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<tr>
<td>• Amending Clause 66 – Referral and Notice Provisions, to include the Executive Director specified in the Heritage Act 2017 as a determining referral authority for an application to subdivide a heritage place included in the Victorian Heritage Register.</td>
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<td>• Amending the VPP to update the style and format based on the revised Ministerial Direction on the Form and Content of Planning Schemes (updated April 2017) issued under section 7(5) of the P&amp;E Act.</td>
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<tr>
<td>VC138 12 DEC 2017</td>
<td>The Amendment changes the Victoria Planning Provisions (VPP) and all planning schemes in Victoria to implement reforms relating to the Victorian Government’s review of the planning provisions for native vegetation removal following the release of Protecting Victoria’s Environment - Biodiversity 2037.</td>
<td></td>
</tr>
<tr>
<td>VC140 12 DEC 2017</td>
<td>The Amendment makes the State Planning Policy Framework for Bushfire clearer and more directive to enable a resilient response to settlement planning for bushfires. The Amendment makes changes to the Victoria Planning Provisions and all planning schemes by:</td>
<td></td>
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<tr>
<td>• Inserting an updated State Planning Policy Framework at Clause 10 Operation of the State Planning Policy Framework</td>
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<tr>
<td>• Inserting an updated State Planning Policy Framework at Clause 13 Environmental Risks</td>
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<tr>
<td>VC142 16 JAN 2018</td>
<td>The Amendment includes a wide range of reforms across the VPP that generally remove permit triggers, expand permit exemptions for land uses and buildings and works, remove superfluous and outdated provisions, update references, improve and update definitions, clarify common points of confusion and improve the usability of the VPP.</td>
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<tr>
<td>VC144 27 FEB 2018</td>
<td>The Amendment changes the Victoria Planning Provisions and all planning schemes by:</td>
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<tr>
<td>• Amending Clause 52.05 (Advertising signs) to:</td>
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<tr>
<td>• specify ‘electronic sign’ in Section 2 of Category 3 - High amenity areas (Clause 52.05-9), with a condition that the advertisement area must not exceed three square metres</td>
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<td>• increase the size of the permitted maximum advertisement area of</td>
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<td>Amendment number</td>
<td>In operation from</td>
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<td>a ‘promotion sign’ in Section 2 of Category 3 from two to three square metres.</td>
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<td>• Amending Clauses 52.05 and 73 to replace the term ‘home occupation’ with ‘home based business’.</td>
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<td>• Correcting minor errors in Clauses 52.05 and 62.</td>
</tr>
<tr>
<td>VC145</td>
<td>28 MAR 2018</td>
<td>The amendment amends the Victorian Planning Provisions (VPP) and all planning schemes by:</td>
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<tr>
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<td>• Amending Clause 11.05-2 – Distinctive areas of state significance, to reference the Yarra Ranges Localised Planning Statement;</td>
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<td>• Amending Clause 43.01 – Heritage Overlay, to reinstate administrative corrections that were made in Amendment VC132 but inadvertently removed by Amendment VC141;</td>
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<td>• Amending Clause 52.19 – Telecommunications Facility, to clarify notice and review exemptions for telecommunications facility permit applications that are funded (or partly funded) by the Victorian or Commonwealth government; and</td>
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<td>• Separating clauses and subclauses into separate documents and the consequential renumbering and rationalisation of certain clauses to enable their migration into the Planning Scheme Information Management System (PSIMS).</td>
</tr>
<tr>
<td>VC143</td>
<td>15 MAY 2018</td>
<td>The Amendment changes the Victoria Planning Provisions and all planning schemes by:</td>
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<tr>
<td></td>
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<td>• Amending Clause 32.07 (Residential Growth Zone) to remove Food and drink premises and Shop from Section 1 – Permit not required and make them Section 2 – Permit required uses subject to conditions.</td>
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<td>• Amending Clause 32.08-4 (General Residential Zone) to enable an area to be exempt from the minimum garden area requirement through a schedule to the zone.</td>
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<td>• Amending Clauses 32.08-3 (General Residential Zone) and 32.09-3 (Neighbourhood Residential Zone) to:</td>
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<td>• Exclude the creation of a vacant lot of 400 square metres or greater from the minimum garden area requirement.</td>
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<td>• Clarify that the minimum garden area requirement does not apply to:</td>
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<td>• The creation of a vacant lot less than 400 square metres where there is a precinct structure plan or equivalent strategic plan.</td>
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<td>• The creation of a vacant lot less than 400 square metres where there is an incorporated plan or approved development plan.</td>
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<td>• The creation of a vacant lot less than 400 square metres where there is an approved residential development.</td>
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<td>• Amending clauses 32.08-4 (General Residential Zone) and 32.09-4 (Neighbourhood Residential Zone) to:</td>
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<td>• Remove the minimum garden area requirement from applying to the construction or extension of a dwelling or residential building where a planning permit is not required.</td>
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<td>• Remove the reference to garden area being required to be provided at ground level.</td>
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<td>• Clarify that the minimum garden area requirement does not apply to:</td>
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<td>• A medium density housing site in an approved precinct structure plan or equivalent strategic plan.</td>
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<td>VC146</td>
<td>15 MAY 2018</td>
<td>Amendment VC146 implements the Infrastructure Contributions Plan (ICP) public land contributions model by introducing a new overlay, Clause 45.11 (Infrastructure Contributions Overlay), into the Victoria Planning Provisions. The amendment includes consequential changes to the State Planning Policy Framework to recognise the new ICP system.</td>
</tr>
<tr>
<td>C132</td>
<td>28 JUN 2018</td>
<td>The Amendment alters the planning scheme maps and the Schedule to the Heritage Overlay so that the Mitchell Planning Scheme is consistent with the Victorian Heritage Register.</td>
</tr>
<tr>
<td>GC101</td>
<td>2 JUL 2018</td>
<td>The Amendment implements the Donnybrook-Woodstock Infrastructure Contributions Plan, July 2018 by applying the Infrastructure Contributions Overlay to the land, incorporating the plan into the Mitchell and Whittlesea Planning Schemes and making other consequential changes.</td>
</tr>
<tr>
<td>VC148</td>
<td>31 JUL 2018</td>
<td>The amendment changes to the Victoria Planning Provisions and all planning schemes by:</td>
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<td>• Deleting the State Planning Policy Framework (SPPF) and replacing it with a new integrated Planning Policy Framework (PPF) in Clauses 10 to 19.</td>
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<td>• Deleting Clauses 1.0 (Preliminary) 2.0 (User Guide).</td>
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<td>• Moving the planning scheme purposes from Clause 1.0 to new Clause 01 (Purposes of this planning scheme) and inserting new Clause 00 (Purpose and Vision).</td>
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<td>• Moving the operational provisions for the Local Planning Policy Framework (LPPF) to new Clauses 23.02 and 23.03 and inserting a new Clause 23.01 to explain the relationship between the LPPF and the PPF.</td>
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<td>• Amending provisions (including schedules) to update references to the new MPS and PPF and as a result of the restructure and reorganising of provisions.</td>
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<td>• Amending Clauses 37.03 (Urban Floodway Zone); 42.01 (Environmental Significance Overlay); 42.02 (Vegetation Protection Overlay); 42.03 (Significant Landscape Overlay); 43.01 (Heritage Overlay); 43.02 (Design and Development Overlay); 43.04 (Development Plan Overlay); 44.01 (Erosion Management Overlay); 44.02 (Salinity Management Overlay); 44.03 (Floodway Overlay); 44.04 (Land Subject to Inundation Overlay); 44.05 (Special Building Overlay and 52.28 (Gaming) to enable schedules to specify additional matters.</td>
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<td>• Amending Clause 43.01 (Heritage Overlay) to require the schedule to the overlay to specify a statement of significance for each heritage place included in the schedule and the ability to incorporate heritage design guidelines for a heritage place.</td>
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<td>• Amending Clause 43.04 (Development Plan Overlay) to clarify when an application is exempt from the notice and review requirements.</td>
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<td>• Introducing the Specific Controls Overlay (Clause 45.12).</td>
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<td>• Organising particular provisions into three new categories at Clauses 51, 52 and 53.</td>
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<td>• Inserting a new section, ‘Operational provisions’ (Clauses 70 to 74).</td>
</tr>
<tr>
<td>Amendment number</td>
<td>In operation from</td>
<td>Brief description</td>
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<tr>
<td>VC151</td>
<td>6 AUG 2018</td>
<td>The amendment corrects obvious and technical errors in the <em>Victoria Planning Provisions</em> and all planning schemes by replacing the incorporated document <em>Principal Public Transport Network Area Maps</em> (State Government of Victoria, 2018) with a corrected version of the document. The reference to the corrected document is updated in Clause 72.04 (Documents incorporated in this planning scheme).</td>
</tr>
<tr>
<td>GC106</td>
<td>9 AUG 2018</td>
<td>The Amendment changes the two planning schemes to amend the Schedules to the Urban Growth Zone to update reference to the incorporated Infrastructure Contributions Plan.</td>
</tr>
<tr>
<td>GC91</td>
<td>16 AUG 2018</td>
<td>The Amendment changes the planning provisions for five parcels of land identified as surplus to Victorian Government requirements. The amendment:</td>
</tr>
<tr>
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<td>- Rezones part 2-10 Piper Lane, East Bendigo from Public Use Zone – Other Public Use to Industrial 1 Zone in the Greater Bendigo Planning Scheme.</td>
</tr>
<tr>
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<td>- Rezones part 287 Doyles Road, Orrvale from Public Use Zone – Service and Utility to Commercial 2 Zone (part), Public Use Zone – Local Government (part) and Farming Zone (part) in the Greater Shepparton Planning Scheme.</td>
</tr>
<tr>
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<td>- Rezones land between Tootle Street and Graves Street, Kilmore (part 330 Union Lane, Bylands) from Public Use Zone – Transport to General Residential Zone – Schedule 1 in the Mitchell Planning</td>
</tr>
</tbody>
</table>

that consolidates operational, administrative and other provisions.

- Making various changes to advertising signs provisions at Clauses 32.04 (Mixed Use Zone), 52.05 (Signs), 62.02, 62.01 and at newly numbered Clauses 73.02 (Sign terms) and 73.03 (Land use terms).
- Amending Clause 52.29 (Land Adjacent to a Road Zone 1, Category 1, or a Public Acquisition Overlay for a Category 1 Road) to exempt an application from notice and review requirements and to clarify permit exemptions.
- Amending Clause 33.01 (Industrial 1 Zone) to remove the requirement to obtain a planning permit to use land for a 'convenience shop' and 'take away food premises'.
- Amending Clause 33.03 (Industrial 3 Zone) to remove the requirement to obtain a planning permit to use land for a 'service industry' (in certain circumstances) and a 'take away food premises'.
- Deleting Clause 52.12 (Service station).
- Amending Clauses 33.01 (Industrial 1 Zone) and 32.04 (Mixed Use Zone) to ensure impacts of service stations are considered.
- Deleting Clauses 52.13 (Car wash) and 52.14 (Motor vehicle, boat or caravan sales).
- Amending Clause 52.06 (Car parking) to change the planning permit requirements and number of spaces to be provided in certain circumstances.
- Introducing incorporated document Principal Public Transport Network Area Maps (State Government of Victoria, 2018).
- Deleting the VicSmart provisions in Clauses 90 to 95 and consequently: relocating classes of State VicSmart applications to the applicable zones, overlays and particular provisions, local VicSmart provisions to a new Clause 59 (VicSmart applications and requirements) and operational provisions to new Clause 71.06.
- Making consequential changes to the schedules of applicable particular provisions in planning schemes, including inserting new schedules.
Amendment number | In operation from | Brief description
---|---|---
| | | Scheme.
| | | - Rezones part 25-31 Margaret Street, Moonee Ponds from Public Use Zone – Transport to General Residential Zone – Schedule 1 in the Moonee Valley Planning Scheme.
| | | - Rezones part Lot 1 TP878331 & part Lot 2 TP850565, Glenmaggie from Public Use Zone – Service and Utility and Public Use Zone – Education to Rural Conservation Zone in the Wellington Planning Scheme.

VC147 14 SEP 2018 | The amendment makes administrative changes to the Victoria Planning Provisions (VPP) and all planning schemes by:
- Making style, format and technical changes to improve presentation and operation;
- Correcting inconsistencies and clerical errors; and
- Changing the operation of amendment date stamps located next to clause numbers. VC147 will not be added to the clause date stamps due to it’s administrative nature.

The Amendment enables the online publishing of planning schemes through the Department of Environment, Land, Water and Planning’s (DELWP) new Amendment Tracking System (ATS). The Amendment does not change the operation of policy or the effect of provisions in planning schemes.

VC150 21 SEP 2018 | The Amendment changes the Victoria Planning Provisions (VPP) and all planning schemes by:
- Introducing clear land use definitions and risk-based planning controls for animal industries;
- Removing the *Piggeries Code of Practice 1992*;
- Referencing the 2018 amendments to the *Victorian Code for Broiler Farms 2009*;

to implement actions outlined in the Victorian Government's *Planning for Sustainable Animal Industries* report.

VC149 4 OCT 2018 | The Amendment changes the Victoria Planning Provisions (VPP) by inserting a new Commercial 3 Zone at Clause 34.03.

The Amendment also amends the VPP and all planning schemes to:
- Introduce new requirements for the assessment of residential solar energy facility overshadowing.
- Implement the wind energy facility recommendations of the Independent Inquiry into the Environment Protection Authority.

VC153 4 OCT 2018 | Amends Clause 52.13-7 (2009 Bushfire – Recovery Exemptions) to extend the expiry date to 30 September 2019.

VC152 26 OCT 2018 | Amendment VC152 amends the *Victoria Planning Provisions (VPP)* and all planning schemes to:
- insert new objectives and strategies for major hazard facilities in Clause 13.07 (Amenity)
- amend Clause 16.01-6S (Crisis accommodation and community care units) to reflect the new land use terminology and policy support for community care accommodation and rooming houses
- amend the table of uses in all residential zones, Clause 34.01 (Commercial 1 Zone) and Clause 35.03 (Rural Living Zone) to include permit exemptions for ‘Community care accommodation’ and ‘Rooming house’ land uses
<table>
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<tr>
<th>Amendment number</th>
<th>In operation from</th>
<th>Brief description</th>
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<tbody>
<tr>
<td>VC154</td>
<td>26 OCT 2018</td>
<td>Amendment VC154 changes the Victoria Planning Provisions and all planning schemes by:</td>
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<tr>
<td></td>
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<td>▪ Deleting Clause 14.02-3S (Water conservation) and integrating these policy statements into a new Clause 19.03-3S (Integrated water management).</td>
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<td>▪ Amending Clause 19.03-3S (Water supply, sewerage and drainage) to update and broaden water, drainage and stormwater policies to integrated water management policies.</td>
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<td>▪ Deleting Clause 19.03-4S (Stormwater) and integrating this policy into the new Clause 19.03-3S (Integrated water management), with consequential renumbering throughout Clause 19.03.</td>
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<td>▪ Inserting a new particular provision at Clause 53.18 for ‘Stormwater management in urban development’.</td>
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<td>▪ Amending Clause 55 (Two or more dwellings on a lot and residential buildings) to provide transitional provisions for residential development applications to be assessed against the Clause 55 provisions as they existed before the approval date of Amendment VC154.</td>
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<td>▪ Amending Clause 55.03-4 (Permeability) to rename the standard ‘Permeability and stormwater management’ and amend the standard to include a new stormwater purpose, requirements and decision guidelines.</td>
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<td>▪ Amending Clause 55.07 (Apartment developments), Clause 56.07 (Integrated water management) and Clause 58.03 (Site layout) to generally align with the new particular provision.</td>
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<td>▪ Amending Clause 73.01 (General terms) to insert a new general term and definition for ‘stormwater’.</td>
</tr>
<tr>
<td>VC155</td>
<td>26 OCT 2018</td>
<td>Amendment VC155 amends the Victoria Planning Provisions and all planning schemes by:</td>
</tr>
<tr>
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<td>▪ Amending Clause 15.03-1S (Heritage conservation) to include an additional strategy and policy guideline.</td>
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|                  |                  | ▪ Amending Clauses 54.03-5 (Energy efficiency protection), 55.03-5 (Energy efficiency) and 55.07-1 (Energy efficiency) to replace the word
<table>
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<tr>
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<tbody>
<tr>
<td>C117(Part 2)</td>
<td>15 NOV 2018</td>
<td>‘capacity’ with ‘performance’ and specify that a rooftop solar energy facility must exist at the time an application is lodged.</td>
</tr>
<tr>
<td>GC108</td>
<td>15 NOV 2018</td>
<td>The Amendment reduces the extent of the Salinity Management Overlay at 465 Saunders Road, Kilmore East and 785 Seymour-Tooborac Road, Hildene by restricting it to salinity discharge areas.</td>
</tr>
<tr>
<td>GC55</td>
<td>17 JAN 2019</td>
<td>The Amendment amends the existing approved ‘interim’ Donnybrook-Woodstock Infrastructure Contributions Plan, July 2018 incorporated document and the Infrastructure Contributions Overlay applying to the Donnybrook-Woodstock precinct, and makes associated changes to the Mitchell and Whittlesea Planning Schemes.</td>
</tr>
<tr>
<td>GC116</td>
<td>17 JAN 2019</td>
<td>The Amendment gives effect to the Beveridge Central Precinct Structure Plan, May 2018 by incorporating the document into the Mitchell Planning Scheme at Clause 72, inserting a new Urban Growth Zone Schedule 5 (UGZ5) at Clause 37.07 of the Mitchell Planning Scheme, rezoning the land to UGZ5, applying overlays, and making a number of other consequential changes to the Mitchell and Whittlesea Planning Schemes, to facilitate urban development within the precinct.</td>
</tr>
<tr>
<td>C120</td>
<td>31 JAN 2019</td>
<td>The Amendment rezones Part 2 Tootle Street, Kilmore from Farming Zone to General Residential Zone.</td>
</tr>
<tr>
<td>VC157</td>
<td>15 MAR 2019</td>
<td>Amendment VC157 introduces changes to the Victoria Planning Provisions (VPP) and all planning schemes to require planning approval for power lines to connect new large-scale electricity generation facilities to the electricity network.</td>
</tr>
<tr>
<td>C123</td>
<td>28 MAR 2019</td>
<td>The amendment implements the Kilmore Structure Plan August 2016 and Wandong-Heathcote Junction Structure Plan August 2016 by amending the Municipal Strategic Statement, rezoning land and introducing new zone schedules, applying the Design and Development Overlay and Development Plan Overlay, and amending the public open space contribution requirement.</td>
</tr>
<tr>
<td>VC156</td>
<td>11 APR 2019</td>
<td>Amendment VC156 introduces changes to the Victoria Planning Provisions and all planning schemes to correct formatting and spelling errors and omissions and to clarify the operation of certain provisions.</td>
</tr>
<tr>
<td>C127</td>
<td>18 APR 2019</td>
<td>The amendment amends the Schedule to Clause 72.01 ‘Responsible authority for this planning scheme’ to make the Minister for Planning the responsible authority for administering and enforcing the planning scheme for land described as Reserve No.1 PS824074A. 44 Kelly Street, Beveridge (the Kelly House).</td>
</tr>
<tr>
<td>C141mth</td>
<td>27 MAY 2019</td>
<td>The Amendment makes administrative, formatting and technical changes to local provisions of the Mitchell Planning Scheme to reflect reforms introduced by Amendments VC142 and VC148 and to ensure consistency with the Ministerial Direction on the Form and Content of Planning Schemes, as part of the Smart Planning Program.</td>
</tr>
<tr>
<td>GC129</td>
<td>27 JUN 2019</td>
<td>The Amendment makes administrative changes to all local policy and local schedules of each planning scheme by:</td>
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<td>• making style, format and technical changes to improve presentation</td>
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<td>• correcting inconsistencies and clerical errors</td>
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<td>changing the operation of amendment date stamps located next to clause numbers.</td>
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